



TAKING TOBACCO OUT OF HIGHER EDUCATION

A TOBACCO-FREE POLICY TOOLKIT



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TOOLKIT INTRODUCTION

Taking Tobacco Out of Higher Education: A Tobacco-Free Policy Toolkit is designed for tobacco control advocates and peer health educators interested in working on a tobacco-free policy initiative on a college campus. This toolkit is focused entirely on how to write a policy rather than on how to advocate for a policy.

In this toolkit you will learn more about:

- the three phases of policy;
- policy initiatives on college campuses;
- how to develop a policy;
- what language should be included in a comprehensive policy;
- what language is used by other campuses;
- and much, much more!

The California Youth Advocacy Network (CYAN) offers a variety of tools and resources for individuals, organizations, and campuses working on tobacco-free policy, education, and cessation. For more information on other available resources or for assistance with your local efforts, please visit www.cyanonline.org.

FEBRUARY 2005

ACHA Guidelines

POSITION STATEMENT ON TOBACCO ON COLLEGE AND UNIVERSITY CAMPUSES

The American College Health Association (ACHA) acknowledges and supports the findings of the Surgeon General that tobacco use in any form, active and/or passive, is a significant health hazard. ACHA further recognizes that environmental tobacco smoke has been classified as a Class-A carcinogen. In light of these health risks, ACHA has adopted a NO TOBACCO USE policy and encourages colleges and universities to be diligent in their efforts to achieve a campuswide tobacco-free environment.

ACHA joins with other professional health associations in promoting tobacco-free environments. According to the ACHA-National College Health Assessment (ACHA-NCHA) conducted in spring 2004, 79% of college students described themselves as non-smokers (never smoked or have not smoked in the last 30 days); 97% described themselves as non-users of smokeless tobacco (never used or have not used in the last 30 days). ACHA supports the health goals of the U.S. Public Health Service to reduce the proportion of adults who smoke to below 12% by the year 2010 and to positively influence America's college students to help them remain or become tobacco-free. Additionally, ACHA actively supports the Healthy Campus 2010 goals to reduce cigarette smoking by college students to below 10.5% and smokeless tobacco use to below 1.0% by the year 2010.

Efforts to promote tobacco-free environments have led to substantial reductions in the number of people who smoke, the amount of tobacco products consumed, and the number of people exposed to environmental tobacco hazards. ACHA acknowledges that achieving a tobacco-free environment requires strong leadership and support from all members of the campus community. Because the improvements to health can be so significant, ACHA recommends the following steps be taken to address policy, prevention, and cessation as it pertains to tobacco issues:

1. Develop a strongly worded tobacco policy that reflects the best practices in tobacco prevention, cessation, and control.
2. Inform all members of the campus community by widely distributing the campus tobacco policy on an annual basis.
3. Offer and promote prevention and education initiatives that actively support non-use and address the risks of all forms of tobacco use.
4. Offer and promote programs and services that include practical, evidence-based approaches to end tobacco use.

RECOMMENDATIONS

5. Prohibit the campus-controlled advertising, sale, or free sampling of tobacco products on campus or in campus-controlled situations, properties, and environments.
6. Prohibit the sponsorship of campus events by tobacco-promoting organizations.
7. Prohibit tobacco use in all public areas of the campus, including but not limited to:
 - a. Classrooms, lecture halls, auditoriums, laboratories
 - b. Museums, libraries, gymnasiums, stadiums/coliseums
 - c. Building entrances, waiting areas, halls, restrooms, elevators, stairs
 - d. Health facilities, counseling centers, child care centers
 - e. Buses, vans, all other campus vehicles
 - f. Within 20 feet of all campus buildings
 - g. Meeting rooms, private offices
 - h. Dining facilities
8. Prohibit tobacco use in all residence halls, dormitory facilities, and other campus-owned, affiliated, and sanctioned housing, including but not limited to: lounges, hallways, stairwells, elevators, restrooms, laundry rooms, and shared and private rooms.
9. Clearly identify all tobacco-free areas with signs.
10. Prohibit the use of smokeless/spit tobacco in all facilities.
11. Support and provide a process for frequent and consistent enforcement of all tobacco-related policies, rules, and regulations.

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Prepared by the ACHA Alcohol,
Tobacco, and Other Drugs Committee

2/05

STANDARDS FOR CREATING A TOBACCO-FREE CAMPUS

Prohibit smoking within all university-affiliated buildings (including residence halls, administrative facilities, classrooms, and fraternities and sororities) and at all university sponsored events – both indoor and outdoor.

Classrooms, dorm rooms, offices, living rooms, etc. should all be explicitly stated. Smoke-free campuses are becoming more popular as students and parents become increasingly aware of the dangers of involuntary exposure to tobacco smoke and the increased risk of fire in settings where smoking is permitted. Beginning in Fall 2000, the University of Iowa, the University of New Hampshire, and Penn State University joined many other educational institutions, including Harvard and Wellesley, in banning smoking in all dormitories. In addition, schools should prohibit smoking at all outdoor college-sponsored events such as sporting events, concerts, etc.

Prohibit the sale of tobacco products on campus.

The availability of tobacco products in campus stores serves only to reinforce the notion that smoking is socially normative, sanctioned adult behavior. The University of Washington prohibits the sale of tobacco products on campus. This policy went into place during the '99-'00 academic year. When eliminating the sale of tobacco on campus, prevent additional problems by banning the delivery of cigarettes to campus (when the student pays the delivery person, the sale technically takes place on campus) and eliminating students' ability to use "points" or other campus monetary credits to buy tobacco products.

Prohibit the free distribution of tobacco products on campus, including fraternities and sororities.

Tobacco companies are attempting to lure would-be smokers by providing free "samples" of tobacco products at functions sponsored by college social groups like fraternities and sororities, as well as at nearby clubs and bars. These giveaways are especially prevalent in settings where alcohol is being used because smoking experimentation is more likely when one's judgment is impaired.

Prohibit tobacco advertisements in college-run publications.

Encourage the editorial board to follow the lead of newspapers such as the New York Times, which has ceased advertising tobacco products. Even better, encourage a ban on accepting any tobacco industry advertising (such as the feel-good Phillip Morris ads).

Provide free, accessible tobacco treatment on campus – and advertise it.

Encourage students and staff who smoke to get help quitting, and make it easy for them to access free services. If existing services aren't being used, conduct research to find out why. Then adapt the program accordingly. Include tobacco treatment in college health plans as a covered benefit.

Prohibit campus organizations from accepting money from tobacco companies.

For example, do not allow organizations receiving money from the university to hold parties sponsored by tobacco companies at which they give out free samples and gear.

Prohibit the university from holding stock in or accepting donations from the tobacco industry.

Divest all institutional stock holdings in tobacco companies. Educational institutions should prohibit the practice of profiting from investments in tobacco companies as those investments are directly tied to the intentional addiction of individuals, ultimately leading to premature illness and death for many consumers. In addition, colleges and universities should enact policies prohibiting the acceptance of any donations or grants from the tobacco industry, whether the money is intended for research, funding, or other university-sponsored programs.

Colleges and universities have a responsibility to provide safe spaces in which their students can learn and live. This should include an environment free of tobacco smoke and advertising that encourages young adults to use tobacco products. Based on the review of science, literature and trends related to smoking among college students, the American Lung Association recommends the following policies to all colleges and universities.

- All college and university campuses should completely prohibit tobacco use, including all indoor and outdoor facilities, private offices, residence halls and dormitories. Tobacco use in outdoor areas should be prohibited to reduce the social acceptability of tobacco use and encourage quitting. This should include building entrances, stadiums, other public spaces and buses, vans or other campus vehicles.
- Colleges and universities should prohibit the sale or advertising of tobacco products on campus or in college-controlled publications, properties, events, or environments, including free distribution of tobacco products.
- Colleges and universities should refuse to accept funding, including research and sponsorship funding, from the tobacco industry.
- Colleges and universities should offer and promote comprehensive, evidence-based cessation therapies for all forms of tobacco to all students, faculty and staff.
- Colleges and universities should adopt and enforce strong policies to aid in prevention, cessation, and elimination of tobacco use. These policies should be based on the current evidence and understanding of effectiveness and should be reviewed regularly to ensure that they remain current.
- Colleges and universities should educate students and faculty about the harmful effects of using tobacco products, about the resources available for cessation, and about campus policies.
- Colleges and universities should promote and fund additional research to design and implement smoking and tobacco use cessation interventions that specifically target college students.
- State legislatures should prohibit tobacco use in college and university facilities including offices, stadiums, residence halls and dormitories.

Prepared by the American Lung Association in the report *Big Tobacco on Campus: Ending the Epidemic*.

www.lungusa.org

POLICY OVERVIEW

THREE PHASES OF POLICY

It is important to recognize policies have three phases - adoption, implementation, and enforcement. It is not uncommon for policy work to end when the proposed policy is passed. Unfortunately, when policy work ends soon after it is adopted the effectiveness of the policy also ends. Once a policy is adopted the policy must be implemented and enforced in order to ensure compliance and community norm change.

THE THREE PHASES

The first of the three phases of a policy is **adoption**. During this phase, policy advocates and campus stakeholders work towards the development of a new tobacco-free policy as well as a policy plan. It is critical to remember that what comes out of the adoption phase dictates when and how the policy will be implemented and enforced.

The second phase, **implementation**, is essential in making certain the policy is carried out as it is written. Without an effective implementation plan, it makes it difficult to actively enforce the policy since the campus community may know little or nothing about the policy. The implementation phases allows the campus and tobacco-free advocates sufficient time to change signage, remove ashcans, update policy language, and educate the campus community on the new policy.

