

DES MOINES AREA COMMUNITY COLLEGE
EDUCATIONAL SERVICES PROCEDURES

Subject: STUDENT RIGHTS, APPEALS AND FERPA
 Procedure: Tobacco Free Campus
 Effective Date: January 1, 2013
 Procedure Number: ES 4635

I. Institutional Regulations

The Board of Directors of DMACC supports the State of Iowa's efforts to eliminate tobacco use in public settings. To that end, the Board of Directors of DMACC confers upon the staff the power to invoke sanctions and promulgate rules to support the concept of a Tobacco Free College.

II. Definitions

1. Tobacco. Tobacco is defined to include any lit cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product; electronic smoking devices; and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form.

III. Procedure

A. The following acts by students are prohibited:

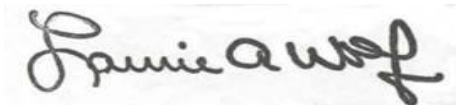
1. Engaging in smoking tobacco products and/or use of smokeless tobacco products while on DMACC property.
2. This policy applies to:
 - a. All DMACC campuses, attendance centers, and any where that DMACC provides a service (e.g., rental facilities).
 - b. Housing owned by DMACC or lies within the boundaries of a DMACC campus.
 - c. No DMACC location is exempt. This includes, personal vehicles located on DMACC property, DMACC vehicles, walking trails, and outdoor athletic complexes.

B. Investigation and Charge Procedure for Alleged Violations of Student Conduct

1. Any DMACC employee who observes a student violating the Tobacco Free Campus Policy should complete a Student Conduct/Discipline Report Form (ES4630) and send a copy to the Provost, Judicial Officer, and to the student.
 - a. First Violation. Letter sent to student by the Executive Dean of Student Services.
 - b. Second Violation. Student is required to meet with Provost, Associate Provost, or Judicial Officer for a Disciplinary Conference to discuss the alleged violations of the Tobacco Free Campus Policy.
 - c. Third and Additional Violations. Student is required to pay a fine.
 - i. First fine - \$50.
 - ii. Subsequent fines - \$50
2. Violations of the Tobacco Free College policy may also result in violations of ES 4630 Student Conduct, Discipline and Appeals Procedure. The Judicial Officer will review Student Conduct/Discipline Reports and may choose to file additional charges according to ES 4630.
3. Sanctions may only be imposed after the student has accepted responsibility for the alleged violation of the Tobacco Free Campus Procedure, the student has been found responsible by the College Judicial Hearing Board, or if the student is unavailable to respond to the alleged violations.

IV. Appeal Procedures

1. If the student believes he or she is not responsible for an alleged violation of tobacco use, he or she may appeal to the Campus Provost or the Executive Dean of Student Services within ten (10) business days of receipt of the Student Conduct/ Discipline Report Form. Failure to submit an appeal form within the scheduled time period will result in the sanction being imposed.
2. Students have the right to appeal an alleged violation of the Tobacco Free College policy and/or a sanction they believe is unjust for a tobacco violation. Students wishing to appeal a DMACC Tobacco Free Campus violation must complete and file a General Complaint Appeal Form (ES4640) with the Executive Dean of Student Services.



APPROVED:

Executive Dean, Student Services

1-14-13
Date: _____



Senior Vice President, Academic Affairs

1-14-13
Date: _____