Kapiʻolani CC: Tobacco Products Policy

March 9, 2015
Chancellor’s Administrative Staff Council
SSLanzilotti
TPP – PROBLEM:

• WHAT DO WE DO NOW?
2013 HRS 328J

- 2013 Hawaii Revised Statutes
- TITLE 19. HEALTH
- 328J. Smoking
- 328J-8 Declaration of establishment as nonsmoking

§328J-8 Declaration of establishment as nonsmoking.
(a) Notwithstanding any other provision of this chapter, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that an entire establishment, facility, or outdoor area or any part thereof as a place where smoking is prohibited.

(b) Smoking shall be prohibited in any place in which a sign conforming to the requirements of section 328J-9 is posted. [L 2006, c 295, pt of §2]
I. Purpose

The University is committed to providing a safe and healthy learning and working environment and to promoting the health and wellbeing of the campus community.

This policy establishes system wide parameters for a healthy, safe and smoke-free environment for students, faculty, staff and visitors to the University.

The purpose and objective of this policy is to adhere to and comply with the applicable statutory laws and mandates governing smoking including, but not limited to, Hawai‘i Revised Statutes (HRS), Chapter 328J, as may be amended from time to time. The University shall comply with all subsequent amendments to Chapter 328J, HRS, as applicable.
II. Definitions

A. "Smoking," as defined in HRS Chapter 328J-1, means inhaling or exhaling the fumes of tobacco or any other plant material, or burning or carrying any lighted smoking equipment for tobacco or any other plant material.

B. "Tobacco product" means any substance that contains tobacco, including, but not limited to, chewing tobacco, cigarettes, cigars, pipes, snuff, smoking tobacco, and smokeless tobacco.
III. Executive Policy

It is the policy of the University to provide a safe and healthy learning and working environment for students, faculty, staff, and visitors.

- In recognition of the scientifically proven harms associated with exposure to environmental tobacco smoke, University community members have a right not to be exposed to smoke-contaminated air.

- Our community is best served by policies that reduce tobacco product use initiation, reduce consumption among current users, and support cessation efforts among current users who wish to quit.
EP 10.102

• A. Protection from Secondhand Smoke Exposure
  
  o Chancellors, in consultation with their respective campus communities, must select one of the two options below for protecting faculty, staff, students and visitors from the effects of exposure to secondhand smoke:
  
  • Option 1. Smoking shall be prohibited in the following areas:
    
    • a. All enclosed or partially enclosed areas, including buildings and vehicles owned, rented, leased or operated by the University;
    • b. In building courtyards, breezeways, and terraces, on exterior stairways and access ramps, and outdoor dining patios, terraces, and lanais;
    • c. Within 20 feet of building entrances and exits;
    • d. Within 20 feet of windows that open and ventilation intakes that serve an enclosed or partially enclosed area where smoking is prohibited;
    • e. Within 50 feet of designated pick-up and drop-off points for campus and public bus transportation;
    • f. Within the gates of the University's outdoors sports and performing arts stadiums and arenas, including walkways, corridors, and seating areas; and
    • g. Any area that has been designated by the person having control of the area as a non-smoking area and marked with a no smoking sign.
EP 10.102

• Option 2. Completely smoke-free:

  o In lieu of option 1 above, Chancellors, in consultation with their respective campus communities and after meeting the obligations detailed in Section IV below, may elect to designate their campus as completely smoke-free, meaning that smoking is prohibited entirely on premises and in all facilities associated with and occupied by the respective campus.
IV. Delegation of Authority

Chancellors intending to designate their respective campuses and facilities as completely smoke-free, meaning that smoking is prohibited entirely on premises and in all facilities associated with the respective campus as described in Section III. A. 2. above must ensure the following notifications and obligations are met prior to implementation of such a designation:

• A. All three unions (UHPA, HGEA and UPW) shall be advised of the campus’/college’s intended smoke-free designation at least 60 calendar days prior to the effective date of such a change.

• B. The college/campus must inform all current personnel in writing, either electronically or by hard copy, of the change in designation at least 30 calendar days prior to the effective date of the change.
  o The notice to employees must include the effective date of the change, a description of the smoke-free areas, a list of available smoking cessation resources, and identification of a campus/college contact for questions and concerns.
<table>
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<tr>
<th>State</th>
<th>Colleges/Universities</th>
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<tbody>
<tr>
<td>Illinois</td>
<td>Chicago State University (2 campuses) + \nBatesville College + \nCollege of Lake County + \nErie Community College + \nEastern Illinois University + \nHocking College + \nLake Erie College + \nLake Forest College + \nLake Region State College + \nMcKendree University + \nMonticello College (3 campuses) + \nNorthwest Nazarene University + \nOhio State University - Columbus + \nUniversity of Illinois at Chicago + \nUniversity of Illinois at Urbana-Champaign + \nWestern Illinois University +</td>
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<tr>
<td>Idaho</td>
<td>University of Idaho + \nBrigham Young University - Idaho +</td>
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Kapiʻolani CC
Catalog
- Student Regulations

