Brookdale Community College
College Regulation

2.6000R Smoke Free College Environment

I. Title of Regulation

Smoke Free College Environment

II. Objective of Regulation

To ensure compliance with College Policy 2.6000, and New Jersey State Law concerning the provision of a smoke-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; also NJ Smoke Free Air Act, PL 2006, c383 (amended 2010).

IV. Regulation Statement

The smoking, use, consumption and sale of smoke and/or nicotine products, marijuana and regulated cannabis (collectively “marijuana”), or simulations of same, including but not limited to cigarettes, cigars, pipes, electronic cigarettes, chewing and/or snuff, and vaping or similar device, shall be prohibited in all locations owned, leased, or otherwise utilized for College purposes, events and activities and over which the College has control. Smoking and related activities listed above are strictly prohibited on College property, in and around all buildings at the Lincroft campus and higher education centers, including but not limited to, in and on walkways, parking lots (except cigarettes, chewing tobacco and non-marijuana vaping inside personal vehicles), grounds, playing fields and the perimeter of any building.

A. Posting of Signs

The Manager, Fire, Safety & Environmental Compliance shall be responsible for posting appropriate signs at entrances to all College facilities, and throughout all facilities informing persons of the College’s smoke-free policy.

B. Educational Programs and Communications

The AVP, HR and Organizational Safety, in concert with the VP, Student Affairs and the Executive Director of College Relations, shall be responsible for coordinating educational efforts to discourage smoking in any form, by College employees, students and vendors/third party service providers, to make efforts to assist smokers who wish to quit,

and to increase awareness of the adverse effects of smoking, vaping, and nicotine 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 a Smoke-Free College Environment. New Jersey Public Law states that any person who is in violation of the Policy and Regulation is considered a petty disorderly person and may be subject to a fine up. Additional penalties, including loss of College privileges and/or sanctions through Brookdale Policies and applicable Conduct Code(s) may be implemented as well.

D. Enforcement Procedures

This Regulation incorporates three levels of enforcement including a verbal warning, a written warning and a summons complaint.

It is encouraged that a verbal, then written warning be the first levels of enforcement and that only after such warnings 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 College community should make every effort to support the College Police/Security Officer in enforcing this Regulation; consequently, any person is entitled to contact the College Police in order to assist in the enforcement of this Regulation.

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 Municipal Court fee.

E. Use of Personal Vehicles

Smoking and the related activities listed above are strictly prohibited on College property except for cigarettes, chewing tobacco, and non-marijuana vaping 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, grounds, gardens, playing fields, and the perimeter of any building.

V. Responsibility for Implementation

AVP, HR and Organizational Safety

Effective: September 1, 2005
Revised: September 2010
Revised: December 2010
Revised: October 2013
Proposed Revision: August 2015
Approved: President, 10/26/22