



# UTAH VALLEY UNIVERSITY

## Policies and Procedures

<b>Proposed Policy Number and Title:</b> 158 Tobacco-Free Campus		
<b>Current Policy Number and Title:</b> 158 Tobacco		
<b>Approval Process*</b>		
<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Temporary	<input type="checkbox"/> Compliance Change
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Revision—Limited Scope <input type="checkbox"/> Deletion	<input type="checkbox"/> New <input type="checkbox"/> Revision <input type="checkbox"/> Revision—Limited Scope	<input type="checkbox"/> New <input type="checkbox"/> Revision—Limited Scope <input type="checkbox"/> Deletion
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

<b>Draft Number and Date:</b>	Stage 2 Regular, October 6, 2025
<b>President's Council Sponsor:</b>	Marilyn Meyer
<b>Policy Steward:</b>	Drew Burke

POLICY APPROVAL PROCESS DATES		
REGULAR	TEMPORARY	COMPLIANCE
<b>Drafting and Revision</b> Entrance Date: 8/22/2024	<b>Drafting and Revision</b> Entrance Date: N/A	<b>President's Council Approval</b> Approval Date: N/A
<b>University Entities Review</b> Entrance Date: 11/13/2025 Close Feedback: 1/22/2026	<b>Board of Trustees Review</b> Entrance Date: N/A Approval Date: N/A	<b>Board of Trustees Ratification</b> Ratification Date: N/A
<b>Board of Trustees Review</b> Entrance Date: _____ Approval Date: _____		



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<b>POLICY TITLE</b>	Tobacco Free Campus	<b>Policy Number</b>	158
<b>Section</b>	Governance, Organization, and General Information	<b>Approval Date</b>	
<b>Subsection</b>	Individual Rights	<b>Effective Date</b>	
<b>Responsible Office</b>	Office of the Vice President of People and Culture	<b>Last Review</b>	

#### 1.0 PURPOSE

**1.1.** The purpose of this policy is to promote a safe and healthy environment for students, faculty, and staff and to comply with state and federal law.

#### 2.0 REFERENCES

**2.1** *Cigarettes and Tobacco and Psychotoxic Chemical Solvents*, Utah Code § 76-10-101 to 115

**2.2** *Medical Cannabis Act*, Utah Code § 26-61A

**2.3** *Utah Indoor Clean Air Act*, Utah Code § 26B-7-503

**2.4** UVU Policy 155 *Drug- and Alcohol-Free Workplace*

#### 3.0 DEFINITIONS

**3.1 Enclosed areas:** Any indoor facility such as rooms, structures, buildings, or objects that are substantially enclosed by a roof and walls, whether any part of them is permanent, temporary, open, or closed. Some examples include buildings, residential dwellings, motorized vehicles, sheds, outbuildings, aircraft, and personal vehicles used to transport other persons engaged in university, work, or educational programs owned, leased, or managed by the University.

**3.2 Partially enclosed areas:** Any indoor space such as, rooms, structures, buildings, or objects that are partially sheltered by a roof or walls, whether any part of them is permanent, temporary, open, or closed. Some examples include covered walkways, parking garages, enclosed courtyards, bus stop shelters, covered entryways, exterior stairways, and exterior landings, owned, leased, or managed by the University.

**3.3 Smokeless tobacco:** Any finely cut, ground, powdered, or leaf tobacco that is intended to be placed in the oral cavity or nasal passage to deliver tobacco, nicotine, or other similar substances.



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**3.4 Smoking device:** Any item intended to allow the user to inhale, smoke, or otherwise ingest tobacco, nicotine, vaping liquids, or other inhalable substances. Some of the more common devices include cigarettes, cigars, pipes, bong, hookahs, pen pipes, bubblers, joints, and vaporizers.

**3.5 Smoking products:** Any substance, item, or object with the primary purpose of being burned, heated, or used to produce vapors, gases, or smoke that would allow the user to inhale, smoke, or otherwise ingest tobacco, nicotine, vaping liquids, smokeless tobacco, or other similar substances.

