
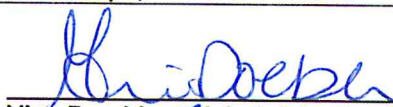



FLORIDA SOUTHWESTERN STATE COLLEGE DISTRICT BOARD OF TRUSTEES Agenda Item Summary	
Meeting Date: 8/26/2014	
1. Action Requested/Purpose: 2. Fiscal Impact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A 3. Funding Source: Amount: \$ 4. Administration Recommendation: Approve the proposed rescission of Board Policy 6Hx6:2.08	
5. Agenda Item Type: <input checked="" type="checkbox"/> Action Item <input type="checkbox"/> Consent Agenda <input type="checkbox"/> Information Only <input type="checkbox"/> Board Requested Information/Report	8. Requirement/Purpose (Include Citation) <input type="checkbox"/> Statute <input type="checkbox"/> Administrative Code <input checked="" type="checkbox"/> Other Authority: Sections 1004.64(4) & (5), Florida Statutes
9. Background Information: Board Policy 6Hx6:2.08 was adopted in 1993 and provides for campus designated smoking areas and related matters. In 2010, through the adoption of Board Policy 6Hx6:2.12, smoking was prohibited on all property and facilities owned, leased or operated by Florida SouthWestern State College. Board Policy 6Hx6:2.08 is recommended for rescission because it is inconsistent with Board Policy 6Hx6:2.12.	
Requested By:	 Mark Lupe, General Counsel
Funding Verified by:	 Vice President, Administrative Services
Approved For Agenda by:	 President

TITLE: CLEAN INDOOR AIR ACT

AUTHORITY:

**Florida Statute 386.201; 386.204; 386.208; 386.209 775.08
Department of Health and Rehabilitative Services Rules
10D-105.008; 10D-105.012**

POLICY:

The purpose of this policy is to protect the health, comfort, and environment of Edison State College's students, employees and guests by creating areas on campus that are reasonably free from tobacco smoke.

1. **PROHIBITION**

Smoking is prohibited on the campuses of Edison State College except in designated smoking areas.

2. **DEFINITION**

"Smoking" means possession of any lighted tobacco product.

3. **DESIGNATED SMOKING AREA**

Smoking areas on the campus will be designated by the Campus President or the designee of the Campus President of each Edison State College campus. This provision shall not be construed to require sheltered or fixed structures. No area will be designated as a smoking area which is inside any building or within fifty (50) feet of any entrance to any building located on the campuses of Edison State College.

4. **POSTING OF SIGNS**

Conspicuous signs shall be posted in any designated smoking area, stating that smoking is permitted in such area.

5. **REPORTING OF COMPLAINTS**

Complaints of non-compliance of this policy shall be reported to the Campus President of each respective campus or the Campus President's designee.

6. **ADMINISTRATION AND ENFORCEMENT**

The Department of Public Safety shall, in consultation with proper state authorities, investigate and notify alleged violators of this Clean Indoor Air Policy. Violators are subject to further fines and penalties from the Department of Health and Rehabilitative Services.

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POLICY:

7. VIOLATIONS AND PENALTIES

Any person who violates Florida Statute 386.204, which states in part that a person may not smoke in a public place or at a public meeting except in designated smoking areas, commits a non-criminal violation as provided for in Florida Statute 775.08(3), punishable by a fine of not more than \$100 for the first violation and not more than \$500 for each subsequent violation in Florida Statute 386.208.