The third and final stage is policy **enforcement**. Enforcement determines the effectiveness of the policy. An un-enforced policy is not a policy at all. Actively enforcing the policy will ensure the effectiveness and success of a policy. In the case of tobacco control, a well enforced policy is likely to decrease tobacco use among the college community, decrease butt litter, and increase the health of the college or university.

Education and Evaluation are two components that should exist throughout all three policy phases.

EDUCATION

Throughout the entire policy process education should be a key piece of your efforts. By providing the campus community with proper education, you increase your likelihood of receiving greater support during the adoption and implementation phases as well as increase compliance throughout the enforcement phase.

EVALUATION

Your policy plan should be continually evaluated to ensure you are still on track and doing what needs to be done. By evaluating your progress as well as the change that has taken place you will learn what steps need to happen next and what changes you need to make to your efforts to guarantee success.

TYPES OF POLICIES

ADMINISTRATIVE

Administrative policies are established or defined by the operating authority of the college or the college / university system-wide governing body. These policies provide local or system-wide governance, procedures, and requirements. Administrative policies are based on internal mandates, laws, and regulations. For example, in 2004, the majority of California public colleges updated their smoking policies to “no smoking within 20-ft. of buildings” to reflect AB 846, a law which prohibits smoking within 20-ft. of all state-owned and leased buildings.

Examples of Administrative Policies

- o Policies adopted by a campus president / chancellor
- o Policies adopted by a system governing board

VOLUNTARY

Voluntary policies can be created and adopted by a person, business, or organization. The policy can only be enforced by those who control the place affected by the policy.

Examples of Voluntary Policies

- o Greek organizational policies
- o Apartment and housing policies

LEGISLATIVE

Legislative policy is developed by a combination of publicly elected legislators, government administrative staff, and independent, external individuals and groups. Legislators introduce, debate, and enact legislation which is then approved or vetoed by an executive leader such as a mayor, governor, or the President.

Examples of Legislative Policies

- o City Ordinances
- o State Law
- o Federal Law

REGULATORY

Regulatory policies are created by the executive branch (e.g., the governor’s office) and independent administrative agencies of the government. These policies are developed to carry out broad legislative mandates.

Examples of Regulatory Bodies

- o Environmental Protection Agency
- o Department of Education

POLICY INITIATIVES

The following is a list which describes the different smoke-free and tobacco-free policy initiatives advocates can address on a college or university campus.

SMOKE-FREE POLICY INITIATIVES

A smoke-free policy is written to address smoking on campus. A comprehensive smoke-free policy should include specific language on where individuals can and/or cannot smoke as well as language on policy implementation, enforcement, and campus or community cessation resources.

Smoke-Free Indoor Air

- o No smoking in campus owned buildings

Note: Campus-wide smoke-free indoor air policies typically exclude residential housing.

However, most campus student housing departments have policies prohibiting the use of smoke emanating products such as cigarettes and candles.

Smoke-Free Outdoor Air Policies

- o Smoke-Free Perimeters - Smoking is prohibited in campus owned buildings and within X-ft. (20-ft., 50-ft., etc.) of:
 - o Entryways;
 - o Entrances, exits, windows, ventilation systems; and/or
 - o Handicap entrances.
- o Designated Smoke-Free Areas - Smoking permitted on campus with the exception of designated smoke-free areas.
- o Designated Smoking Areas - No smoking on campus with the exception of specific designated areas.
- o Parking Lots Only - No smoking on campus with the exception of parking lots.
- o Designated Parking Lots - No smoking on campus with the exception of designated parking lots.
- o 100% Smoke-Free - No smoking anywhere on campus including all indoor and outdoor locations.

Smoke-Free Housing Policies

- o Indoor policies – smoking is prohibited in:
 - o All common areas.
 - o All indoor areas including student rooms.
- o Perimeter policies – smoking is prohibited within X-ft. from:
 - o Entryways including handicap entrances, and/or
 - o Entrances, exits, windows, ventilation systems.

Smoke-Free Organizations

- o Fraternities & Sororities
 - o Housing
 - o Events
- o Campus-sponsored events

TOBACCO-FREE POLICY INITIATIVES

There are two types of tobacco-free policies.

- (1) **Tobacco Use Policies** - Policies that prohibit the use of all tobacco products including smoke-emanating and smokeless products.
- (2) **Comprehensive Policies** - Policies that include language on tobacco use, sales, advertising, sponsorship, donations, research, and investments. It is important to note that each of these initiatives may need to have a policy written specifically for the policy issue. For example, an investment policy will most likely be a standalone policy whereas tobacco sales policy language can be included in a tobacco use policy.

The following is a list of tobacco-free policy initiatives along with a description of each type of policy.

Tobacco Sales

- o Eliminate the sale of tobacco on all campus-owned property.

Tobacco Advertising

- o Prohibit tobacco product and tobacco industry advertising in campus-produced publications.
- o Prohibit tobacco product and tobacco industry advertising at campus events.

Tobacco Sponsorship and Donations

- o Prohibit tobacco sponsorship of campus organizations, athletic teams, and events.
- o Prohibit tobacco industry donations and gifts.
- o Exclude the tobacco industry from participating in job and career fairs on campus.

Tobacco Research

- o Deny tobacco industry funding of research through grants and contracts.

Tobacco Investments

- o Divestment
 - o Individual campus
 - o System-wide

OUTDOOR SMOKE-FREE POLICY INITIATIVES

POLICY	PROS	CONS
<p>Entryway Policy: Smoking is prohibited within X-ft. from entryways.</p>	<p>Provides further protection from secondhand smoke entering into buildings.</p>	<p>Policy only prohibits people from smoking near entryways.</p> <p>Policy does not safeguard secondhand smoke entering into windows and ventilation systems.</p> <p>Difficult to enforce. Who knows how far 20-ft. is from a building?</p>
<p>Perimeter Policy: Smoking is prohibited within X-ft. from buildings.</p>	<p>Provides increased protection of buildings so secondhand smoke does not enter through ventilation systems, windows, and side or back doors.</p>	<p>Difficult to enforce.</p> <p>Secondhand smoke is still able to enter into buildings if policy is not extensive.</p>
<p>Designated Smoke-Free Areas: Policy permits smoking on campus with the exception of designated smoke-free areas.</p>	<p>Areas such as outdoor dining locations, stadiums, and campus quads can be designated as non-smoking areas.</p>	<p>Provides protection for a limited number of areas.</p> <p>Unless implemented well, people may not be aware of where they can and cannot use tobacco.</p>
<p>Designated Smoking Areas: Smoking is prohibited on campus with the exception of designated smoking areas.</p>	<p>Limits ability for secondhand smoke to enter buildings.</p> <p>Prevents those leaving and entering buildings from having to walk through clouds of smoke.</p> <p>Easier to educate campus community on where smoking is and is not permitted.</p> <p>Enforcement is more manageable.</p>	<p>Unless implemented well, people may not be aware of where they can and cannot use tobacco.</p> <p>Too many designated areas go against the purpose of having a designated area policy.</p> <p>Difficult to encourage campus community to utilize designated areas during bad weather or if designated areas are located in a hard to get to area of campus.</p>

POLICY OVERVIEW

POLICY	PROS	CONS
<p>Smoke-Free with the Exception of Parking Lots: Policy prohibits smoking on campus with the exception of parking lots.</p>	<p>Provides extended protection for general campus areas.</p> <p>Easier to educate people on where they can and cannot smoke.</p> <p>Sets a clear boundary on where smoking is permitted and not permitted.</p> <p>Reduces cigarette butt litter in the campus interior.</p>	<p>Policy often difficult to comply with on larger campuses where it takes more than 10 minutes to walk from campus buildings to parking lots.</p> <p>Administration may see smoking only in parking lots as a safety issue.</p> <p>Campus buildings may border a parking lot thus increasing the likelihood that smoke from parking lots may enter building windows, doors and ventilation systems.</p>
<p>Smoke-Free with Exception of Designated Parking Lots: Smoking is prohibited on campus with the exception of designated parking lots.</p>	<p>Provides extended protection for general campus areas.</p> <p>Easier to educate people on where they can and cannot smoke.</p> <p>Sets a clear boundary on where smoking is permitted and not permitted.</p> <p>Policy makers are able to designate parking lots that are not close to buildings where smoke can enter.</p> <p>Reduces cigarette butt litter in the campus interior.</p>	<p>Policy often difficult to comply with on larger campuses where it takes more than 10 minutes to walk from campus buildings to parking lots.</p> <p>Administration often sees smoking only in parking lots as a safety issue.</p>
<p>100% Smoke-Free: Smoking is prohibited on campus property including parking lots.</p>	<p>When actively enforced, policy provides complete protection from secondhand smoke exposure.</p> <p>Reduces cigarette butt litter in the campus interior and in parking lots.</p>	<p>Depending on campus size it may be difficult for student, faculty and staff smokers to leave campus to smoke.</p>

POLICY ADOPTION

The length of the adoption phase depends on your campus environment. Some policies pass within months of initiation whereas others may take years. During this phase be prepared to lay out your entire plan from start to finish. This will include your plan for adoption, implementation, and enforcement. While this phase can be rather time consuming, all the work done now will save you time and frustration in the future.

DEVELOPING A POLICY PROPOSAL AND PLAN

Writing a policy proposal is not typically required of tobacco prevention advocates; however, it is important to do as your proposal will tell your administration the policy you recommend adopting and why. The proposal process allows you to investigate the tobacco-related problem on your campus, assess possible policy solution, research policies on other campuses, and make an informed policy recommendation to your campus leadership.

STEP 1 – IDENTIFY THE TOBACCO RELATED PROBLEM ON CAMPUS

Before you write a policy proposal, it is important to understand why you need a new policy. There are a number of different tobacco related issues on campus. Below are just a few of the more common problems on a college campus.

