

Rutgers University Senate
Student Affairs Committee
Response to Charge S-1305-2: Examining the
Rutgers Smoking Policy (20.1.22) and Smoke-Free Rutgers
November 2016

The Student Affairs Committee was issued the following charge by the Senate Executive Committee:

Charge S-1305-2-Smoke-Free Rutgers: Examine the desirability, feasibility, impact and means of evolving into a smoke-free Rutgers.

Background

The charge was first brought up in March 2013 to the Student Affairs Committee in order to address health concerns brought up by the students, staff, and faculty of each of the Rutgers Campuses. Although a smoking policy had been put into place years prior, the effectiveness of the policy was put into question as students continued to face problems of second-hand smoke.

In response, the Student Affairs Committee had originally pursued a charge for a Smoke-Free Rutgers but was met with speculation that such policy would not be possible in New Jersey because of specific union laws that protect employees' rights to smoke. The Students Affairs Committee further researched the issue, and its findings and recommendations are contained in this report.

Summary of Investigation into the Rutgers Smoking Policy (20.1.22) and Smoke-Free Rutgers

On June 2015, concerns were brought up once more and the charge was to be reexamined for possible action. After further investigation, it was determined that union laws did not prevent universities from going smoke-free.

According to the American Nonsmokers' Rights Foundation's 2016 annual report of public universities, 10 other schools in New Jersey have smoke-free tobacco-free policies implemented. Research also found that 8 out of the 14 universities in the Big 10 league are smoke-free tobacco-free:

Illinois (Smoke-Free, Tobacco-Free)
Indiana (Smoke-Free, Tobacco-Free)
Iowa (Smoke-Free, Tobacco-Free)
Maryland (Smoke Free)
Michigan (Smoke-Free, Tobacco-Free)
Michigan State (Tobacco Free)
Minnesota (Smoke Free)

Nebraska (None)
Northwestern (Smoke-Free, Tobacco-Free)
Ohio State (Smoke-Free, Tobacco-Free)
Penn State (None)
Purdue (Smoke-Free, Tobacco-Free)
Rutgers (None)
Wisconsin (Smoke-Free, Tobacco-Free)

A university that is smoke-free prohibits all combustible forms of tobacco. For the purposes of the recommendations made in this report the committee considers electronic cigarettes as combustible forms of tobacco. In contrast with a smoke free policy, which only bans some forms of tobacco, a tobacco free policy bans all forms of tobacco. The committee considers that other forms of tobacco as less intrusive on non-users and these products do not cause problems of secondhand smoke.

According to the Big 10 conference liaison, Penn State University is currently taking action to convert to a smoke-free university.

In a survey conducted during the initial smoke-free charge in March 2013, students have shown support towards a smoke-free Rutgers. Given the survey was taken several years ago, senators approached their governing bodies to resurvey the interest through student governing bodies. In November 2015, the Rutgers University Student Assembly passed a resolution in support of a Smoke-Free Rutgers initiative. In December 2015, the Newark Student Governing Association as well as the Nursing Student Senate also passed resolutions in support for a Smoke-Free Rutgers. Additionally, in this study, conducted by the Rutgers Health Services, about 75% of students, faculty and staff did not smoke. For this reason the student affairs committee sees this policy change as extremely desirable for its role in reducing secondhand smoke and preventing exposure to smoke by nonsmokers.

In examining the current state of the Rutgers Smoking Policy (20.1.22), the policy remains ineffective. Smoking urns can found at the entrances of buildings at each campus, which are clear violations of the University policy; this continues to be a problem for students trying to avoid second-hand smoke. Additionally, the current policy is not enforceable as little to no enforcement authority is conferred. The current policy only allows enforcement of students who live in residence halls and does not account for students who live off campus and violate the rule of no smoking within 30-feet of a building. Additionally, while the policy tasks department heads with investigating complaints of smoking by faculty, the policy does not provide for any training on enforcement or enforcement by other parties.

Given that there are not any outstanding laws or policies that prevent Rutgers University from joining 1475 other smoke-free tobacco-free universities throughout the nation, the Student Affairs Committee sees that it is in the best interest for the university to change its smoking policy to follow stricter guidelines. Taking this action will allow for the university to raise its standards of health for students. Additionally, encouraging the use of the already-present

smoking cessation programs will facilitate the transition into a healthier, smoke-free Rutgers University.

While this committee can evaluate the impact of a smoke free policy on students, an analysis of impacts on other constituencies of the university are limited as the primary stakeholders for those constituencies are unions. However, a previous study of staff and faculty found that 75% of staff and faculty are in support of transitioning to a smoke free campus. (See attached survey results).

Be it hereby resolved, the Rutgers University Senate recommends that:

1. Rutgers University institute a smoke-free policy which also prohibits the use of electronic cigarettes.
2. Before any changes in the Smoking Policy take effect, the university engage in extensive outreach to all constituencies at the University to alert all stakeholders about the change in policy.
3. There be immediate movement of the smoking urns away from the entrances of buildings to a location at least 30 feet away in order to ensure compliance with the current smoking policy. When a smoke-free policy is implemented all such urns should be removed and conspicuous no smoking signage should be posted throughout all Rutgers campuses.
4. The University adopt a policy that is enforceable.
5. The Rutgers Police Department and other enforcement organizations be empowered to issue citations and enforce the smoke-free policy at Rutgers University.
6. Students currently smoking be directed towards smoking cessation programs that are available on-campus. Additionally, the university should promote the use of such programs to all members of the Rutgers community including staff, faculty, and students.

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