

Volume E2: Environment, Health, Safety and Security	E2.3 Smoke-Free University Policy Effective Date: 07/01/2015	Responsible Office: University Police
		Responsible Officer: University Chief of Police

POLICY STATEMENT

The Illinois General Assembly enacted and the Governor approved Public Act 098-0985, the Smoke Free Campus Act (the Act), which abolishes smoking on all campuses of public institutions of higher education, statewide, including all Northeastern Illinois University locations. This policy incorporates and adopts the requirements of the Act and further prohibits smoking in other areas established by this policy.

As of July 1, 2015, smoking is prohibited on all property at all Northeastern Illinois University ("University") locations, to include all areas, both indoors and outdoors, in University-owned vehicles and in privately-owned vehicles while parked on University property. The advertising, sale, or free sampling of tobacco products prohibited in the Act is also prohibited on University property. Littering the remains of smoking products or any other related waste product on University property is further prohibited.

PURPOSE OF THE POLICY

To provide a healthy environment that promotes the health, well-being, and safety of students, faculty, staff, and visitors at Northeastern Illinois University by minimizing the negative effects of secondhand; to improve fire safety; and to encourage a more sustainable environment.

WHO IS AFFECTED BY THIS POLICY

All University employees, students, guests, vendors and any other individual present on University owned or leased property.

DEFINITIONS

Employee - an individual who is employed by Northeastern Illinois University, a State-supported institution of higher education in consideration for direct or indirect monetary wages or profit.

Governing authority - the administrative branch of the State-supported institution of higher education.

Guest - a visitor to any of the locations of a State-supported institution of higher education.

Smoke or smoking - the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, e-cigarette, hookah, bong, vaping, weed, herbs, or other lighted smoking equipment. "Smoke" or "smoking" also includes products containing or delivering nicotine intended or expected for human consumption, or any part of such a product, that is not a tobacco product as defined by Section 321(rr) of Title 21 of the United States Code, unless it has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or other medical purposes and is being marketed and sold solely for that approved purpose. "Smoke" or "smoking" does not include smoking that is associated with a native recognized religious ceremony, ritual, or activity by American Indians that is in accordance with the federal American Indian Religious Freedom Act, Sections 1996 and 1996a of Title 42 of the United States Code.

Student - an individual enrolled in a credit or noncredit course at Northeastern Illinois University, a State-supported institution of higher education.



University – all locations and property, including buildings, grounds, parking lots, and vehicles that are owned or operated by a State-supported institution of higher education, but does not include property excluded by the Smoke Free Illinois Act or enclosed laboratories not open to the public, in an accredited university or government facility where the activity of smoking is exclusively conducted for the purpose of medical or scientific, health-related research.

REGULATIONS

[Illinois Administrative Procedure Act 5ILCS100](#)
[Smoke- Free Illinois Act 410 ILCS 82](#)
[Smoke- Free Campus Act- Public Act 098-0985](#)

PROCEDURES

1. The University shall post notices bearing the message “Smoke-Free Campus” or the international “No Tobacco” symbol or similar signage at critical areas across the University, such as at building and sidewalk entrances. However, this policy applies to all University property whether or not such notices are posted.
2. Organizers of and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events, and sporting events, as well as non-University events held on University property must abide by this policy. Organizers of such events are responsible for informing attendees of this policy.
3. Any individual may inform someone smoking on University property of this policy and request that the smoker comply with the policy. Noncompliant individuals who are perceived as threatening or violent may be referred to University Police.
4. Individuals found to be noncompliant will be subject to existing University disciplinary procedures:
 - a. For students, such noncompliance will be referred to the Office for Student Rights and Responsibilities.
 - b. For employees, such noncompliance will be referred to the employee's supervisor, Academic Affairs or the Office of Human Resources, as applicable.
 - c. For contractors and subcontractors, such noncompliance will be referred to the University unit responsible for monitoring performance of the applicable contract.
 - d. Visitors and members of the public who refuse to comply with this policy will be asked to leave University grounds.

Exceptions

1. The prohibition set forth in this policy shall not apply to any instance in which an individual is traveling through University property in a vehicle that is not owned by a State-supported institution of higher education.
2. Subject to advance approval as specified herein, the following activities may be conducted as exceptions to this policy:
 - **Ceremonial Smoking:** Individuals or groups interested in smoking as part of a ceremony in or on University property must receive advance approval from the Vice President for Student Affairs.
 - **Smoking in Research:** Smoking may be allowed in an enclosed area on University property for a medical, scientific, or research program, provided that smoking is an integral part of such program and the appropriate University research oversight body has approved the inclusion of smoking in the program pursuant to the applicable procedures for such medical, scientific, or research program. Advance approval of such research must be received from the Provost.

Enforcement:

The success of the Smoke-Free Policy for Northeastern Illinois University will depend upon the thoughtfulness, consideration, and cooperation of smokers and nonsmokers. It is the responsibility of all members of the University community to observe this smoking policy.

The Department of Public Health, state certified local public health departments, and local law enforcement agencies, including the Northeastern Illinois University Police Department, shall enforce the provisions of the



Smoke Free Campus Act. Violations of the Act may result in student or employee disciplinary action and/or fines in an amount of not less than \$100 to not more than \$250 for a person that violates the Act.

HISTORY

4/15/2015 – Revised; revised name and policy content per Smoke-Free Campus Act
 Formerly Administrative Memorandum No. 59 – Tobacco-Free Policy, effective dated 3/01/1995

CONTACT INFORMATION

Please direct questions or concerns about this policy to:

Contact	Phone	E-Mail
University Chief of Police	773-442-4100	j-lyonjr@neiu.edu

DISCLAIMER

The University reserves the right to modify or amend sections of this policy at any time at its sole discretion. This policy remains in effect until such time as the Responsible Officer calls for review. Requests for exception to any portion of this policy, but not to the policy statement, must be presented in writing to the Responsible Officer.