

TO: University of Wyoming Faculty Senators

FROM: Faculty Senate Executive Committee: Warrie Means, Chair; Michael Barker, Chair-Elect; Cindy Price, Immediate Past Chair; Carolyn Anderson, Secretary; Michael Griffith, Member-at-Large, 2012; John Waggener, Member-at-Large, 2012; Scott Shaw, Member-at-Large, 2013; Anthony Denzer, Member-at-Large, 2013

RE: UW Smoking Policy

DATE: February 22, 2012

Background:

Associated Students of the University of Wyoming recently passed a resolution to ban smoking on the University of Wyoming campus (*see ASUW Senate Resolution #2321 and associated addendum below*). Primary reasons for this action listed by ASUW include 1) peer reviewed studies have concluded that breathing secondhand smoke is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory diseases and lung cancer; 2) a study indicated that 85.5% of University of Wyoming students do not smoke tobacco, and; 3) an ASUW survey indicated that the majority of students, faculty, and staff completing the survey approve of a smoke-free campus.

The UW Staff Senate conducted a survey of staff. Of those responding, there was approximately a 50:50 split in regards to a smoke-free campus. Staff Senate subsequently debated the issue and passed a resolution to slightly modify the current UW policy (*see Staff Senate Resolution #201 and associated addendum below*). Staff Senate believes this change would adequately address the smoking issue on campus. It has been pointed out by some that reported violations of the current smoking policy are infrequent, indicating there is no real problem with the current policy.

The Faculty Senate has been asked by ASUW representatives to weigh in on this issue, specifically the Executive Committee has been asked to support ASUW's position. The Faculty Senate Chair has also been in discussions with the Staff Senate Chair and others regarding their current stand on the issue. He also attended the Staff Senate meeting where the issue was debated and the current Staff Resolution passed. Recently the Faculty Senate Chair again discussed the smoking issue with ASUW representatives.

There are consequences to consider for any option that the Faculty Senate may ultimately choose to support. Some of these include: a policy for smoker breaks and distance to "off-campus" or designated smoking areas, rights of smokers vs. non-smokers, positive or negative impacts on campus visitors (recruiting, athletic events, fine and performing arts events, and conferences), enforcement, and cost of signage. Some of these are issues even with the current policy (*see UW Regulation 2-180 below*).

There are basically 4 actions that the Faculty Senate could choose. These are listed below. At our February 27, 2012 meeting of the UW Faculty Senate we will discuss the smoking-on-campus issue. Subsequent to that discussion, we will ask for Senate input. As a Faculty Senator, we will ask you to gather input from your constituents on this issue. Please discuss these options with constituents from your academic unit after the Senate discussion at the February 27, 2012 meeting of the UW Faculty Senate.

Options:

1. Support current smoking regulations

- a. UW REGULATION 2-180: Regulating Smoking (*see attachment*)
- b. <http://www.uwyo.edu/generalcounsel/files/docs/uw-reg-2-180.pdf>
- c. Essentially no smoking in any “public space”
 - i. "Public places" means enclosed University facilities, all seating and general gathering areas where outdoor programs, events and activities are held and reasonable distances from all entranceways, passageways, operable windows or ventilation systems of any enclosed facility and inside any licensed vehicle owned by the University.
- d. Smoking is permitted in the following:
 - i. Outdoor areas including University sidewalks, seating areas and grounds that are a reasonable distance from entranceways, passageways, operable windows or ventilation systems of public places.

2. Support UW Staff Senate modified regulations (*see attachment*)

- a. Minor modifications of existing UW Regulation 2-180
 - i. Specific distances (15 feet) instead of “reasonable”
 - ii. Increased placement of smoking refuse containers and their proper placement

3. Draft and support more stringent regulations than proposed by Staff Senate, but not a University-wide smoking ban

- a. Examples of strengthening the current UW Regulation 2-180 include no smoking at/near:
 - i. Bike racks
 - ii. Sidewalks
 - iii. Outdoor seating areas
 - iv. Outdoor eating areas
 - v. Near all bus stops
 - vi. In the plazas on either side of the Student Union and in front of Coe Library
 - vii. Near the Lab School playground
 - viii. Near the Cheney Plaza
- b. Some of these would appear to be covered in the current UW Regulation 2-180, 2. D (*attached below*); also copied in 1. C. i. above.

