

BROOKDALE COMMUNITY COLLEGE
COLLEGE REGULATION

2.6000R**I. Title of Regulation**

Tobacco-Free College Environment

II. Objective of Regulation

To ensure compliance with College Policy 2.6000, Tobacco-Free College Environment, and New Jersey State Law concerning the provision of a tobacco-free educational *institution* that protects, preserves, and fosters the health and safety of all persons.

III. Authority

Chapter 320, Public Laws of 1981, as amended by Chapter 96 of the Public Laws of 1989 and codified at NJS 26:3D-**16-21**. 1989, c.96, Section 1

IV. Regulation Statement

Effective January 1, 2011, the smoking, use and sale of tobacco products shall be prohibited in all locations owned, leased, or otherwise utilized for College purposes and over which the College has control of the smoking policy. Smoking and/or tobacco use at any BCC Campus or Higher Education Center is not permitted.

A. Posting of Signs

The Executive Director of Facilities Management and Engineering, in concert with the Executive Director of College Relations, shall be responsible for posting appropriate signs at entrances to all College facilities, and throughout *all* facilities informing persons of the College's tobacco policy.

B. Educational Programs and Communications

The Dean of Human Resources, in concert with the Dean of Enrollment Development and Student Affairs and the Executive Director of College Relations, shall be responsible for coordinating educational efforts to discourage smoking and tobacco use by College employees and students, to make efforts to assist smokers who wish to quit, and to increase awareness of the adverse effects of smoking and tobacco use.

C. Sanctions Against Violators

It is the College's intent to encourage all individuals, both smokers and nonsmokers alike, to cooperatively work together in the implementation of the Board Policy and College Regulation concerning Tobacco-Free College Environment. New Jersey Public Law states that any person who is in violation of the Smoking Policy (or Regulation) is considered a petty disorderly person and is subject up to a \$200.00 fine. Additional penalties, including fines and/or loss of College privileges may be implemented as well.

Enforcement Procedures

This regulation incorporates three levels of enforcement including a verbal warning, a written warning and a summons complaint. The Campus Police may exercise the following levels of enforcement:

It is encouraged that a verbal, then written warning be the first levels of enforcement and that only after such warnings that a summons complaint be considered. All individuals must understand, however, that New Jersey Public Law provides for the issuance of a summons complaint without any previous warning(s). The campus community should make every effort to support the campus police/security officer in enforcing this regulation; consequently, any person is entitled to contact the Campus Police in order to assist in the enforcement of this regulation.

Campus Police may exercise the following levels of enforcement:

- 1. First Level – Verbal Warning***
- 2. Second Level – Written Warning***
- 3. Third Level – Brookdale Citation - \$50.00 fine***
- 4. Fourth Level – Summons Complaint***

Once the summons is completed, Middletown Township Municipal Court will process the summons. The offender will be required to appear before the Court. If found guilty, New Jersey Public Law provides for a fine not to exceed \$200.00.

In addition, the offense may be witnessed by a complainant who has up to twelve months from the date of the offense to lodge his/her complaint; however, if a complainant withdraws his/her complaint after it has been completed, he/she is subject to a minimum Municipal Court fee of \$25.00

D Designated Smoking Areas

Smoking is strictly prohibited on College property or campus(es) except for inside personal vehicles. The result of this regulation is the prohibition of smoking not

only in and around all buildings, but throughout all areas and locations of the College property or campus(es); accordingly, this prohibition includes, but is not limited to smoking in and on walkways, parking lots (inside personal vehicles only), grounds, gardens, playing fields, and the perimeter of any building not specifically assigned and demarcated as a Designated Smoking Area.

V. Responsibility for Implementation

Executive Vice President for Administration, Operations, and Information
Technology Services

Effective: 1 September 2005
Revised: September 2010
Revised: December 2010