

# TOBACCO- AND SMOKE-FREE CAMPUS FAQs

**Q. I thought WVU already had a tobacco-free campus policy in place? Why has the University adopted Board of Governors (BOG) Finance and Administration Rule 5.6 – Tobacco- and Smoke-Free Campus?**

**A. BOG Finance and Administration Rule 5.6 – Tobacco- and Smoke-Free Campus** supersedes BOG Policy 57 – Tobacco-Free Campus and expands the prohibitions set forth in the prior policy. In addition to tobacco products, the updated rule clarifies that smoking in any form (including e-cigarettes and vapor products) is prohibited on WVU property.

**NOTE:** Because e-cigarettes and vapor products often utilize a derivative of tobacco, the use of these devices already was prohibited on University property under the prior policy. The updated rule just makes this restriction clearer.

**Q. What are the differences between the prior policy and the updated BOG rule?**

**A.** The updated rule provides additional details on the prohibitions outlined in the original policy by:

- ✓ Clarifying the definitions of “smoking” and “tobacco products” also include electronic smoking devices, (e.g., e-cigarettes and other vapor products);
- ✓ Ensuring the rule is inclusive of WVU’s regional campuses (i.e., WVU Institute of Technology and WVU Potomac State College) in addition to the University’s Morgantown campus;
- ✓ Requiring that a process be developed for identifying and reporting violations to the updated rule and locations where it is repeatedly violated;
- ✓ Mandating WVU develop and maintain a comprehensive communication strategy regarding the prohibitions of tobacco use and smoking on University property; and
- ✓ Requiring the establishment of a “Tobacco- and Smoke-Free Campus Steering Committee” to advise WVU’s president and senior leadership on the rule’s implementation.

**Q. When will the updated rule become effective?**

**A.** The updated rule was approved by the BOG on February 8, 2019, after receiving approval for public comment in January 2019. The updated rule will become effective August 1, 2019.

**Q. Does the rule also include prohibitions on the use of smokeless tobacco on University property?**

**A.** Yes. As with the prior policy, the updated rule prohibits the use of tobacco in all forms, including smokeless tobacco products, on WVU property.

**Q. Who is required to follow the updated BOG rule when it becomes effective?**

**A.** The updated rule applies to all students, faculty and staff, visitors and employees of vendors or contractors on all University property across the entire WVU System.

**Q. What is considered “University property” within the updated BOG rule?**

**A.** For the purposes of the updated rule only, “University property” is defined as all buildings, facilities, structures, grounds, parking structures and lots, enclosed bridges and walkways, sidewalks, vehicles and other property controlled by and under the jurisdiction of the WVU BOG.

**Q. Are there any exceptions to the updated BOG rule?**

**A.** Yes. Certain University programs (e.g., athletic events) that attract a large number of off-campus visitors to WVU property may be exempted from the prohibitions set forth in the updated rule. Any exemption will be handled on a case-by-case basis with the approval of the University’s president provided that smoking and the use of tobacco products is restricted to designated outdoor areas. Further, smoking and the use of tobacco products may be permitted for academic or research purposes in a controlled setting with prior approval of the president.

**Q. Who will oversee the implementation of the updated BOG rule?**

**A.** A steering committee of administrators and subject matter experts will oversee the implementation of the updated rule. The steering committee will be responsible for monitoring compliance to the rule and making any necessary adjustments.

**Q. How will the updated rule be enforced?**

**A.** While many of the specifics related the updated rule’s enforcement still are in development, WVU is

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committed to promoting a culture of compliance within our campus community. To this end, the University will establish stringent methods of enforcement to ensure compliance with the updated rule to the extent permitted by law. Enforcement will be fair and consistent, and non-compliance will be addressed in accordance with existing or forthcoming rules, policies and procedures. For example:

- Students will be subject to Student Conduct proceedings and sanctions as outlined in [BOG Student Life Rule 6.1](#).
- Faculty and staff will be subject to appropriate disciplinary proceedings, which may have a negative impact on performance evaluations in accordance with [WVU BOG Talent and Culture Rule 3.8](#) and [BOG Faculty Rule 4.2](#).
- Visitors refusing to comply with the rule will be asked to leave campus, which if ignored, may result in additional sanctions.
- Employees of vendors or contractors will be reported to their employer for appropriate remedial action.

The University also plans to launch a broad-scale awareness and education campaign focused on tobacco- and smoke-free health and wellness benefits as well as smoking prevention and cessation programs offered by WVU and outside agencies.

## **Q. Is smoking in a personal vehicle on WVU property a violation of the rule?**

**A.** Yes. As with the prior policy, smoking and tobacco use within a personal, state or any other vehicle on University property is prohibited in the updated rule.

## **Q. What about breaks for WVU employees?**

**A.** University employees are limited to two 10-minute breaks per day. As with the prior policy, breaks will not be extended for smoking and tobacco use purposes.

## **Q. Where can I find more information?**

**A.** WVU will be sharing more information throughout the next several months in advance of the updated BOG rule's effective date. In the meantime, visit the [policies.wvu.edu](#) website for more information on the Tobacco- and Smoke-Free Campus rule and to view a listing of tobacco and smoking cessation resources currently available to students, faculty and staff.

## **Q. Who may I contact with questions?**

**A.** Questions about the updated Tobacco- and Smoke-Free Campus rule may be directed to Rocco Fucillo, WVU Senior Advisor and Director of State Government Relations, Office of the Vice President for Strategic Initiatives, at [rocco.fucillo@mail.wvu.edu](mailto:rocco.fucillo@mail.wvu.edu).