



REGULATION: FGCU-PR9.007

Effective Date
of Regulation:

Use of Tobacco Products and Consumption of Food on University Premises

04/19/16

A. GENERAL STATEMENT

Article X, Section 20 of the Florida Constitution prohibits smoking within enclosed indoor workplaces. This section of the Florida Constitution is implemented under Chapter 386, Part II, Florida Statutes. This regulation establishes the guidelines for the use of tobacco in University premises consistent with the constitutional requirements and state law. In addition the University has declared that it shall be smoke free and tobacco free.

Additionally, this regulation addresses the consumption of food and beverages within University buildings and other University facilities designated for instructional purposes.

B. DEFINITIONS

1. *Enclosed Indoor Workplace*: any place where one or more persons engage in work, and which place is predominantly or totally bounded on all sides and above by physical barriers, regardless of whether such barriers consist of or include, without limitation, uncovered openings; screened or otherwise partially covered openings; or open or closed windows, doors, or the like. Common areas, cafeterias, stairways, restrooms, offices, or other areas within owned or leased University buildings and facilities are designated Enclosed Indoor Workplaces.
2. *Smokeless Tobacco*: chewing tobacco, snuff, or other tobacco product that is taken orally or inhaled through the nose.
3. *Smoking/Smoke*: the use of a lighted cigarette, lighted cigar, lighted pipe, or other lighted tobacco product. The use of an electronic nicotine and non-nicotine delivery system including, but not limited to, electronic cigarettes and personal vaporizers, also known as vaping, is also included in this definition.
4. *University Premises*: All land, buildings, facilities, and other properties owned, used, leased, operated by, or in the possession of the University or one of its direct support organizations where the University does not share the facility or building with other tenants.

C. PROCEDURES

1. Tobacco Products

- a) No person shall smoke or use Smokeless Tobacco in any Enclosed Indoor Workplace as well as on University Premises..
- b) Smoking and the use of Smokeless Tobacco are prohibited in all University owned or leased trucks or automobiles, golf carts, or other motorized vehicles.

2. Food and Beverage Consumption

The consumption of food and beverages is prohibited in all classrooms, the library, computer labs, lecture halls and theaters, and all other areas designated for instructional purposes unless the area is otherwise permitted or designated for consumption of food and beverages.

3. Penalties

- a) A student found to be in violation of this regulation may be subject to discipline under Regulation FGCU-PR4.002, Student Code of Conduct and Student Conduct Review Process.
- b) An employee found to be in violation of this regulation may be subject to discipline under Regulation FGCU-PR5.016, Disciplinary Actions, or the Collective Bargaining Agreement, as appropriate.
- c) Any other person found to be in violation of this regulation may be subject to removal from University premises.

Action by Florida Gulf Coast University Board of Trustees

Approved 04/19/16

Specific Authority

Fla. Const. Art. X, Section 20; Sections 386.201 – 386.2125, Fla. Stat.; Board of Governors Regulation 1.001

History of Regulation

New 08/02/98; Amended 09/08/15, 04/19/16

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