- Smoke enters into buildings due to people smoking right in front of buildings or near windows
- Secondhand smoke creates an unhealthy outdoor environment for members of the campus community
- Large amount of cigarette litter on campus
- Campus sells tobacco; however, promotes student health and well-being
- Tobacco industry promotes their products through student organizations and events

The majority of college campuses have at least one but often many tobacco related problems on campus. For most of these schools, secondhand smoke continues to be a major issue. For many others, the tobacco industry has increased their level of financial support resulting in an unhealthy relationship between the industry and the college/university. Whatever the case may be, a strong and well enforced policy may decrease or eliminate the dangers of tobacco on campus.

In order to address the problem you must understand the problem. A simple and practical way to learn more about the problem is by doing an **assessment** of the campus. Assessments can be rather simple, or if you are looking to learn as much as possible about the campus, the assessment can be more time consuming. A sample assessment can be found on page 82.

In addition to an assessment you can gather information through a **campus survey**. It is difficult to argue for a stronger smoke-free policy if 75% of the campus does not want a stronger smoke-free policy. On the other hand, if you are able to show your campus administration that only 11% of the campus community smokes and over 80% of the campus wants a smoke-free campus your argument is much stronger. Please note the phrase campus community. Even though most tobacco or public health advocates frame their efforts around the young adult population on campus, colleges and universities are made up of hundreds to thousands of faculty and staff who spend 40 plus hours a week on campus. Remember these populations when you are doing your assessment and/or surveys.

Once you have finalized your assessment and/or surveys, you should be able to **identify the most pressing tobacco related problem on campus**. When writing your proposed policy you should consider including policy language that will protect your campus from future tobacco related problems. For example, even if your school is not taking money from the tobacco industry, it is in the campus' best interest to adopt a formal policy prohibiting industry money so when the industry approaches your

campus a policy will already be in place. Additionally, if your campus already does not accept tobacco advertising or does not sell tobacco but there is no formal policy saying so, it important to include such language in your campus policy. There are a number of circumstances that could change on campus that would allow for the campus to make a new decision about accepting tobacco money or begin selling tobacco. An official policy would prevent non-written policies from being reversed.

STEP 2 – IDENTIFY POLICY GOALS

Once your have assessed your campus and have educated yourself on current and future tobacco related issues pertinent to your college, you are ready to identify the campus policy goals.

Policy Committee

Before you begin this process, it is recommended you gather a small group of students, faculty and staff to assist with the development. By doing so you are allowing representatives from the campus community to have a say in the final policy thus resulting in a higher likelihood of compliance. Additionally, by including representatives from these groups it is probable you will have less resistance when you try to get the policy adopted.

Policy Goals Outline

Draft an outline of your policy goals. This process can be done before of after you have developed the policy committee. If you have a group that is well versed on tobacco and aware of the harms of smoking and tobacco industry presence on campus, you may want to include the group in the outline. If group members have minimal knowledge of tobacco related issues, it is wise to have your policy goals outlined before the first meeting.

Review your assessments and surveys to help develop your goals. If a majority of your campuses would support a smoke-free policy make sure your policy goals reflect this. If you campus does not sell tobacco but has no policy, make sure to include this language as well. This is the time to include as much tobacco-free language as possible and let the policy committee and the administration decide what language should be included and what language should be omitted. Remember to incorporate preemptive language in your policy. Policy language that addresses issues that do not exist on your campus can benefit the campus at a later time. Since campus politics and administrations change and the tobacco industry is always looking for new “partners” it is best to adopt a sponsorship policy before the campus is being sponsored.

STEP 3 - RESEARCH

Campuses throughout the country have adopted effective tobacco-free policies. Most likely, as the campus was working on their new policy they ran into some roadblocks, weighed the pros and cons of the policy, and throughout the entire process learned many lessons that they can share with you. Now is a great time to do some internet research on different policies and then call up the schools to discuss their lessons learned and ask if they have any information or even resources they would be willing to share with you. For a list of campuses with smoke-free or tobacco-free policies, please visit www.cyanonline.org.

STEP 4 – DRAFT THE POLICY

Once you have identified your policy goals you are ready to write a draft policy. It is important to include all interested parties in this process. The more inclusive you are with others thoughts and interests the more likely the administration is to pass the policy and the more likely it is the policy will be enforced.

No two campuses are alike, thus no two policies can be identical. A tobacco-free policy must be written specifically for the campus on which it will be administered. In drafting the policy, make sure to include language specific to the campus. For example, if the campus you work with is predominately attended by 18-24 year olds, include in the Preamble the high smoking rates of the young adult population.

Sample policy outlines can be found on pages 52 and 53.

STEP 5 (OPTIONAL) - DRAFT A POLICY REPORT

Depending on the type of campus you are working with, it may be useful to write a report on your findings and recommendations. A report can include all the information you found from your campus assessment, community survey, and any other data collection method you used. Additionally, you can include your research findings and, based on these findings, make a sound policy recommendation to your campus decision makers.

STEP 6 - DRAFT A POLICY PLAN

The policy plan serves as the roadmap for all three phases of the policy. The plan should help you and those administering the policy know what to do next. When drafting the plan, make sure to include suggested dates for adopting the policy, implementing the policy, and enforcing the policy. Below, please find a very basic example of a policy plan.

Example Policy Plan

August 2008	Finalize proposed policy
December 2008	Policy adopted
January 2009	Announce new policy to campus community
June 2009	Remove all ashcans from entryways and designated areas
July 2009	Begin educating college staff on new smoking policy and available cessation service
August 2009	Update signage
September 2009	Campus opens 100% tobacco-free
September 2009	Launch year-long educational campaign
November 2009	Great American Smokeout event
January 2010	New Years Resolution Cessation campaign
April 2010	Earth Day celebration
September 2010	Begin policy enforcement

DEVELOPING A CAMPAIGN STRATEGY

Development of a campaign strategy is necessary for those who plan to **advocate** for a new campus policy. Unlike the policy plan which lays out the necessary steps for implementing and enforcing the policy, the campaign strategy allows you to lay out how you will advocate for the desired policy.

DEVELOPING A STRATEGY

As soon as you are familiar with the tobacco and smoking environment on your campus and you have identified your policy goals, it is time to add actions to your objectives. The most important components to map out are:

- o Your Focus (why is this important)
- o Your Campaign Goals (short-term, intermediate, long-term)
- o Organizational Strengths and Weaknesses
- o Allies and Opponents
- o Targets
- o Tactics
- o Timeline

Included on the following two pages is the Midwest Academy Strategy Chart. This chart will provide you with an opportunity to layout your campaign strategy. Please note, the chart does not include a section for your focus or timeline; however, we strongly recommend noting your focus on the chart and creating a separate timeline.

IMPLEMENT THE STRATEGY

Do not let too much time pass between the creation of your campaign strategy and the implementation of your strategy. Continuing your work following the planning development phase will maintain the energy levels and motivation of yourself and the committee members.

When working with your campaign strategy, keep the focus on the short-term goals. The work you do towards your short-term goal will determine what you need to do for your other two goals. It is not uncommon to succeed in your short-term goal and by doing so the intermediate goal has been accomplished, as well.

EVALUATE YOUR PROGRESS AND STRATEGY

Throughout the entire policy process, including adoption, implementation, and enforcement, it is important to regularly evaluate your progress. Often times you may be accomplishing a number of goals all at the same time. You may also achieve something that gives the group the ability to skip over a tactic if it is no longer needed to gain support for the policy. Be prepared to alter your campaign strategy as successes and/or challenges arise.

For more information on organizing a policy advocacy campaign on campus, contact CYAN or visit www.cyanonline.org to obtain a copy of *College Organizing Guide: Policy Solutions for Tobacco-Related Problems on Campus*.

Midwest Academy Strategy Chart

After choosing your issue, fill in this chart as a guide to developing strategy. Be specific. List all the possibilities.

Goals	Organizational Considerations	Constituents, Allies, and Opponents	Targets	Tactics
<ol style="list-style-type: none"> 1. List the long-term objectives of your campaign. 2. State the intermediate goals for this issue campaign. What constitutes victory? 3. What short-term or partial victories can you win as steps toward your long-term goal? 	<ol style="list-style-type: none"> 1. List the resources that your organization/group brings to the campaign. Include money, number of staff, facilities, reputation, etc. What is the budget for this campaign? 2. List the specific ways in which you want your organization to be strengthened by this campaign. 3. List the internal problems that have to be considered if the campaign is to succeed. 	<ol style="list-style-type: none"> 1. Who cares about this issue enough to join in or help your organization? <ul style="list-style-type: none"> • Whose problem is it? • What do they gain if they win? • What risks are they taking? • What power do they have over the target? • Into what groups are they organized? 2. Who are your opponents? <ul style="list-style-type: none"> • What will your victory cost them? • What will they do/spend to oppose you? • How strong are they? 	<ol style="list-style-type: none"> 1. Primary Targets <ul style="list-style-type: none"> • Who has the power to give you what you want? • What power do you have over them? 2. Secondary Targets <ul style="list-style-type: none"> • Who has power over the people with the power to give you what you want? • What power do you have over them? 	<p>For each target, list the tactics that each constituent group can best use to make its power felt.</p> <p>Tactics must be</p> <ul style="list-style-type: none"> • In context. • Flexible and creative. • Directed at a specific target. • Make sense to the coalition/group. • Be backed up by a specific form of power.

Midwest Academy Strategy Chart

After choosing your issue, fill in this chart as a guide to developing strategy. Be specific. List all the possibilities.