A-47

h. Dates of attendance
   i. Most recent educational institution attended
   j. Degrees and awards received
   k. E-mail address
   l. Enrollment status (full-time or part-time)

Students have the right to request that all of the above items not be designated directory information. Should they wish to exercise this right, they must, in person and in writing, not earlier than the first day of instruction nor later than 14 calendar days from the first day of instruction of the academic term or semester, or the fourth day of a summer session and inform KISC about which of the items are not to be disclosed without their prior consent. Requests should be submitted at the KISC counter in Room 102.

7. A parent or spouse of a student is advised that information contained in educational records, except as may be determined to be directory information, will not be disclosed to him/her without the prior written consent of the son, daughter, or spouse.

Kapiʻolani Community College's Tobacco Products Policy

Promoting a Culture of Health and Wellness at Kapiʻolani CC

Kapiʻolani Community College is designated as the University of Hawaiʻi Community Colleges' Health Education Campus. Given this recognition, the College is striving to promote a culture of health and wellness on campus so as to reduce the health-related factors that research shows have a negative effect on student learning, achievement, and success. These factors are such challenges as stress, violence/assault, eating disorder/problems, alcohol/substance abuse, mental health issues (e.g., depression and anxiety), etc.

We have already made great progress toward establishing a culture of health and wellness through our various academic programs and co-curricular activities: our nutrition studies in the Culinary Arts program; our Nursing, Emergency Medical Services and Health Sciences programs; providing the services of a mental health counselor; supporting an active Violence Prevention Task Force and dynamic Service Learning activities, etc. To continue the directions set by these academic programs and related activities, a Tobacco Products Policy Task Force was asked to examine the issues related to the use of tobacco products on campus and to seek input from the College community on how best to address these issues.

On February 3, 2012, based on the College’s Tobacco Products Policy Task Force’s 12/11/11 recommendation, on input from the campus’ authorized governance organizations, and on the guidance of UH Policy E10.102, the College implemented a two-phased policy to establish Kapiʻolani Community College as a non-smoking campus to reduce tobacco use and to protect the health of all members of our campus community.

In the first phase, beginning August 14, 2012, smoking on the campus and parking lots was prohibited, except for specifically designated areas adjacent to the major student parking lots (i.e., Lots A, B, C, D, and E). In other words, there was no smoking on campus except in specifically designated areas adjacent to the parking lots. The second phase of the policy was initiated August 19, 2013. As of that date, smoking was prohibited in all areas of the campus, including all parking lots. Kapiʻolani Community College became a no-smoking campus.

The policy was implemented to ensure that everyone who visits or works or studies at Kapiʻolani Community College is protected from exposure to second-hand smoke, which is known to cause cancer and disease. Such a policy can only be successful and the campus can only be a place of health if everyone accepts the responsibility for their own health and promotes the health of their fellow Kapiʻolani Community College community members. For more general information concerning the University of Hawaiʻi Tobacco Products Policy and FAQs see http://www.hawaii.edu/smokingpolicyfaq.html.
# Tobacco Products Policy (TPP) Timeline

- **Tobacco Products Policy Task Force November 1, 2011**

<table>
<thead>
<tr>
<th>TPPI Members</th>
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<tr>
<td>Kahele Clark</td>
<td>Kalāualani</td>
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<tr>
<td>Mathew Davis</td>
<td>Student Congress (ASKCC)</td>
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<tr>
<td>Kalani Fujiwara</td>
<td>Student Congress Coordinator</td>
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<tr>
<td>Micon Garvilles</td>
<td>Coordinator, Health Promotion</td>
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<td>Milton Higa</td>
<td>Administrative Services</td>
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<td>Salvatore Lanzilotti</td>
<td>Office of the Chancellor</td>
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<td>Mona Lee</td>
<td>Student Affairs</td>
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<tr>
<td>Jessica Lum</td>
<td>Board of Student Activities (BOSA)</td>
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<tr>
<td>Gordan Man</td>
<td>Auxiliary Services</td>
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<tr>
<td>Claudia Martinez</td>
<td>AmeriCorps Vista Serv. Learning</td>
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<tr>
<td>James Metz</td>
<td>Faculty-at-large</td>
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<td>Karmi Minor-Flores</td>
<td>Faculty-at-large</td>
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<tr>
<td>Crystal Moon</td>
<td>Student-at-large</td>
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<tr>
<td>Patricia O’Hagan</td>
<td>Administration</td>
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<td>Gene Phillips</td>
<td>Staff Council</td>
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<td>Basil Steele</td>
<td>Mental Health</td>
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<td>Lori Ty</td>
<td>Staff Council</td>
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<td>Dennis Vanairsdale</td>
<td>Faculty Senate</td>
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<td>Melisa Oroco Vasques</td>
<td>Outreach Coord, Service Learning</td>
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TPP Timeline

• 11/1/2012: Purpose of the TPP-TF
  
  • **Review** the UH Tobacco Products Policy for the goal of monitoring implementation of the Policy and appropriately designating smoking sites on or nearby the campus, if it so wishes.

