



Tobacco-Free Campus

Policy CP003

Volume 2, College

Responsible Administrator(s): Vice President, Enrollment Management and Student Success; Vice President for Human Resource Management and Labor Relations

Responsible Offices: Enrollment Management and Student Success; Human Resource Management and Labor Relations

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Policy Statement

FIT supports an environment where students, employees, visitors, contractors, or other persons do not smoke or use tobacco products and are not exposed to those who do. Therefore, FIT prohibits students, employees, visitors, contractors, or other persons from smoking or using of tobacco products anywhere on campus, including but not limited to, the use of Electronic Smoking Devices.

Reason for the Policy

Consistent with FIT's responsibility under the New York City Smoke-Free Air Act, as amended, the New York State Public Health Law Article 13-E, and FIT's goal of creating a healthful and comfortable environment for all members of its community, the college adopts this tobacco-free policy. In addition to any disciplinary penalties imposed by the college, a violation of this policy may also violate Article 13-E of the New York Public Health Law, "Regulation of Smoking in Certain Public Areas." The New York City Council passed a bill expanding the city's public smoking ban to include Electronic Smoking Devices, effective April 2014. Penalties may be imposed in accordance with that article and legislation in addition to, or in place of, any disciplinary penalties imposed.

Who Is Responsible for This Policy

- Office of Enrollment Management and Student Success
- Office of Human Resource Management and Labor Relations
- Department of Public Safety

Who Is Affected by This Policy

- All students, employees, visitors, contractors, or other persons on campus

Definitions

- **Affiliated organizations:** includes institutional organizations for students and/or employees that receive funding directly from the college and are coordinated or directed by college employees.

- **Campus:** property or facilities either owned, leased, or controlled by the college to include all college buildings and facilities, residence halls, any indoor area, or anywhere on FIT grounds, including (but not limited to) the elevated walkway, the breezeway between the David Dubinsky Student Center and the Business and Liberal Arts Center, terraces, and any other area within the perimeter of any FIT property. This also includes all college vehicles such as cars, vans, and trucks.
- **Electronic Smoking Device:** any product containing or delivering nicotine, or any other substance, that can be used for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
- **Secondhand Smoke:** a mixture of smoke given off by the burning end of a cigarette, cigar, cigarillo, pipe, bidis, kretek, water pipe, bong, hookah, or any Electronic Smoking Device, and the smoke exhaled from the lungs of smokers.
- **Smoking:** the burning of a lighted cigar, cigarette, pipe, or other matter or substance that contains tobacco; shall also include the use of Electronic Smoking Devices.
- **Tobacco:** all tobacco and tobacco-derived products intended for human consumption, including, but not limited to: cigarettes, cigars, hookah-smoked products, clove cigarettes, bidis, kreteks, chewing tobacco, Electronic Smoking Devices, and smokeless tobacco (for example, dip, or snus). This definition does not include any product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco-use-cessation product.

Principles

- **Tobacco Is Prohibited**
Smoking and the use of tobacco are prohibited on FIT campus.
- **Advertising, Promotions, and Sales**
The sale of tobacco products, including cigarettes or any form of Electronic Smoking Device, is prohibited on any FIT campus. The college will not allow advertising, marketing, distribution, or promotion of tobacco products.
- **Gifts/Donors/Sponsorship**
The college and its affiliated organizations are prohibited from accepting money or gifts from tobacco companies. This includes sponsorship by tobacco companies, distribution of free, reduced-price, or full-price tobacco products, or any promotional items. This does not apply to research funding.
- **Exceptions**
 - **Instructional purposes**
Nothing in this policy is intended to prohibit research on tobacco companies or tobacco products. An exception for instructional purposes allows for the use of tobacco products in classroom instruction, classroom discussion, or artistic purposes associated with the curriculum.

- **Religious purposes**
This policy does not apply to tobacco products used in connection with the religious practice of cultural activities or other ceremonial use by Native American Indians, in accordance with the American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a.

Responsibilities

College leaders, supervisors, and managers are expected to support faculty, staff, and students who are seeking to become tobacco-free by making appropriate referrals to tobacco cessation programs and promoting compliance in their area(s) of responsibility.

Procedures

- **Communication**
Signage and other forms of communication will be posted in a manner and location to adequately notify students, employees, visitors, contractors, or other persons that tobacco use is prohibited on FIT campuses.
- **Support and Education**
The college understands the addictive nature of smoking and use of tobacco products. Breaking the habit is extremely difficult for many people. The college will make every effort to assist and encourage those who wish to stop using tobacco products and offers various educational and cessation programs. Employees should contact the Employee Assistance Program (EAP) office for more information and assistance with cessation. Students should contact the Counseling Center or Health Services for more information and assistance with cessation.
- **Compliance**
This policy is driven by respect for others and the environment, and relies on the thoughtfulness, consideration, and cooperation of tobacco users and non-users for the success of a tobacco-free and smoke-free campus. Enforcement of this policy will depend on the cooperation of all members of the FIT community, both to comply and encourage others to do so.

If an individual witnesses a person smoking, or using smoking devices or tobacco products, on college property, they may inform the person of this policy and request compliance. In accordance with applicable law and FIT policy, any individual may voice objections to Second-Hand Smoke without fear of retaliation.

Additionally, the individual may contact:

- The Office of Human Resources if the concern is related to faculty or staff;
- The Office of Enrollment Management and Student Success if the concern is related to a student; or
- The Department of Public Safety if the concern is related to a visitor (for example, college contractors, guests, or other persons not directly affiliated with FIT).

Violations

An initial violation for Employees, Students, or visitors shall result in a verbal warning. This warning will include information about the policy, the rationale behind it, and the availability of tobacco- cessation and harm-reduction support services on and off campus. Subsequent noncompliance may result in formal discipline as follows:

- **Employees:**
Employees covered by the Collective Bargaining Agreement will be disciplined in accordance with the CBA as well as relevant law and college policy. For non-bargaining employees, the Vice President for Human Resource Management and Labor Relations, or their designee(s), will review the violation and make a recommendation for appropriate disciplinary action.
- **Students:**
The Dean of Students will review the violation and recommend appropriate counseling and/or disciplinary action in accordance with the Code of Student Conduct.
- **Third Party or Contractor**
Violations of FIT policies by third parties will be addressed by FIT senior leadership at its sole discretion and in accordance with the relevant policy and circumstances.

Related Policies

- [Campus Safety and Security](#)
- [Student Code of Conduct](#)

Related Documents

- [American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a](#)
- [Cessation Resources Outside of FIT](#)
- [New York State “Adolescent Tobacco Use Prevention Act”](#)
- [New York State Clean Indoor Air Act](#)
- [New York Smoke Free Legislation](#)
- [NYC Quits](#)
- [Resident Handbook](#)
- [Student Rights and Responsibilities Manual](#)

Contacts

- **Office of Enrollment Management and Student Success**
Business and Liberal Arts Center, B221
(212) 217-3800
- **Office of Human Resource Management and Labor Relations**
humanResources1@fitnyc.edu
(212) 217-3650
- **Department of Public Safety**
Pomerantz Center, D442
(212) 217-4999
- **Employee Assistance Program (EAP)**

Pomerantz Center, DC35
(212) 217-5600

- **FIT Health Services**
Dubinsky Center, A402
(212) 217-4190