Goals	Organizational Considerations	Constituents, Allies, and Opponents	Targets	Tactics

POLICY IMPLEMENTATION

By definition policy implementation refers to the process of carrying out the authoritative decision of a governing body. The implementation process consists of organized activities directed toward the achievement of goals and objectives of the adopted policy. In this case, the implementation process focuses on the carrying out or the execution of a smoke-free or tobacco-free policy on campus.

Although highly overlooked, the implementation process is extremely important in determining the effectiveness of a campus policy. If a policy is adopted and nothing is done with it, it is highly unlikely that policy compliance will be high. In contrast, if a policy is successfully implemented on campus, the odds for compliance are greater. Additionally, a comprehensive implementation plan correlates with effective enforcement.

IMPLEMENTATION ACTIVITIES

The implementation period allows college leaders with ample time to prepare the campus for the new policy. The following is a brief check list of suggested implementation activities.

- Remove ashcans from entryways
 - If adopting designated area policy or parking lots only policy, place ashcans in areas where individuals can smoke
- Update campus signage to reflect new policy
- Post new signage in areas where individuals can and cannot use tobacco
 - If adopting 100% smoke-free or tobacco-free policy, place signage at all entrances of campus alerting people that tobacco can no longer be used in the interior of the college
 - If adopting designated area policy, place appropriate signage in designated areas
- Update campus maps to show areas where individuals are permitted to smoke
- Update policy language in all campus-produced materials (e.g., schedule of classes, course catalogue, policy manual, etc.)
- Post policy language on the college website to alert the campus community of the new policy
- Develop policy fact sheet or frequently asked questions document
- Educate the entire campus community on the new policy
- Educate the local community on the new policy to ensure visitors are aware of the college's new smoke-free/tobacco-free policy
- Promote campus or community cessation resources available for those interested in quitting tobacco use

EDUCATIONAL ACTIVITIES

WHO TO EDUCATE DURING THE IMPLEMENTATION PHASE:

Students	Faculty
Staff	Campus Police
Associated Students	Facility Management
Residential Advisors	Department Heads
President/Chancellor	Community Organizations
Athletic Coaches	College Deans
Grounds & Facility Staff	Health Services Staff
Campus Committees	Environmental Health & Safety Officers
Governing Boards (system and campus)	

WHERE TO EDUCATE DURING THE IMPLEMENTATION PHASE:

Residential halls	Class schedule
College catalogue	Chalkboards / Whiteboards
Dining halls	Newspaper
College email accounts	PSAs before movies
Campus website	
Campus Events (e.g., Greek events, special dates / months...i.e., Women's History Month)	
Classes (e.g., Women's Studies, Ethnic Studies, History, Politics)	
Computer classes (policy message as screen saver or wallpaper on the computer)	

EDUCATION IDEAS TO USE DURING IMPLEMENTATION PHASE:

Movie/Film screenings	Tabling
Class curriculum	Art contest
Media contest	Presentations
Writing contest	Music festival
Flyers	Table tents
Chalking	
Distribute materials (e.g., bookmarks, postcards, rulers, coffee cup holders, napkins)	
Visual projects (e.g., clothes line, tombstone activity, photo / memory wall)	
Events (e.g., Great American Smokeout, Earth Day, Valentines Day)	

POLICY ENFORCEMENT

Enforcement is the longest and often the most difficult phase of the policy process. During this phase education plays a very important role. If the students, faculty, staff, and visitors are well educated on the policy they are more likely to comply with the policy. Consistently high compliance leads to a social norm change on campus making it possible to reduce enforcement efforts within a few years of the policy being adopted.

There are a variety of ways to enforce a smoke-free or tobacco-free policy on campus. The type of enforcement will depend on the type of policy. For example, smoke-free outdoor policy enforcement is extremely different than the enforcement of a sponsorship policy. Policies that are controlled by one body, for example the University Foundation which may oversee the campus investments and funding, can be observed and maintained versus actively enforced. Enforcement of outdoor smoke-free policies, however, are much more difficult to enforce and must be done actively and consistently.

ENFORCEMENT OPTIONS

Policy enforcement is rather complicated. Often times before a policy is even passed the campus administration wants to know how the policy will be enforced. Will the policy be enforced by campus security? Does campus security have enough time and people power to enforce the policy? Who will post the signage? Who will pay for the signage? These questions are just a few of the many questions asked and debated during and after the policy making process.

The most common form of enforcement by college campuses is passive enforcement. Specifically, campus policies generally read “this policy relies on the consideration and cooperation of smokers and nonsmokers”. This form of enforcement is non-active and is generally unsuccessful. The one positive aspect of passive enforcement is the low to no cost associated with it. In addition to “voluntary compliance” another form of passive enforcement is signage. While there are some costs and responsibilities associated with signage, it is a quick option for campuses wanting to put some effort in their effortless enforcement.

These days, more and more campuses are investigating active enforcement tactics. These efforts include but are not limited to:

- 1) actively encouraging compliance through positive enforcement;
- 2) including smoking or tobacco use in the Student Code of Conduct and Employee Personnel Policies;
- 3) including smoking or tobacco use in the State Education Code;
- 4) distributing enforcement cards and reminder cards;
- 5) fining violators (either monetary or community service); and
- 6) creative and highly visible signage.

While active enforcement is much more time consuming and often times more costly, the payoff is much greater. The more active the enforcement, the more likely the campus community will comply with the policy. Allow yourself for a moment to think of parking violations. If you know that you will be fined \$200 for parking in a yellow zone, would you continue to park there? Most likely not. The same goes for enforcement of outdoor smoke-free policies or smokeless tobacco policies. If active enforcement exists and tobacco users are made aware of violation consequences, they are more likely to not violate the policy.

Education should be included in all of the enforcement options listed above. More times than not tobacco users do not follow the policy because they do not know the policy. Take the time to actively educate the campus on the policy. While signage may be a good start, it is only a start unless you get creative with the signage.

Throughout the following pages, you will find real life examples of enforcement tactics that have been used on a variety of California campuses. With great hope these brief strategy accounts can assist you in coming up with a creative and active enforcement plan for your campus.

TACTIC: ACTION PLANS

ENFORCEMENT ACTION PLAN

Courtesy of Yolo County Health Department

Before the smoke-free campus policy was implemented, the advocacy group on campus went through the following steps to ensure effective enforcement.

1. The tobacco prevention coalition met with the Campus Administrator to hammer out the enforcement component of the Woodland Community College policy.
2. Once the policy was complete, the group met with the campus security and administrators on how enforcement needs to happen so there was no confusion on anyone's part. The coalition provided incentives to the campus security during the meetings (e.g., shirts, etc.).
3. The coalition provided flyers to the campus a month before the policy went into affect. The posted flyers educated the campus community on the new policy as well as offered cessation kits and cessation classes prior to the policy taking affect.
4. In addition to providing flyers to the campus, the group also provided permanent signage that was posted on campus.
5. Following the initial meetings with campus administration and security, the coalition had two additional follow-up meetings to discuss enforcement and policy compliance. During these meetings, specific issues of policy compliance were discussed. For example, the policy language specifies that any individual not in compliance with the policy must be removed from campus grounds. Thus, the group discussed any problems and possible solutions that don't entail removal of the non-compliant individual from campus grounds.
6. Six months after the policy went into affect, the group met with the administration and campus security to continue discussion of compliance with the policy and give them more incentives.

TACTIC: CAMPUS ACTIVITIES AND EVENTS

CIGGYBUTTZ

Courtesy of Ohlone College

What: Ciggybuttz is a life-sized cigarette costume that walks around campus to educate students about the smoking policy. Ciggybuttz is also out and about during Club Days, health fairs, and other tobacco control awareness events. He is quite popular on campus and has given the tobacco prevention coalition an identity, mascot, and much attention.



Cost: Costume costs \$600.
Student assistant wearing costume is paid \$9 per hour.

How: The tobacco prevention coalition collaborated with Associated Students to purchase the costume. Originally when Ciggybuttz was first purchased, student coalition members took turns wearing the costume. The group later received funding from the Student Government to pay a student to wear the costume. The student who appeared on campus as Ciggybuttz was paid \$9.00 an hour and worked on an “as needed” schedule.

RE-ENFORCEMENT

Courtesy of Fullerton College

What: The Peer Health Educators are responsible for “re-enforcement” of the seven Designated Smoking Areas (DSA). The Peer Health Educators make rounds throughout the week of the DSA’s and give reinforcements to students utilizing the correct area.

How: Students are given items such as:
 Water bottle cozies imprinted with “I was caught in the DSA”
 Water bottles with cessation information
 Pens, key chains, frisbees, stress balls, gum, candy...all include the “thank you for keeping our campus clean” or “thank you for using the DSA” message.

In addition to the “re-enforcement” efforts, students are given a map of all designated smoking areas on campus which also includes an advertisement of the Health Center’s free cessation program on the back of the map.

FRESH AIR FESTIVAL

Courtesy of the American Lung Association-Superior Branch

Educational Booths

- American Lung Association
- American Cancer Society
- Butte College Respiratory
- Chemistry Club
- Public Health Nursing Students
- Campus Wellness Center
- Campus Alcohol and Drug Education Center

Activity Booths

- O2 Van (25 ft. hoops shoot, 25 ft. bean bag toss) hosted by CSUC softball team)
- 25 ft. Putting Green hosted by CSUC golf teams
- Bungee Run
- Adventure Outings
- 25 ft. frisbee toss hosted by CSUC Ultimate Frisbee team

Live radio remote from 10:00 am to 12:00 pm

Live band from 12:00 pm to 1:00 pm

Established a "passport system" – participants are given cards to be stamped for participating in the activity or visiting the educational booth. Three stamps entitled participants to free pizza and soda.

Conducted convenience survey of festival attendees.