  • Work with the student organizations to **promote compliance** for a non-smoking campus (except in designated areas, if any);

  • Establish a **protocol** for complaints and complaint resolution;

  • Establish means and a timeline for **education** of students, faculty, and staff concerning smoking on campus;

(continued)
TPP Timeline

- **11/1/2011: Purpose (cont)**

  - Establish and implement a timeline/plan for training of security personnel in relation to “enforcing” the UH Policy;
  
  - Design, create, and post NO SMOKING signs throughout campus that do not detract from the visual aesthetic of the campus; and
  
  - Determine consequences of violation of the policy for students, faculty, and staff according to State and City & County law (if any).
TPP Timeline

• As a result of the TPP-TF 11/1/2011 meeting it was decided:

  - **On November 17, 2011:** ASKCC would hold an Open Forum re: Should KCC be a *Smoke-Free Campus/Smoking Prohibited on Campus*, and to invite all faculty, staff, and students to attend and to offer oral or written testimony.
    - Of the 50 people who testified at the forum and through written testimony via email 74% (37) said “YES,” while 26% (n=13) said “NO” to having a “smoke-free campus.”

  - **The Great American Smoke-out Day,** sponsored by Service Learning, included a questionnaire (non-scientific), which asked about establishing a *non-smoking campus*.
    - Of the 113 respondents, 88% (n=100) said “YES,” while 12% (n=14) said “NO.” Of those who responded in this questionnaire to the question, “Are you or have you ever been a smoker?” 31% (n=41) answered “YES;” 64% (n=72) answered “NO.”
TPP Timeline

• December 1, 2011 TPP-TF Decision/Compromise:
  
  o After discussion as to whether the college should ban smoking on KCC property or only in the interior of the college campus the following proposal was supported by a majority vote 9-2:

  • The inner college campus (defined by the walkway perimeter of the campus) shall be a non-smoking zone.

  • Task Force members will work with Gordon Man to identify places in the major student parking lots (i.e., Lots A, B, C, D, & E) that will be designated as smoking areas, be visibly marked as smoking areas, and be provided with bench(es) or table(s) and trash receptacle(s).

  o It was agreed (without vote) that if the above policy did not work after one year the Task Force would recommend to the Chancellor that there be a total ban on smoking on the KCC campus, including the parking lot.
December 5, 2011 Chancellor Richards sends the *AGOs the TPP-TF 12/1/11 Recommendation –

- No smoking zone inner college campus; and
- Establish designated areas w/signs, benches and trash receptacles.

- Chancellor Requests comments by 12/12/11.

*(Faculty Senate, Kalāualani, Staff Council, and Student Congress)
TPP Timeline

December 16, 2011: ASKCC response to Chancellor’s 12/5/11 request for comment

ASKCC Student Congress 2011-2012

Approved Resolution 08-11/12

Regarding: Approval of the proposed changes to the campus tobacco policy as proposed by the campus tobacco task force.

Whereas, KCC tobacco policy as well as the University of Hawaii tobacco policy has been established since 2006 with clear directives on the use of tobacco on campus;

Whereas, there have been numerous complaints with the problems with the current tobacco policy and/or the enforcement of the current policy;

Whereas, Kapi‘olani Community College chancellor had convened a special fact-finding task force comprised of various campus organizations from the faculty, staff, and students of this campus with the task of finding if there is a need for changes to the campus tobacco policy;

Whereas, ASKCC Student Congress with the KCC Board of Student Activities have been part of the tobacco policy task force and the task force led by Salvatore Lanzilotti, executive assistant to the Chancellor conducted a forum and other fact finding methods to investigate a need for reforms to the campus tobacco policy;

Whereas, Campus tobacco task force with it’s meeting on December 1, 2011 approved a proposal to the changes to the campus tobacco policy to Chancellor Leon Richards and ASKCC Student Congress is directed by the Chancellor to make an official statement regarding the campus tobacco task force’s policy proposal;

Be it resolved that ASKCC Student Congress 2011-2012 approves of the proposed changes to the campus tobacco policy as proposed by the campus tobacco task force as attached with this resolution with the memorandum by Mr. Lanzilotti;