**3.6 Smoking:** The act of lighting, holding, carrying, inhaling, vaping, or otherwise ingesting nicotine, tobacco, vaping liquids, or other similar substances through a lighted, smoldering or smoking device.

**3.7 University workplace:** Any enclosed or partially enclosed areas owned, leased, or managed by the University where any university work, programs, or sponsored activities are performed. This does not include a university-approved remote workspace where no other university students or employees are present.

**3.8 Vaping:** The act of activating, holding, carrying, inhaling, or otherwise ingesting tobacco, nicotine, vaping liquids, other similar substances using an activated electronic nicotine delivery system or smoking device.

#### 4.0 POLICY

**4.1** The University maintains a smoke-free workplace consistent and compliant with state laws and regulations. The following are strictly prohibited:

**4.1.1** Smoking, vaping, or using smoking products in any university workplace.

**4.1.2** Smoking, vaping, or using smoking products within 25 feet of entrances, windows, and air intake vents of any university workplace.

**4.1.3** Unlawfully manufacturing, purchasing, possessing, distributing, or using smoking products, smoking devices, and smokeless tobacco in any university workplace.

**4.1.4** Unlawfully providing smoking products or smoking devices, whether knowingly, intentionally, recklessly, or with criminal negligence, to a person under the age of 21.

**4.1.5** Selling or distributing smoking products or smoking devices in a university workplace.

**4.1.6** Campus entities and organizations accepting money or gifts from clearly identifiable smoking product businesses or companies.



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4.1.7 Any advertising supporting smoking products in university-run or related publications.

4.2 Marijuana and medical cannabis are governed by UVU Policy 155 *Drug- and Alcohol-Free Workplace*.

## 5.0 PROCEDURES

### 5.1 Reporting Potential Policy Violations

5.1.1 Potential violations must be reported to campus police.

5.1.2 Campus police handle violations of the *Utah Clean Air Act*.

5.1.3 Policy violations not rising to a violation of the *Utah Clean Air Act* are handled by the Office of People and Culture for faculty, staff, and visitors, or Student Rights and Accountability for students.

### 5.2 Exceptions to this Policy

5.2.1 As provided by Utah Code 26B-7-503(3), an exception to this policy may be granted under certain circumstances for an American Indian tribal religious ceremony. Before engaging in a ceremony, those conducting the ceremony must request permission and receive approval for the exception from the Office of People and Culture. Requests for an exception will be granted in accordance with applicable state or local law.

### 5.3 Smoking Cessation Resources

5.3.1 UVU offers smoking cessation resources and programs. Questions about such programs and resources should be directed to the Office of People and Culture or Wellness Programs.

POLICY HISTORY		
<b>Date of Last Formal Review:</b> <a href="#">Click here to enter a date.</a>		
<b>Due Date of Next Review:</b> <a href="#">Click here to enter a date.</a>		
Date of Last Action	Action Taken	Authorizing Entity
September 28, 2023	2.1 Fixed formatting and changed “Utah Indoor Clean Air Act Section 26-28-1 through 26-28-9” to “ <i>Utah Indoor Clean Air Act</i> , Utah Code Ann. §§ 26-28-1 to 9”	UVU Policy Office
September 28, 2023	4.10 Change “Human Resources” to “People and Culture”	UVU Policy Office
	Revised policy approved.	UVU Board of Trustees



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\*More information on the formal review can be found in Policy 101 section 4.7.3.