Distributed COUGH promotional items (frisbees, key chains, pens, pencils, stress balls, notebooks, etc.)

Raffle prizes donated by local business:

- Snowboard (Glissade Snowboards)
- Mountain Bike (Pullins Cyclery)
- Backpack (Overland Equipment)

SPORTING ACTIVITIES

Courtesy of the Breathe of California - Sacramento-Emigrant Trails

What: 30 or 20 foot (depending on the policy) basketball, football or baseball throws, and golf putting green.

How: The sports equipment can be purchased, made, or borrowed from athletics departments or local sports teams. Promotional items or gift certificates are given to winners.

TOBACCO AWARENESS DAY

Courtesy of the City of Berkeley / Butt Out! Coalition

How: Invited guests and organizations include:
Tarnival – conducted their play on transnational issues as well as operated booths in relation to tobacco issues;
Team O2 Van – set up a 15 ft. basketball court to help create awareness for the 15 ft. smoke-free doorway policy (policy prior to AB 846);
Wayne Baker, a laryngectomy patient – spoke to students about quitting smoking.

The coalition collaborated with the University Health Services, American Cancer Society, a local Asthma Coalition, the Council for Responsible Public Investment, and other student groups.

Cost: The cost of each event varies depending on who is invited to the event, who is working at the event, etc. Costs may include incentive items, gift certificates for volunteers, payments for speakers, and entertainment if applicable.

TACTIC: ENFORCEMENT AND WARNING CARDS

CITATION WARNING CARDS

Courtesy of Ohlone College

What: Citation warning cards were created to give to smokers as a way to educate them about our designated smoking areas policy. They are given out by tobacco prevention coalition members, Student Health Center staff, Campus Security staff, and Ciggybuttz (a giant cigarette character...see page 37 for more information on Ciggybuttz). On the front of the card is information on the policy and the Educational Code. On the back is cessation information. The College's Dean of Students' signature is included on the warning citations.

Cost: None (in-house printing and padding)

How: Tobacco prevention coalition collaborated with the Dean of Students, Campus Security, and Associated Students (provided endorsement). Coalition representatives met in-person with campus security staff to garner their support. Campus security members carried around pads of citation warnings to distribute on campus.

ENFORCEMENT CARDS

Courtesy of Moorpark College

What: Small business-size cards created to hand out to students to educate them about the designated smoking areas policy. Two cards were created, one is a "thank-you" card for those people following the policy, and the other is a "reminder" card that has the campus policy printed on the front. Each card has cessation information provided on the back of the card.

Card Language:

Thank you card:

Front: "To show our appreciation, please enjoy one FREE large soda from the Food Court. Tobacco Peers, ASB and the Wellness Committee"

Back: "If you're ready to QUIT TOBACCO, the Moorpark College Student Health Center is ready to help you! Call (805) 378-1413 or 1-800-NO-BUTTS."

Reminder card:

Front: "This is a friendly reminder that you are in violation of the Moorpark College VCCCD Smoking Policy. Please remember to use our designated smoking areas and ash receptacles in the future. Thank you! Dr. Eva Conrad – President, Moorpark College."

Back: "If you're ready to QUIT TOBACCO, the Moorpark College Student Health Center is ready to help you! Call (805) 378-1413 or 1-800-NO-BUTTS."

Cost: Box of 250 cards costs \$125 double sided. Drink cards cost \$600 for 500 large 32 oz drinks (Food Court gave Student Health Center a 20% discount).

How: Cards are handed out to students by the Administration, Associated Students, Wellness Committee, Student Health Center and Campus Police.

TACTIC: ENFORCEMENT PROGRAMS

100 PEOPLE / 100 DAYS COMMITTEE

Courtesy of Ohlone College

What: 100 People / 100 Days Committee is a program that promotes the new campus smoke-free policy by recruiting 100 people on campus to be enforcement / educational advocates. The 100 people who will be part of the program will either wear a big button or a STARSS t-shirt to identify themselves as smoke-free advocates.

Cost: At this time, the cost of this program is unknown. Known expenses are the cost of the buttons (\$0.25 per button). Lanyards for advocates to wear the buttons on are donated from the Public Health Department. The cost of the lanyards is unknown.

How: Collaborate with the President's Office and solicit campus-wide support.

More information on this program and Ohlone College's smoke-free policy efforts can be found in the Californian Journal of Health Promotion. Study citation: Bratton, S., & Trieu, S.L. (2005). Tobacco Control: Case Study at a California Community College. *Californian Journal of Health Promotion*, 3, 61 - 72.

TACTIC: SIGNAGE

A-FRAME SIGNAGE

Courtesy of Ohlone College

The campus tobacco prevention coalition purchased four A-frames with a message reading “designated smoking areas marked”. A visual of the four designated smoking areas was included on the sign. Each sign was placed at high traffic area on campus.

Cost of each sign - \$75.00

COLOR CODED SIGNAGE

Courtesy of Moorpark College



Brown sign with white writing.



Green sign with white writing.

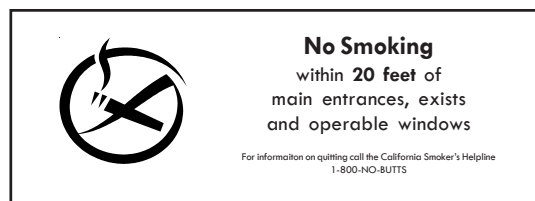


Brown sign with white writing.
“DESIGNATED SMOKING AREAS”
written in green.

ENTRYWAY SIGNAGE

Courtesy of the Tobacco Education Clearinghouse of California

White sign with black writing.
“20 feet” and  symbol in red.



TACTIC: SURVEYS

Courtesy of the American Lung Association - Superior Branch

SMOKING OBSERVATION SURVEY

Building Name: _____ Entrance Location: _____

Date of Observation: _____ Time Period of Observation: _____ AM or PM

Observer's Name: _____

(Each building should be observed for 30 minutes. Accuracy is important.)

1. Did you observe people smoking withing X feet of a building entrance? Yes No

1 a. If YES, how many? _____ (Number of people)

1 b. If YES, approximately how many feet from the entrance were they smoking?

2. Did you observe signs stating the X feet from entrance smoking rule on or near the entrance to the building? Yes No

2a. If YES, where were the signs observed?

3. Did you observe any ashtrays around the building? Yes No

3a. If YES, where were the ashtrays observed? X feet or more from the building entrance
 Less than X feet from the building entrance

Please describe the weather conditions during the observation.

- Sunny and hot (above 90 degrees)
- Sunny and mild (65 to 90 degrees)
- Sunny and cool (45 to 64 degrees)
- Sunny and cold (less than 45 degrees)
- Cloudy and hot (above 90 degrees)
- Cloudy and mild (65 to 90 degrees)
- Cloudy and cool (45 to 64 degrees)
- Cloudy and cold (less than 45 degrees)
- Raining and hot (above 90 degrees)
- Raining and mild (65 to 90 degrees)
- Raining and cool (45 to 64 degrees)
- Raining and cold (less than 45 degrees)

5. Other comments regarding observation:

TACTIC: MISCELLANEOUS

ASSESSMENTS

Courtesy of the Breathe of California - Sacramento-Emigrant Trails

What: Continual ashcan and signage assessments to ensure people are not moving ashcans near buildings/entryways and signs aren't being removed or destroyed. The results are sent to the campus administration, facilities, Buildings and Grounds, and Safety Committees.

SMOKING COMPLAINT FORM

Courtesy of Ohlone College

Smoking Policy Complaint Form

Thank you for your diligence in helping to educate the campus community on the smoking policy. Please complete the following form and submit it to the Campus Security Office or the Student Health Center in building 16.

Date: _____ Time: _____

Location on campus: _____

Briefly describe violation: _____

Action taken: Approached smoker Called campus security No action taken

Would you like to be contacted? If so, please complete information below.

Your name: _____ Email or phone: _____

Thank you very much. We appreciate your comments.

ENFORCEMENT IDEAS

WHO CAN BE RESPONSIBLE FOR ENFORCEMENT?

Student Governments	Campus Vendors	Administration
Campus Police	Athletic Coaches	Environmental Health & Safety (EHS)
Community Members	Individuals	Deans
Department Heads	Advisors	Presidents/Chancellors
Faculty	Staff	Human Resources
Student Groups	Ombudsman Office	Student Health Services
Tobacco Users (self)	Alcohol, Tobacco & Other Drugs (ATOD) Committee	
Facility Management (Athletic, Theater, Physical Plant, Maintenance)		
Residence Halls (Residential Advisors, Housing Directors, Individuals)		
Students (Advocacy Club, Special Studies, Fraternities & Sororities)		

HOW CAN POLICY BE ENFORCED?

Language & policy placement in . . .

Schedule of classes	Signage	Student Health Center boards
Student Code of Conduct	Student handbook	Public event programs
Campus maps	Campus publications	Campus website (banner)
College job announcements	Course syllabi	School calendars
College notebooks		

Move ashcans to . . .

Close to designated areas	X-ft. from building	Near signage
Parking lots		

Educate and train staff, faculty, and students

Post maps of smoking areas

Mini grant programs

Educate, support, and work with campus police

Distribute citations or tickets

Written Warnings	Fines	Community service
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Policy and Enforcement Report Cards

Complaint Hotline

Police concentrated day of enforcement

POSITIVE ENFORCEMENT

Thank you cards for people following policy

Hand out free items to those in compliance with the policy

Promotional items

Food

Coupons / Gift Certificates

- o Bookstore
- o Free drinks / food
- o Movies
- o Campus Eateries

Media (“person on the street”) with smokers & nonsmokers

Host events on campus just for fun

Polite reminder of policy / policy education card

Incentives to clubs, organizations, etc. with smoke-free events

Work with Residential Advisors to provide incentives for those in compliance with policy

Dorm parties for least number of citations, following policy, etc.

