

## excerpt from NMSU Policy Manual

### 3.98 **Smoking Policy** *[Amendments adopted by Administrative Council 05.09.06; ratified by Board of Regents 09.08.06]*

- A. General: Accumulating evidence has shown environmental or second hand tobacco smoke increases the risk of cancer and other health hazards for non-smokers as well as smokers. New Mexico State University has a vital interest in maintaining a healthy and safe environment for its students, faculty, staff and visitors while respecting individual choice. Consistent with these concerns and the New Mexico Clean Indoor Air Act, NMSA 1978, § 24-16-1 through 11, the following policy has been established to restrict smoking of tobacco, or any other weed or plant, and provide procedures for accommodating the preferences of both smokers and nonsmokers.

Smoking of tobacco products is prohibited in all buildings (exceptions below) owned or leased by the university as well as within 25 feet of entrance or exit, vehicles, and during some organized outdoor events on university property.

- B. Smoke Free Areas: Smoking is prohibited in or at:
1. All enclosed buildings and facilities including classrooms, offices, food service venues, lavatories, and most residence halls ( in accordance with Housing and Residential Life policies);
  2. within 25 feet of building entrances and exits (when reasonable) and fresh air intake grills unless it is a specially designated smoking area;
  3. partially or fully enclosed walkways, corridors, elevators;
  4. vehicles owned, leased or rented by the university ;
  5. within 50 feet of any area where flammable materials are handled or stored, or where other significant fire hazard may exist; and/or
  6. indoor athletic or other university-sponsored or designated events.

No Smoking signs or the international no smoking symbol will be posted at major entrances of all university buildings except for those campus residences where smoking is permitted.

- C. Smoking Permitted Areas: Smoking is permitted outdoors on university property except during organized events which have been designated as “No Smoking”. Individuals choosing to smoke outdoors must be 25 feet from doorways, open windows, enclosed walkways, and ventilation systems to prevent smoke from entering enclosed buildings and facilities, and to prevent public access from being denied to an individual with a respiratory medical condition.

In accordance with Housing and Residential Life policies, smoking is permitted in those units which constitute private residences; when everyone in the shared residence is a smoker or at the discretion of each family housing unit.

Fraternities and sororities will work toward an agreement, consistent with university policy during the 2006-07 school years.

- D. Education and Services for Smokers: In light of numerous adverse health effects associated with active smoking, and with exposure to second hand smoke, the university will provide educational services to faculty, staff, and students about the hazards of smoking and information and services on quitting smoking. In addition to consulting with their own health care providers, students,

faculty, and staff may get assistance from the following university programs.

1. Students may contact the NMSU Student Health Center for information and programs on quitting smoking.
  2. Faculty and staff may obtain assistance in smoking cessation through the Employee Health Center.
- E. Cooperation and Compliance: This policy relies on the mutual courtesy and cooperation of smokers and nonsmokers for its success. It is the responsibility of all members of the NMSU community to observe the provisions of this policy on smoking. Complaints or concerns or disputes regarding its implementation should be referred to the immediate supervisor for resolution. The Office of Environmental Health & Safety will assist in determining what distance or location is reasonable for the particular situation. If a resolution cannot be reached, the matter will be referred by the supervisor to the appropriate department head, director, dean, vice president for mediation. Managers, department heads and unit directors are responsible for seeing that persons in their areas are informed and comply with this smoking policy. Those having difficulty complying with these restrictions are encouraged to seek assistance from the resources listed in Section D. Students, faculty, and staff violating this policy are subject to disciplinary action. Any person who commits an unlawful act under any of the provisions of the New Mexico "Clean Indoor Air Act" shall be fined in an amount not less than ten dollars or more than twenty-five dollars for each violation.
- F. Disposal of Tobacco Waste: Anyone who chooses to smoke or use smokeless tobacco on campus must discard the waste in an appropriate manner.