Be it further resolved that the copy of this resolution if approved will go to Chancellor Dr. Leon Richards, Mr. Salvatore Lanzilotti, Vice-Chancellor Milton Higa, Vice-Chancellor Mona Lee, and the heads of the other three governance bodies of Kapi‘olani Community College;

Sponsoring Representative/Official
TPP Timeline

• 1/9/2012: Faculty Senate response to Chancellor’s 12/5/2011 request for comment

Dennis L Vanairsdale <vanairsd@hawaii.edu> To: lr24@hawaii.edu
Cc: ssl@hawaii.edu, noram@hawaii.edu

Aloha Chancellor Richards

Mon, Jan 9, 2012 at 1:58 PM

The Faculty Senate has directed me to forward to you this url to a site which lists non-smoking campuses. The site includes many well-known campuses, as well as some lesser known campuses, such as Guam and the Community College of the Northern Marianas.


It is clear from this list, that although KCC wants to be known as the health campus, we have not been in the leadership on this issue.

The Senate voted today to reaffirm its recommendation on a total campus ban on smoking. Such an action would return us to our rightful role as the "health" campus.

Sincerely

Dennis Vanairsdale, Faculty Senate
TPP Timeline

- **Jan 19, 2012:** Chancellor informs the TPP-TF that he has received comments on from his 12/5/11 request to the AGOs concerning its initial recommendation, i.e., to prohibit smoking on inner perimeter of the campus/designated areas.

- **Feb 3, 2012:** TPP-TF meets with Chancellor for policy announcement, i.e.,
  - The Chancellor stated that he wanted Kapi‘olani CC to be a healthy campus and deal with issues in addition to tobacco use, e.g., stress, violence, mental health, anxiety, obesity, etc. that affect student learning and health.
  - Chancellor Richards, on the recommendation of the College’s Tobacco Products Policy Task Force, with input from the campus’ authorized governance organizations, and based on UH Policy EP10.102, announced that as of the beginning of fall semester 2012 the College will implement a two step policy that will establish Kapi‘olani Community College as a non-smoking campus by fall 2013.
TPP Timeline

• Feb 6, 2012: Chancellor Richards’ memo to Faculty, Staff, and Students, Re: Promoting a Culture of Health and Wellness at Kapiʻolani CC, announces a two phase TP policy, (1) designated areas fall 2012, (2) non-smoking campus by fall 2013.

• Feb 24, 2012: - TPP-TF began reviewing designated sights; - TPP-TF began developing activities to inform & educate the campus re: the TTP.

• Aug 14, 2012: Designated sights policy implemented.

• Aug 19, 2013: Non-Smoking Campus Policy implemented.

• Spring 2014: Suspended - all individual campus non-smoking policy efforts on hold due to union objection re: process; UH System to develop process w/union.
Designated Smoking Sites

Sites 1 to 11 will be fully equipped with:
1. place to sit,
2. device to deposit butts,
3. sign that states the college policy and state law, &
4. a map showing designated smoking areas

Sites A to C will be equipped with a place for smokers to deposit butts and a sign that stipulates that KCC is a non smoking campus and butts are to be deposited here before entering the campus.

Proposed 2-24-2012
TPP-TF Activities

2/28/2012

• Community Health Fair for October 16, 2012
• Health issue of the Month
• Acknowledge Individuals Who Quit Smoking
• Events (working with AGOs and Co-sponsors)
• Template/Visual Design for All TPP-Related Materials
• Technology Usage for Marketing/Communication, e.g., Blasts, etc.
• Program Planning (one per mo.) – External Resources
• Infrastructure for Internal Messaging via Syllabi, Catalog, New Student Orientation, Classroom Posters, web page No Smoking Signs, BOSA, etc.
• Messaging on Cigarette Disposal Devices - Designated Smoking Areas
• Ex-Smokers as peer educators to provide education and training
• No-Smoking Policy and Law on Business Card
• Enforcement and Consequences – Issues and Recommendations
2015: What there is to do!

• **Current Status:**
  - A UH system-wide administrative process is in place, via **EP 10.102**, for implementing the existing KCC Tobacco Products Policy, as announced to the KCC community, February 6, 2012.

• **Alternative A:**
  - Implement the existing policy by (1) **advising the three unions of** the College’s intended smoke-free designation at least 60 calendar days prior to the effective date of such a change, and (2) inform the KCC community within 30 calendar days prior to the effective date of the change.

• **Alternative B:**
  - Rescind the existing policy and either designate specific areas for smoking **OR** place no-smoking signs strategically according to EP10.102, Option 1, a. to g.
Kapiʻolani CC Tobacco Products Policy

March 9, 2015
Chancellor‘s Administrative Staff Council
SSLanzilotti