SIGNAGE OPTIONS

Portable Signage

A-Frame

Wall posting

Static window sticker

Banners

Lawn flags

Permanent Signage

Ground spray paint

WHERE TO POST SIGNAGE

Campus borders

Benches

Top of ash can

Classrooms

Table tents

Health Center

Inside buildings next to door (to see when leaving the building)

Posting boards

Parking lots

Campus maps

Health Center

Kiosks

Buses / public transportation

Bathroom stalls

At X ft. line (20-ft. from buildings)

Trashcans

Residential Halls

Sandwich boards

POLICY LANGUAGE

ROLE OF POLICY LANGUAGE IN EACH PHASE

Phase 1: Policy Adoption

- Policy language may dictate how and when policy implementation and enforcement will take place.
- Policy language should respond to specific needs and problems on campus.

Phase 2: Implementation

- Policy implementation can begin once the policy is adopted by the campus administration.
- Policy language can assist in dictating when and how the policy should be implemented as well as who is responsible for implementing the policy.

Phase 3: Enforcement

- Policy language can include when policy enforcement will begin (e.g., This policy will take effect on January 1, 2009).
- A policy can include who is responsible for enforcement, what enforcement tactics will be used, and who to contact to report policy violations.

COMPREHENSIVE SMOKE-FREE POLICY LAYOUT

POLICY TITLE

Background or Preamble

Policy

Smoke-Free Areas

- o Smoking prohibited in all university/college owned buildings
OR
- o Smoking prohibited within X ft. of all campus buildings
OR
- o Smoking prohibited everywhere on campus with the exception of # designated areas
OR
- o Smoking prohibited on university/college owned property

Smoke-Free Residence

- o Smoking prohibited in all university/college owned buildings including resident halls
- o Smoking prohibited within X ft. of all resident halls

Smoke-Free Organizations

- o Campus clubs, organizations, and Greek life adopt resolutions and/or smoke-free policies

Implementation and/or Compliance

Enforcement

Education

Cessation Information

Note: Smoke-free housing policies are typically not included within the official campus policy. College administrators grant authority to the campus Housing Department to adopt a smoke-free policy. In order to have a comprehensive smoke-free policy, include smoke-free housing language in the general policy. The same can be the case for smoke-free organizations.

COMPREHENSIVE TOBACCO-FREE POLICY LAYOUT

POLICY TITLE

Background or Preamble

Policy

- o Smoking is prohibited within all university/college owned and leased buildings (including residential halls, fraternities and sororities) and at all university sponsored events;
- o The sale of tobacco products is prohibited;
- o The free distribution of tobacco products on campus, including fraternities and sororities is prohibited on campus;
- o Tobacco product and tobacco company advertisements* are prohibited in college-run publications;
- o Campus organizations are prohibited from accepting sponsorship money from the tobacco industry;
- o The university/college will not invest in or accept donations from the tobacco industry;
- o Tobacco industry funded research grants, donations, and gifts are prohibited.

Implementation and/or Compliance

Enforcement

Education

Cessation Information

* Tobacco product AND tobacco company or tobacco company supported events/activities/ organizations language should be included in the policy. Policies that read “tobacco product advertising” do not prohibit tobacco companies from advertising industry sponsored events, activities, and organizations.

POLICY LANGUAGE OPTIONS

Smoke-Free Policy:

Policy reads smoking is prohibited in certain areas on campus.

- **Entryway policy:** Smoking is prohibited within X feet from entryways.

Example language:

- “Smoking is prohibited within twenty feet of all public building entrances.”

- **Perimeter policy:** Smoking is prohibited within X feet from buildings.

Example language:

- “Smoking is prohibited in outdoor areas within 20 feet of entrances, exits and any other locations where smoke may be brought into a campus facility.
- “Smoking is permitted outdoors but not within twenty feet of main exits or entrances or operable windows of buildings, or where otherwise prohibited by authorized signage.”
- “Smoking is prohibited within 20 feet of the perimeter of all campus owned and occupied buildings and all campus leased and occupied buildings.”

- **Designated Smoking Areas policy:** Smoking is prohibited on campus with the exception of designated smoking areas.

Example language:

- “Smoking is permitted in the marked designated areas only and all parking lots.”

- **Designated Smoke-Free Areas policy:** Policy permits smoking on campus with the exception of designated smoke-free areas.

- **Smoke-Free with the Exception of Parking Lots policy:** Policy prohibits smoking on campus with the exception of parking lots.

Example Language:

- “Smoking shall be allowed in parking lot areas only.”
- “Smoking is prohibited in all college vehicles, buildings, indoor and outdoor facilities, handicapped parking and all open areas except for general use parking lots.”

- **Smoke-Free with Exception of Designated Parking Lots policy:** Smoking is prohibited on campus with the exception of designated parking lots.

Example Language:

- “Smoking is prohibited on campus with the exception of designated parking lots.”

- **100% Smoke-Free policy:** Smoking is prohibited on campus property including parking lots.

Example Language:

- “In the interest of public health College Name is a tobacco-free Campus effective Date. Use of any form of tobacco is prohibited at all times in the following areas: 1. On all grounds and in all buildings of the College Name campus; 2. In or on any space, building, or classroom leased or rented by the college; 3. In all vehicles owned or leased by the college.”

Smokeless Tobacco Policy:

Policy may prohibit use of smokeless tobacco on campus in indoor and outdoor areas.

Example Language:

- “The use of smokeless tobacco in any form is not permitted in any classroom or other enclosed facility.”
- “Smoking and/or the use of any tobacco product is prohibited on all property owned or operated by the college.”

Tobacco Sales Policy:

The sale of tobacco is prohibited on campus.

Example Language:

- “Sale and advertising of tobacco products are prohibited in College Name facilities.”
- “Tobacco products may not be sold in any College Name facility.”
- “Smoke-generating tobacco products shall not be sold or distributed in any manner on campus either in vending machines, in the student union, the bookstore, or any other campus area.”

Advertising and Marketing Policy:

Tobacco product and Tobacco Company advertising and marketing is prohibited on campus.

Example Language:

- “Advertising and sponsorship of campus events by tobacco companies will not be permitted.”
- “No tobacco-related advertising or sponsorship shall be permitted on campus property.”
- “Advertising tobacco products on campus is not permitted.”

Sponsorship Policy:

Tobacco Industry sponsorship of campus organizations and events is prohibited on campus.

Example Language:

- “Sponsorship of any University activity or event by tobacco product manufacturers and/or marketing or advertising of tobacco products on the campus is prohibited.”

- “No funding shall be solicited nor accepted from any tobacco manufacturing company for any department, program, or function of College Name. Such funding includes but is not limited to academic and athletic scholarships, research grants and sponsorships, and capital improvement funds.”

Research Policy:

The University will not accept any new research or fellowship funding from the tobacco industry including grants, contracts, or gifts.

Example Language:

- “The School of Medicine prohibits the solicitation or acceptance of funding for research or other purposes from tobacco companies and from those who make or market tobacco.”
- “The College...resolves not to accept funding of any kind from organizations known to be directly funded by the tobacco industry.”
- “The School of Public Health will not accept any grant or anything else of value from any tobacco manufacturer, distributor, or other tobacco-related company.”

IMPLEMENTATION LANGUAGE

It is important to include implementation or procedural language within the official campus policy. By including such language it holds specific individuals or departments responsible for carrying out implementation procedures. Typically implementation language will identify who is responsible for communicating the policy, posting the policy, etc.

It is not uncommon for campuses to fold implementation language in with enforcement language. While doing such a tactic reduces the length of the policy, it often has little effectiveness in identifying individual responsibilities and required activities, thus, lessening the usefulness of the implementation language. Such language would look like the following: “Members of the campus community, including students, employees, and visitors shall be responsible for observing the smoke-free environment policy and for asking any individuals who are smoking in an unauthorized area to extinguish and properly dispose of smoking materials, and to direct them to permissible outdoor smoking areas.”

Examples of Procedural / Implementation Language:

#1 “Vice Chancellors, Deans, and Department Heads shall assure that this policy is communicated to everyone within their areas of responsibility; assure that rooms, facilities, or other areas under their jurisdiction are controlled and adequately posted as “no smoking” areas as needed.”

Pros:

- Language clearly identifies **who** is responsible for communicating the policy to the campus community.
- Identifies responsible parties’ “areas of responsibility”.

Cons:

- Language is very vague.
- Policy gives too much responsibility to a small group of very busy people. If the identified people do not actively carry out the implementation process it is unlikely that it will be done by anyone else.
- There is no solid implementation plan.

#2 “This policy and campus maps showing designated smoking areas shall be made available to all employees and students through appropriate campus Web sites and publications. Signage shall be visible at all designated areas and directional signage identifying designated areas shall be posted where needed.

To give people a reasonable amount of time to adjust to the new policy the following implementation schedule will be used:

April 1 - June 30, 2003	Advertise the new policy and post the designated areas
July 1 - Sept 30, 2003	Begin requiring smoking only in designated areas with reminders issued to those in violation of the new policy
October 1, 2003	Full enforcement of the new policy.”

Pros:

- Clearly lays out an implementation plan.
- Identifies specific dates implementation activities will be carried out.
- Identifies date enforcement will begin.
- Indicates policy will be included on website and in campus publications.

Cons:

- Does not list out who is responsible for policy implementation.

#3

“The University shall provide faculty, staff, students and visitors with notice of this policy through signs, information campaigns and other publications.”

Pros:

- Identifies how campus community will be made aware of the policy.
- Extensive list of means of policy communication.