4. Support the ASUW Senate Resolution #2321: ASUW Support of Smoke-Free Campus (*see attachment*)

- a. http://www.uwyo.edu/asuw/files/legislation/2011-2012%20pdf%20files/senate_resolution_2321.pdf
- b. essentially no smoking on campus, inside or outside

UW REGULATION 2-180 Regulating Smoking

1. POLICY.

It is the policy of the University of Wyoming to ensure that all of its facilities including public places and places of employment are smoke free.

2. DEFINITIONS.

For purposes of this regulation, the following definitions shall apply:

A. "University" means the University of Wyoming;

B. "Smoke or smoking" means the act of burning any tobacco product, weed filler or plant of any kind in a cigarette, cigar, pipe, water pipe, or in any other device;

C. "Smoking instrument" means any cigarette, cigar, pipe or other smoking device;

D. "Public places" means enclosed University facilities, all seating and general gathering areas where outdoor programs, events and activities are held and reasonable distances from all entranceways, passageways, operable windows or ventilation systems of any enclosed facility and inside any licensed vehicle owned by the University.

3. DIRECTIVE.

A. No University student or employee, or member of the general public shall smoke or carry any lighted smoking instrument in any public place of the University.

B. Any University student or employee, or member of the general public persisting in smoking contrary to the terms of this regulation, after an oral or written request or warning to cease smoking, shall be deemed to be in violation of this regulation.

C. Smoking is permitted in the following:

i. Outdoor areas including University sidewalks, seating areas and grounds that are a reasonable distance from entranceways, passageways, operable windows or ventilation systems of public places.

4. SANCTIONS.

Any University student or employee, or member of the general public violating any provision of this regulation may be required to forfeit the benefits of University programs, events or privileges pursuant to UW Regulations.

Source: University Regulation 180, adopted 7/17/08 Board of Trustees meeting

STAFF SENATE RESOLUTION #201

Title: Requested Revision to University Regulation 2-180

Date: November 9, 2011

Author: Staff Senate Executive Committee

Sponsors: Senator Leo Clymer, Senator Katie Ogden

WHEREAS, the Staff Senate serves “as a responsible voice for the University of Wyoming Staff” as stated in the Staff Senate Mission Statement, and;

WHEREAS, the Staff Senate supports initiatives that encourage a clean, healthy, and safe work environment for University staff, and;

WHEREAS, University Regulation 2-180 “Regulating Smoking” ensures that University of Wyoming facilities are smoke free, but does not adequately define the reasonable distance(s) required for facilities to remain smoke free, and;

WHEREAS, compliance with the University Regulation and limiting smoking litter could be better controlled with an increase in smoking refuse receptacles and their proper placement;

THEREFORE, be it resolved that the University of Wyoming Staff Senate request that University Regulation 2-180 be updated as indicated in Addendum A, and;

THEREFORE, be it further resolved that the University of Wyoming Staff Senate request that more smoking refuse receptacles be purchased and placed at more locations throughout campus, at distances from facilities in accordance with University Regulation 2-180.

Date of Passage: _____

“Being enacted on _____, I do hereby sign my name hereto and approve this Senate action.” _____

Staff Senate President, Cheri Frank

Staff Senate Addendum A

**UW REGULATION 2-180
Regulating Smoking**

1. POLICY.

It is the policy of the University of Wyoming to ensure that all of its facilities including public places and places of employment are smoke free.

2. DEFINITIONS.

For purposes of this regulation, the following definitions shall apply:

- A. "University" means the University of Wyoming;
- B. "Smoke or smoking" means the act of burning any tobacco product, weed filler or plant of any kind in a cigarette, cigar, pipe, water pipe, or in any other device;
- C. "Smoking instrument" means any cigarette, cigar, pipe or other smoking device;
- D. "Public places" means enclosed University facilities, all seating and general gathering areas where outdoor programs, events and activities are held and reasonable distances from all entranceways, passageways, operable windows or ventilation systems of any enclosed facility and inside any licensed vehicle owned by the University.

