

## **Student Tobacco Violation Procedures**

### **I. General**

- 1.1 Tobacco violations include the on-campus use of a substance or device prohibited by the Dixie State University Tobacco-Free Campus Policy and the on-campus use or possession of a substance or device prohibited by the Utah State Code.
- 1.2 The DSU Alcohol, Tobacco, and Other Drugs (ATOD) education and prevention program administered by the DSU Health & Wellness Center includes a tobacco cessation course and activities.
- 1.3 Progressive sanctions for tobacco violations are based on how many times the student has been found in violation of the policy.
- 1.4 A student who receives any sanction to which s/he did not consent can appeal that sanction according to the provisions in the Student Code.
- 1.5 Other than the DSU ATOD program, the University incurs no liability for costs associated with in-patient or out-programs to which a student might be referred.

### **II. Disciplinary Procedures for Violations of the DSU Tobacco-Free Campus Policy**

- 2.1 The intention of the University is that enforcement of the Tobacco-Free Campus policy will involve information and education.
  - 2.1.1 According to policy 155, “Members of the campus community are empowered to request compliance with this policy in an ongoing effort to enhance awareness and compliance.” To that end, DSU Police will provide written information about the policy and offer information about tobacco cessation resources and programs to any individual not in compliance.
  - 2.1.2 Students who are not in compliance with this policy may be referred to the Dean of Students. No sanctions will be issued the first time a student is referred to the dean solely for a Tobacco-Free Campus violation.
  - 2.1.3 A student violation of the Tobacco-Free Campus policy that occurs after that individual was previously referred to the Dean of Students will be addressed through the DSU Student Rights & Responsibilities Policy

("Student Rights and Responsibilities Code," policy 552).

### **III. Disciplinary Procedures for Tobacco Violations of the Utah Code Annotated or Utah Administrative Code**

- 3.1 The Utah Indoor Clean Air Act prohibits smoking in any public buildings or any means of public transportation. In addition, Utah Administrative Code R392-510-9 prohibits smoking by employees or designating a public smoking area within 25 feet of an entranceway, exit, open window, or air intake of a public building. In addition, the Utah Criminal Code prohibits providing to or the purchase, possession, or use of any tobacco product by anyone under age 19.
- 3.2 First offense violations of the Utah Clean Air Act, or of § 76-10-104, 105, or another tobacco-related section of the Utah code, will result in a written warning and being informed about DSU's Tobacco-Free Campus policy.
- 3.3 Second offense violations will result in a fine and the requirement to attend a one-session introductory tobacco cessation class. A disciplinary hold and notation may be placed on the student's academic record until the sanction is completed.
  - 3.3.1 Satisfactory completion of the sanction is determined by the ATOD Program Coordinator and the Dean of Students based on attendance, compliance with program requirements, and fulfillment of course requirements. After the specified disciplinary probation period and once the ATOD program are completed in a satisfactory manner, the disciplinary hold will be removed.
- 3.4 Third offense violations will result in a fine and the requirement to complete the DSU Tobacco Cessation Program. A disciplinary hold and notation may be placed on the student's academic record.
  - 3.4.1 Satisfactory completion of the program is determined by the ATOD Program Coordinator and the Dean of Students based on attendance, compliance with program requirements, and fulfillment of course requirements. After the specified disciplinary probation period and once the ATOD program are completed in a satisfactory manner, the disciplinary hold will be removed.
- 3.5 Additional offense violations will result in a disciplinary hold and will be automatically referred to the Student Conduct Committee which may impose sanctions in accordance with the guidelines in the Student Code.

*Approved 3/21/2014*