Cons:

- Does not clearly identify who is responsible for carrying out implementation phase - “University” is vague.
- No implementation dates are included in language.

IMPLEMENTATION + EDUCATION LANGUAGE

“Smoke-free policy language shall be prominently posted in appropriate public areas across campus.”

“The smoke-free policy shall be included in the new/transfer student and employee orientation programs.”

“The Vice Chancellor for Student Affairs shall take steps to notify all undergraduate and graduate student of the smoke-free policy.”

“The University encourages its students and employees not to smoke by offering educational information and providing information about smoking cessation classes held by health care providers, nonprofit organizations, and other groups.”

Note: If policy does not include specifics within the implementation language (e.g., who is responsible for implementing the policy, posting signage, how the policy will be advertised, etc.) make sure to discuss these specifics with the administration prior to the policy being adopted. Having a clear plan of action for implementation is as important as having a plan of action for the policy adoption phase.

ENFORCEMENT LANGUAGE

EXAMPLES OF PASSIVE ENFORCEMENT

- o “The success of the policy depends upon the thoughtfulness, consideration, and cooperation of everyone. All share in the responsibility for adhering to and enforcing this policy. Any problems should be brought to the attention of the appropriate supervisor and/or department head. If a problem cannot be resolved in this manner, recourse may be had by contacting the appropriate Dean, Director, or Human Resources Representative. There shall be no reprisal against anyone seeking assistance in enforcing this policy.”
- o “This policy relies on the consideration and cooperation of smokers and nonsmokers. It is the responsibility of all members of the college community who are smoking in an unauthorized area to extinguish smoking materials and direct them to permissible outdoor smoking areas.”

EXAMPLES OF ACTIVE ENFORCEMENT

- o “Faculty, staff, and students violating this policy are subject to appropriate disciplinary action pursuant to the applicable collective bargaining agreement and/or administration policies or procedures. Violations should be reported to the appropriate administrator, Environmental Health and Instructional Safety at ext. 1234 or Risk Management at ext. 5678.”
- o “Repeated or continual violations of this policy by employees will be handled through progressive discipline. Student violators will be subject to CSU student disciplinary procedures established pursuant to the California Code of Regulations.”
- o “Enforcement procedures. Any student, district employee, or visitor found to be in noncompliance with this policy shall be subject to the following:
 - a. A verbal warning and review of policy (September 1, 2005 - September 1, 2006)
 - b. Administrative or disciplinary action
 - c. Revocable facility use for groups that are noncompliant”

CESSATION LANGUAGE

Note: It is important to include cessation language in a smoke-free and a tobacco-free policy. When attempting to remove tobacco from a college campus, it is necessary to give tobacco users a resource to quit tobacco use.

- o “If you are a student, and would like information on how to quit smoking, please contact the staff at the Student Health Center (555-123-4567). In addition to literature, they also stock nicotine patches and smoking cessation kits. If you are an employee, please contact the Employee Assistance Program at 1-800-555-5555.”
- o “Individuals desiring further information on smoking cessation assistance should be provided the toll-free number to the ‘California Smoker’s Help Line’. The telephone number is 1-800-766-2888.”
- o “In addition to instituting the above regulations, the University on an ongoing basis makes available to employees and students information about the effects of smoking and secondhand smoke and about smoking-cessation programs - primarily through the Personnel Office, the Student Health Center, and the Alcohol and Drug Education Program.”

Note: For more information on how to provide cessation services on college campuses, please contact CYAN for a copy of the Tobacco Cessation Toolkit.

COMPLAINT AND COMPLIANCE LANGUAGE

COMPLAINT LANGUAGE

- o “Any problems should be brought to the attention of the appropriate supervisor and/or department head. If a problem cannot be resolved in this manner, recourse may be had by contacting the appropriate Dean, Director, or Human Resources Representative. There shall be no reprisal against anyone seeking assistance in enforcing this policy.”
- o “Questions and problems regarding this procedure shall be handled through existing administrative processes.”
- o “Policy violations should be reported at (555) 123-4567.”

COMPLIANCE LANGUAGE

- o “Employees who refuse to extinguish smoking materials in unauthorized areas are accountable to their supervisor. Violations of policy will be subject to disciplinary action in accordance with appropriate personnel policies or union contracts.”
- o “Violations of this policy by employees will be handled through progressive discipline. Student violators will be subject to campus student disciplinary procedures established pursuant to Section 41301, Title 5, of the California Code of Regulations.”

TOOLS & RESOURCES

Technical Assistance Legal Center

Sample California Policy Restricting Tobacco Sales, Advertising, and Sponsorship at Public Colleges and Universities¹

March 2004

Introduction: This Sample Policy is designed for a public college or university that is seeking to restrict tobacco sales, advertising, and sponsorship on campus property. The policy applies both to the college/university itself as well as to third parties who use campus property for events or other purposes.

It is, of course, up to the college/university to decide which parts of the Sample Policy it chooses to adopt. The Sample Policy prohibits the sale of tobacco products on campus. The policy also limits tobacco advertising or sponsorship that is visible on campus. However, the policy does not prohibit acceptance by the university of tobacco industry-funded research or donations. The Sample Policy could easily be broadened to include such limits. Taking more steps to limit tobacco will minimize any inconsistencies in a college's/university's stance on tobacco and thus strengthen its legal position. Please contact TALC with any questions about adapting or extending this policy to meet your needs.

I. Policy. It is the policy of the [insert name of college/university] that:

1. "Tobacco products" shall not be sold on campus. For purposes of this policy, "tobacco products" means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco.

2. No "tobacco-related" advertising or sponsorship shall be permitted on [college/university] property.

COMMENT: Although this Sample Policy is designed for public colleges and universities (e.g., University of California, Cal State University), private colleges or universities may adopt the policy as well.

For the purposes of this policy, "tobacco-related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indicia of product identification identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.

COMMENT: The above definition includes tobacco brands (e.g., Marlboro) and their parent companies (e.g., Altria, which was

¹ To accompany this sample policy, TALC has prepared a "Summary of Legal Issues: Sample California Policy Restricting Tobacco Sales, Advertising, and Sponsorship at Public Colleges and Universities." This document is available on our website or by contacting TALC. This material was made possible by funds received from the California Department of Health Services, under contract #99-85069.

previously known as Philip Morris.) The definition could be expanded to include subsidiary companies that are owned by a tobacco company. For example, you could modify the last line to read: . . . used for any brand of tobacco products, for any company which manufactures tobacco products, or for any subsidiary company owned by the parent company..

In order for this policy to be implemented, the [college/university] shall neither solicit nor accept “tobacco-related” advertising or sponsorship that is visible on campus property (including, but not limited to, the posting or distribution of “tobacco-related” banners, signs, fliers, coupons, or merchandise on campus property).

II. Exceptions. This policy does *not* apply to:

1. “Tobacco-related” advertising in a newspaper or magazine that is not produced by the [college/university] and which is lawfully sold, bought, or distributed on campus property.

COMMENT: For example, this policy would not prohibit tobacco ads in the student newspaper if it is not produced by the college/university. However, the student newspaper may adopt its own voluntary policy refusing tobacco advertising. Please contact TALC for sample language.

2. Acceptance by the [college/university], its faculty, staff, or students of “tobacco-related” donations, research grants, scholarships, or other financial benefits.

COMMENT: Because the tobacco advertising and sponsorship restrictions in this Sample Policy are limited to ads and sponsorship that are visible on campus property or at a campus event, the policy would not prohibit, for example, acknowledgement of a tobacco company donation in university published financial documents.

The college/university could, however, choose to extend the scope of this policy and refuse tobacco donations to the school, its faculty, or staff. (For example, the University of California, San Francisco voted in February 2003 to refuse all funding from the tobacco industry.) As noted above, such a policy would result in a more uniform stance on tobacco and thus help support the university’s legal position. If you choose to expand the policy, the above exception should be modified as appropriate. Please contact TALC for suggestions.

III. Application of the Policy to Groups Using Campus Property. It is also the policy of [college/university] that all agreements or permission to use [college/university] property, formal or informal, written or oral, express or implied (including but not limited to contracts, easements, leases, licenses, and any other property-related agreements), shall be deemed to include the following clause limiting “tobacco-related” advertising or sponsorship on [college/university] property, whether or not the clause is expressly included in an agreement or permission to use [college/university] property.

Sample Contract Clause:

Section [__]. Agreement to Limit Tobacco Advertising and Sponsorship. In exchange for the use of [college/university] property, NAME OF GROUP, VENDOR, OR OTHER PERSON agrees to the following:

1. NAME OF GROUP, VENDOR, OR OTHER PERSON will not accept any “tobacco-related” advertising or sponsorship in connection with this contract.

2. NAME OF GROUP, VENDOR, OR OTHER PERSON will not permit “tobacco-related” advertising or sponsorship to appear on or in association with [college/university] property. This includes but is not limited to the use of the following instruments and arrangements:

- a. Posting, distributing, or dispensing any “tobacco-related” item (including but not limited to signs, fliers, articles of apparel).
- b. Distributing free tobacco products, selling or offering to sell tobacco products at a discount price, or offering any other form of rebate or coupon on the price of tobacco products.
- c. Encouraging, or giving permission for, any game or contest involving the consumption of tobacco products or the awarding of tobacco products as a prize.
- d. Advertising or promoting any of these practices.

3. For the purposes of this agreement, “tobacco-related” applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indicia of product identification identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.

COMMENT: As mentioned above, the definition of tobacco-related could be expanded to include subsidiary companies in addition to tobacco brands and their parent companies.

4. NAME OF GROUP, VENDOR, OR OTHER PERSON will not sell “tobacco products” on campus. For purposes of this agreement, “tobacco products” means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco.