3. DIRECTIVE.

- A. No University student or employee, or member of the general public shall smoke or carry any lighted smoking instrument in any public place of the University.
- B. Any University student or employee, or member of the general public persisting in smoking contrary to the terms of this regulation, after an oral or written request or warning to cease smoking, shall be deemed to be in violation of this regulation.
- C. Smoking is permitted in the following:
 - i. Outdoor areas including University sidewalks, seating areas and grounds that are ~~a reasonable distance at least fifteen feet~~ from entranceways, passageways, operable windows or ventilation systems of public places.

4. SANCTIONS.

Any University student or employee, or member of the general public violating any provision of this regulation may be required to forfeit the benefits of University programs, events or privileges pursuant to UW Regulations.

Source: University Regulation 180, adopted 7/17/08 Board of Trustees meeting

ASUW SENATE RESOLUTION #2321

Title: ASUW Support of Smoke-Free Campus

Date: August 23rd, 2011

Author: Senator Hull and Executive Dugas

Sponsors: Senators Defebaugh, Drumhiller and Hough

WHEREAS, students may serve as effective advocates of the University of Wyoming issues that directly impact their educational endeavors; and,

WHEREAS, the Student Senate of the Associated Students of the University of Wyoming (ASUW) serves to represent and to advocate for the student voice; and,

WHEREAS, ASUW should promote student health and safety; and,

WHEREAS, peer reviewed studies have concluded that breathing secondhand smoke is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory diseases and lung cancer, and;

WHEREAS, the 2011 National College Health Assessment study indicated that 85.5% of University of Wyoming students do not smoke tobacco, and;

WHEREAS, a study approved by the University Institutional Review Board (IRB) committee and conducted via ASUW indicated that the majority of students, faculty, and staff approve of a smoke-free campus.

THEREFORE, be it resolved that the Student Senate of the Associated Students of the University of Wyoming (ASUW) support the suggested University of Wyoming smoke-free recommendations as outlined in Addendum A in hopes of the creation of a University Regulation (UniReg) by the University of Wyoming Board of Trustees.

Referred to: Student Outreach & Policy Committee

Date of Passage: _____ **Signed:** _____

(ASUW Chairperson)

“Being enacted on _____, I do hereby sign my name hereto and

approve this Senate action.” _____

ASUW President

ASUW Addendum A

Environment

Recommendation #1:

All University of Wyoming owned facilities, buildings and grounds, including athletic properties within the city limits of Laramie, Wyoming should be smoke free.

Recommendation #2:

All parking structures and surface lots should be smoke free. This does not include smoking in privately owned vehicles within these locations.

Recommendation #3:

Cigarette butt containers should be removed from building areas and grounds. The impact on surrounding areas should be monitored.

Enforcement and Conflict Management

Recommendation #4:

Peer support, supervisory oversight and voluntary compliance should be relied upon to lead to behavioral changes over time. Smokers refusing to extinguish the product or repeat offenders of the policy should be addressed through existing disciplinary or other appropriate processes.

Recommendation #5:

University of Wyoming should provide resources to support managers, supervisors, students, faculty, and staff with methods to address violations in a respectful manner.

Treatment and Support

Recommendation #6:

The University Student Health Services should continue to support faculty, staff, and students in their smoking cessation efforts. (Wyoming Quit Tobacco Program)

Communications

Recommendation #7:

The smoke-free policy should be communicated and continually reinforced to all members and guests of the University community in a simple and respectful manner.

Recommendation #8:

Signage should be located on the periphery of campus and in areas of major public gathering including visitor parking. The signage should communicate that all University facilities, buildings, and grounds are smoke-free zones.

Implementation

Recommendation #9:

The entity charged with the responsibility of drafting such smoke-free policy should consider the complexities associated with student, faculty, and staff housing contained within the University of Wyoming boundaries.

Recommendation #10:

The University of Wyoming Board of Trustees shall form an entity for the creation of a University Regulation (UniReg) by the end of the 2011-2012 academic year. The majority of said entity shall be composed of students from a variety of colleges, including students who are smokers and non-smokers.

Recommendation #11:

The University of Wyoming Administration should phase in the entities recommendations over a three-year period.