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<b>POLICY TITLE</b>	Tobacco	<b>Policy Number</b>	158
<b>Section</b>	Governance, Organization, and General Information	<b>Approval Date</b>	June 12, 2004
<b>Responsible Office</b>		<b>Effective Date</b>	June 12, 2004

#### 1.0 PURPOSE

#### 2.0 REFERENCES

~~2.1 Utah Indoor Clean Air Act, Utah Code Ann. §§ 26-28-1 to 9~~

#### 3.0 DEFINITIONS

#### 4.0 POLICY

~~4.1 In accordance with the Utah Indoor Clean Air Act, Utah Valley University prohibits the use of tobacco inside campus buildings.~~

~~4.2 The use of tobacco is prohibited within 25 feet of entrances, windows, and air intake vents.~~

~~4.3 Smoking is also prohibited in partially enclosed areas (such as covered walkways, walkways between sections of buildings, courtyards, and bus stop shelters) and exterior stairways and landings. Smoking is also prohibited at UVU-sponsored outdoor events.~~

~~4.4 The sale of tobacco products on campus is prohibited.~~

~~4.5 The distribution of tobacco products on campus is prohibited.~~

~~4.6 Campus organizations are prohibited from accepting money or gifts from clearly identifiable tobacco companies.~~

~~4.7 Any advertising in support of tobacco is prohibited in college-run publications.~~

~~4.8 UVU will offer a tobacco cessation program on campus and will publicize its availability.~~



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~~4.9~~ Those students that are found in violation of this policy will be reported to the campus police. First time offenders will be given a warning and be informed of UVU's tobacco policy. Additional offenses will then be referred for disciplinary action through the director of judicial affairs. It is then up to the director of judicial affairs' discretion to warrant any campus and/or civil penalties (listed under Utah Code Section 26-38).

~~4.10~~ Those employees that are found in violation of this policy will be reported to their direct supervisor, to their appropriate Vice President, to the campus police, or to the office of Human Resources for investigation of the violation. It is up to the Office of People and Culture discretion to warrant any campus and/or civil penalties (listed under Utah Code Section 26-38).

#### 5.0 PROCEDURES

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity
September 28, 2023	2.1 Fixed formatting and change "Utah Indoor Clean Air Act Section 26-28-1 through 26-28-9" to " <i>Utah Indoor Clean Air Act</i> , Utah Code Ann. §§ 26-28-1 to 9"	UVU Policy Office
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#### POLICY 158 EXECUTIVE SUMMARY

**Policy Number and Title:** 158 Tobacco

<b>Date:</b>	August 24, 2024
<b>Sponsor:</b>	Marilyn Meyer
<b>Steward(s):</b>	Drew Burke
<b>Policy Process:</b>	Regular
<b>Policy Action:</b>	Revision
<b>Policy Office Editor:</b>	Miranda Christensen
<b>Embedded Attorney:</b>	Cathy Jordan

**Issues/Concerns (including fiscal, legal, and compliance impact):**

*The Utah Clean Air Act* was amended in May of 2023 (Utah Code 26B-7-503), and it has been 20 years since this policy was last revised. New revisions are needed to ensure greater compliance and promote a healthy work environment. These revisions will enhance productivity by minimizing smoke-related disruptions, illnesses, and absences and have a positive effect on UVU healthcare costs.

**Suggested Changes:**

Currently, the policy has no information in the definitions and procedures sections. The revisions will include more detailed information in the following areas:

1. Policy language will be added to comply with updated state law related to e-cigarettes, vaping, and smoking paraphernalia (e-devices, pens, hookah, etc.).
2. Definitions will be added to the policy to provide clarity and ensure a shared understanding of terms and concepts, improve communication, and reduce misunderstandings (for example, smoking in or near buildings and enclosed indoor places; use of tobacco, cigarettes, hookahs, cigars, e-devices, vape pens, etc.).
3. Procedures will be added so individuals know how to report concerns and potential violations to ensure incidents are handled consistently and fairly.
4. Procedures will be added for handling law or policy violations and ensuring a fair, safe environment for students, faculty, and staff.
5. Policy language will be added to include the limited exemption from the statute for “American Indian tribal” religious ceremonies.





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**Requested Approval from President's Council:** Requesting Entrance into Stage 1, regular policy process.

**Proposed Drafting Committee:** Drew Burke, Alexis Palmer, Anthony Garcia, Victoria Lyons

**Target Date for Stage 1 Draft to Enter Stage 2:** 9/2/2024

**Target Date for Board of Trustees Review:** 11/15/2024