

3356-4-01 Smoke, ~~and tobacco~~, and vape-free environment.

- (A) Policy statement. Youngstown state university is dedicated to providing a healthy, comfortable, and productive work and living environment for its employees and students and adhering to the smoking prohibition requirements in Chapter 3794. of the Revised Code. The success of creating and maintaining a mutually acceptable work and living environment will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers.
- (B) Scope. This policy applies to students, employees, and third parties and to all university-owned, leased, or managed facilities, outdoor areas, and vehicles.
- (C) Purpose. To comply with Ohio smoking law, Chapter 3794. of the Revised Code, and to limit the exposure of university students, employees, and visitors to the effects of tobacco use ~~and, nicotine~~, secondhand smoke, electronic smoking devices (e.g., electronic cigarettes, electronic cigars, electronic hookah, electronic pipe), vaping/vapor, and aerosolized devices and products.
- (D) Definitions.
- (1) “Tobacco use.” For purposes of this policy, “tobacco use” means the use of any tobacco or nicotine product, whether intended to be lit or not, including smoking, as defined below, as well as the use of electronic cigarettes or any other devices intended to simulate smoking or tobacco use or deliver nicotine, and the use of smokeless tobacco, such as snuff and chewing tobacco, and any other form of loose-leaf smokeless tobacco.
- (2) “Smoking.” ~~Inhaling, exhaling, or burning of tobacco or any other material in any type of smoking equipment or device, including but not limited to cigarettes, e-cigarettes, cigars, or pipes.~~ burning, or carrying any lighted or heated product intended for inhalation in any manner or any form. This includes, but is not limited to cigarettes, electronic or e-cigarettes, electronic cigars, electronic pipes, vaping devices, or any apparatus that creates an aerosol or vapor in any manner or in any form.

- (E) Parameters. Smoking, vaping, and tobacco use are specifically prohibited in the following university locations:
- (1) All university-owned or leased buildings and vehicles;
 - (2) Outdoor areas where smoke may enter the building through an entrance, overhang, windows, vents, loading dock or other openings to a building or other structure;
 - (3) All residence halls;
 - (4) Any outdoor patio that is not physically separated from a building;
 - (5) All outdoor events, such as but not limited to athletic events, concerts, or other performances, award ceremonies, and public speakers;
 - (6) Fountain seating area outside of Kilcawley;
 - (7) All outdoor areas posted as non-smoking.
- (F) Violations of paragraphs (E)(1) to (E)(4) of this rule are violations of state law, Chapter 3794. of the Revised Code, and university policy. Violations of paragraphs (E)(5) to (E)(7) of this rule are violations of university policy only.
- (G) Smoking shall be permitted in the following places owned or leased by Youngstown state university:
- (1) All outdoor areas not specifically listed above; and
 - (2) Outdoor areas at least fifty feet away from the entrance, overhang, windows, vents, loading dock or other openings to a building or other structure, provided that smoke does not inadvertently enter the building.
- (H) Smoking cessation. Smoking cessation support will be made available periodically to members of the university community wishing to cease smoking.
- (I) Procedures.

- (1) Complaints of violations of this policy may be brought to the attention of the vice president of finance and administration. Complaints of violations of state law may also be brought in accordance with reporting guidelines provided by the Ohio department of health.
 - (2) “Smoking prohibited” signs will be posted in accordance with Chapter 3794. of the Revised Code.
 - (3) Smokers are required to dispose of all smoking and tobacco litter in the receptacles provided in selected areas where smoking is permitted.
- (J) Enforcement.
- (1) All employees and students share in the responsibility for adhering to and enforcing this policy.
 - (2) Individuals who violate this policy will be issued a university smoking prohibition warning, which could result in employee or student discipline. Individuals who violate state law and are reported to the department of health may be fined up to one hundred dollars.

Effective: 1/20/2020

CERTIFIED ELECTRONICALLY

Certification

01/09/2020

Date

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