



Campus-Wide Policies

Auraria Board of Directors

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| Policy Title | Auraria Campus Smoking Policy |
| Adopted | February 26, 2014 |
| Revised | May 27, 2015 |

Legislative Declaration: The Auraria Board owns and manages the Auraria Campus for the use and benefit of its constituent institutions of higher education—the Community College of Denver (CCD), Metropolitan State University of Denver (MSU Denver), and the University of Colorado Denver (CU Denver)—and to facilitate and further their respective educational missions. Title 23, Article 70, C.R.S., authorizes the Auraria Board to promulgate rules and regulations for the safety of students, employees and property on the Auraria Campus.

The Auraria Board finds and determines that smoking any substance on the Auraria Campus:

- Presents a public health hazard that creates a risk to the health and welfare of all students and employees on the Auraria Campus; and
- Is prohibited by law in the indoor areas and entryways on the Auraria Campus.

The Auraria Board further finds and determines that,

- The display, consumption or use of marijuana is illegal in any public place; and
- Its constituent institutions of higher education are required under federal law, as a condition of receiving funds or any other form of financial assistance under any federal program, to adopt and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs by their students and employees.

Therefore, the Auraria Board adopts the following policy:

Statement of Policy:

The smoking of any substance in any manner is strictly prohibited:

1. In all buildings on the Auraria Campus, including those in the institutional neighborhoods and buildings owned by the constituent institutions therein. This prohibition shall not extend to facilities off of the Auraria Campus, such as, for example, CU Denver's Lawrence Street Center, MSU Denver's North or South Campuses, or CCD's Lowry Campus;
2. Anywhere in the outdoors on the Auraria Campus, except in the smoking areas that are clearly designated on the campus, on the property owned by St. Elizabeth's Catholic Church, on public sidewalks and streets owned by the City & County of Denver, or in a private enclosed motor vehicle. The 150-acre Auraria Campus is generally defined as the area bordered by Colfax Avenue to the south, the Auraria Parkway to the north, Speer Boulevard to the east, and West 4th Street to the west, and includes the Regency Athletic Complex at MSU Denver; and
3. In any vehicle owned or leased by the State of Colorado or its agencies and institutions, including automobiles, trucks, vans, shuttles, and work/golf carts.

The smoking or other use or consumption of marijuana or marijuana concentrate is strictly prohibited in any indoor or outdoor area of the Auraria Campus.

Smoking, for the purposes of this policy, shall also include the use of e-cigarettes, electronic vaping devices, personal vaporizers, electronic nicotine delivery systems, or other such devices, which vaporize substances to simulate smoking. Exceptions may be made for the use of such devices for theatrical purposes during productions sponsored by the constituent institutions; provided that the substance being vaporized does not contain nicotine or marijuana concentrate and that written approval for such use is obtained from the chief academic officer of the sponsoring institution and the Chief of the Auraria Campus Police Department.

The production, sale, distribution, and sampling of all tobacco or marijuana products and tobacco or marijuana paraphernalia or accessories, including e-cigarettes, electronic vaping devices, personal vaporizers, electronic nicotine delivery systems or other such devices, is prohibited on the Auraria Campus and at Auraria Campus events.

Littering the Auraria Campus with the remains of smoking products is prohibited.

This policy shall apply to all employees, contractors and invitees of the Auraria Board, all students, employees, contractors and invitees of the constituent institutions, and all other visitors to the Auraria Campus. Organizers of public events, such as conferences, meetings, public lectures, social events and cultural events using Auraria Campus facilities must advise participants in such events of this policy and require compliance.

Violations: All violations of this policy shall be reported to the appropriate agency or institutional office; specifically,

- Students will be referred to the appropriate student conduct office.
- Employees will be referred to their supervisor and/or appointing authority for appropriate action.
- Contractors will be referred to their respective employers for appropriate action.
- Visitors will be required to leave the campus if they fail to conform to the policy when advised.

Violators may be disciplined, removed from the Auraria Campus, or charged criminally in appropriate cases.

Procedures and Guidelines:

The Chief Executive Officer of AHEC is authorized to promulgate such procedures and guidelines as may be reasonable and necessary to implement and carry out the intent of this policy, including the designation and posting of outdoor areas where smoking is prohibited or allowed.

Legal References:

- Auraria Higher Education Center, § 23-70-101, et seq., C.R.S.
- Colorado Clean Indoor Act, § 25-14-101, et seq., C.R.S.
- The Higher Education Act of 1965 (as amended by the Safe and Drug-Free Schools and Communities Act of 1994); see, 20 U.S.C. §1011i, Drug and alcohol use prevention, and 34 C.F.R. Part 86.
- The Drug-Free Workplace Act of 1988, 41 U.S.C. §701, et seq.
- Uniform Controlled Substances Act of 2013, Title 18, Article 18, C.R.S.
- D.R.M.C., Title II, §§24-11 – 24-15.9, Sale of Tobacco Products, and §38-175, Possession or Consumption of Marijuana.