5. This agreement does *not* apply to:

- a. Acceptance by NAME OF GROUP, VENDOR, OR OTHER PERSON of “tobacco related” advertising or sponsorship that is unconnected with this contract. (For example, if a student group contracts with the university to hold a reception on campus, this policy would only prohibit “tobacco-related” activities delineated in paragraph 2 at the campus reception. However, this policy would *not* prohibit the same group from accepting money from a tobacco company for

an off-campus reception or for any purpose unrelated to the group's use of university property.)

6. Agreements between NAME OF GROUP, VENDOR, OR OTHER PERSON and third parties entered into in connection with this agreement must provide for and ensure third party compliance with this agreement and with the tobacco advertising and sponsorship policy of [college/university].

7. Violation of the tobacco advertising and sponsorship provisions of this agreement constitutes a material breach. At the discretion of [insert title of responsible party], such a breach is grounds for immediately canceling or suspending the use of, or association with, [college/university] property by NAME OF GROUP, VENDOR, OR OTHER PERSON.

Attachment:
**Findings to Support the TALC “Sample California Policy
 Restricting Tobacco Sales, Advertising, and Sponsorship
 at Public Colleges and Universities”**

April 2003

1. University’s Interest in Promoting Healthy Habits Among Students

WHEREAS, the [insert name of college/university] has a substantial interest in promoting the health of its student body; and

WHEREAS, part of a university’s educational mission is training well-rounded young adults healthy in both mind and body; and

WHEREAS, smoking is an addictive, unhealthy, and harmful habit as evidenced by the following:

- 430,000 people die from tobacco-related illnesses every year, making it the leading cause of preventable illness in the United States;¹ and
- scientific studies have concluded that cigarette smoking can cause chronic lung disease, coronary heart disease and stroke, in addition to cancer of the lungs, larynx, esophagus, mouth, and bladder;² and
- smokeless tobacco products and cigars are known to cause lung, larynx, esophageal, and oral cancer;³ and
- exposure to secondhand smoke is the third leading cause of preventable death in this country, killing over 50,000 non-smokers each year;⁴ and

WHEREAS, large numbers of college-age youth smoke cigarettes and use other tobacco products, as evidenced by the following:

- a California survey identified young adults (aged 18-24 years) as the largest demographic group of smokers in the state, at 21.9% in the year 2000, up from 16.7% in 1995;⁵ and
- the U.S. Centers for Disease Control (CDC) estimates that 27.9% of 18-24 year olds in the United States smoke, compared with 23.5% of all adults;⁶ and

¹ U.S. Dept. of Health & Human Servs., Centers for Disease Control & Prevention, Targeting Tobacco Use: The Nation’s Leading Cause of Death 2001 2 (2001), available at www.cdc.gov/tobacco/overview/oshag.pdf (last accessed Sept. 21, 2001).

² *Id.*

³ *Id.*

⁴ S.A. Glantz & W. Parmley, *Passive Smoking and Heart Disease: Epidemiology, Physiology, and Biochemistry*, 83(1) *Circulation* 1 (1991). See also, California Environmental Protection Agency, Office of Env’tl. Health Hazard Management, *Health Effects of Exposure to Environmental Tobacco Smoke: Final Report* (1997).

⁵ Tobacco Control Section, Department of Health Services, *Smoking Prevalence among Californian adults by age group, 1994-2000* (March 2001). In comparison, 18.5% of adults age 25 to 44 smoked in 2000.

⁶ Centers for Disease Control and Prevention, U.S. Dept. of Health & Human Services, *Cigarette Smoking Among Adults — United States, 1999*, *Morbidity and Mortality Weekly Report*, Vol. 50, No. 40 (Oct. 12, 2001), available at www.cdc.gov/mmwr/preview/mmwrhtml/mm5040a1.htm (last accessed Feb. 7, 2003).

- approximately one third of 18- to 24-year-olds attend college, and one quarter of 18- to 24-year-olds attend a four-year college;⁷ and
- in a 2001 survey, 30% of college students reported being current tobacco users;⁸ and
- between 1993–1997, cigarette smoking increased 28% among U.S. college students;⁹ and
- one study found that 11% of college smokers had their first cigarette at or after the age of 19, and 28% began smoking regularly at or after that age;¹⁰ and
- the college years (ages 18-24) are a time of transition in smoking behavior, during which many college students begin to use a range of tobacco products;¹¹ and
- college students are subject to unique stress levels due to a variety of factors, including peer pressure, close living quarters, and students living away from their parents for the first time, making them likely to begin smoking at college in response to stress;¹² and
- [insert campus smoking rate] percent of [insert name of college/university] students currently smoke or use tobacco products on a regular basis; and

COMMENT: Delete this point of evidence if you do not have statistics available on the percentage of students who use tobacco products.

WHEREAS, tobacco use or non-use during the college years can set a pattern of lifelong behavior, as evidenced by the following:

- one study has noted that because most smokers become addicted before the age of 20, and given the experimental behavior of most young smokers, a decision to quit smoking while in college will most likely be a permanent one;¹³ and
- the college years (ages 18-24) are a time of transition in smoking behavior, during which some smokers attempt to quit;¹⁴ and

⁷ Henry Weschler et al., *Cigarette Use by College Students in Smokefree Housing - Results of a National Study*, 30 *Am. J. Preventive Medicine* 202, 202 (2001).

⁸ Nancy Rigotti, et. al., *Tobacco Use by College Students: New Findings from the 2001 Harvard College Alcohol Surveys*, available at <http://ncth.confex.com/ncth/responses/2002/50.ppt> (last visited Feb. 6, 2002).

⁹ Nancy A. Rigotti et al., *U.S. College Students' Use of Tobacco Products: Results of a National Survey*, 284 *J. Am. Med. Ass'n* 699 (2000).

¹⁰ Henry Weschler et al., *Increased Levels of Cigarette Use Among College Students - A Cause for National Concern*, 280 *J. Am. Med. Ass'n* 1673, 1677 (1998).

¹¹ Nancy Rigotti et al., *U.S. College Students' Use of Tobacco Products — Results of a National Survey*, 284 *J. Am. Med. Ass'n* 699 (2000).

¹² Henry Weschler et al., *College Smoking Policies & Cessation Programs: Results of a Survey of College Health Center Directors*, *J. Am. College Health* 1, 6 (2001).

¹³ Christine Czart et al., *The Impact of Prices & Control Policies on Cigarette Smoking and College Students*, 19 *Contemporary Economic Policy* 135 (2001).

¹⁴ Henry Weschler et al., *College Smoking Policies & Cessation Programs: Results of a Survey of College Health Center Directors*, *J. Am. College Health* 1, 6 (2001).

- even those college students smoking with intermittent frequency are likely to become addicted to tobacco use because lower levels of nicotine exposure may evolve later into nicotine dependence and daily smoking;¹⁵ and

WHEREAS, the American College Health Association (ACHA) has formally recognized that tobacco use in any form is a health hazard and has encouraged that colleges and universities take action to prohibit on-campus advertising and sale of tobacco products;¹⁶ and

WHEREAS, one study has suggested that reducing the visibility of tobacco use in the environment could discourage students from starting to smoke and make quitting easier;¹⁷ and

2. University's Interest in Preventing Commercial Exploitation

WHEREAS, the [insert name of college/university] has a substantial interest as an educational institution in promoting an educational atmosphere, which is achieved in part by minimizing the school's commercial nature and preventing commercial exploitation of students; and

WHEREAS, the tobacco industry is directly targeting college students, and colleges students are uniquely vulnerable to the industry's message, as evidenced by the following:

- college students comprise the largest, youngest group of Americans legally accessible to the marketing campaigns of the tobacco industry;¹⁸ and
- tobacco advertising and marketing is a multi-billion dollar business that is increasing: in 2000, the tobacco industry spent an unprecedented \$9.57 billion on cigarette advertising and promotion, an increase of 42.2% from 1998. Of that amount, \$309.6 million was spent on public entertainment advertising and promotion and \$127.9 million was spent on sports and sporting events (including sponsoring the event, advertising, and promotional items);¹⁹ and
- smokeless tobacco companies spent \$170.2 million on advertising and promotion in 1999, up from \$127.3 million in 1995, with \$22.14 million directed towards public entertainment;²⁰ and
- tobacco advertisements constitute [insert campus percentage] percent of all on-campus advertisements at the [insert name of college/university]; and

¹⁵ Nancy Rigotti et al., *U.S. College Students Use of Tobacco Products - Results of a National Survey*, 284 J. Am. Med. Ass'n 699 (2000).

¹⁶ Subcommittee on Tobacco Intervention and Prevention, American College Health Association, *ACHA Guidelines: Position Statement on Tobacco on College and University Campuses* (June 2000).

¹⁷ Henry Weschler et al., *College Smoking Policies & Cessation Programs: Results of a Survey of College Health Center Directors*, J. Am. College Health 1, 6 (2001).

¹⁸ Henry Weschler et al., *College Smoking Policies & Cessation Programs: Results of a Survey of College Health Center Directors*, J. Am. College Health 1, 6 (2001).

¹⁹ Fed. Trade Comm'n, *Cigarette Report for 2000*, available at www.ftc.gov/os/2002/05/2002cigrpt.pdf (last accessed Feb. 4, 2003).

²⁰ Fed. Trade Comm'n, *2001 Smokeless Tobacco Report*, available at www.ftc.gov/reports/tobacco/smokeless98_99.htm (last accessed Feb. 4, 2003).

COMMENT: If the percentage of tobacco advertising on your particular campus is not high, then this point of evidence would not be relevant to your policy and should not be included. Please contact TALC for further information.

- tobacco advertisements constitute a growing percentage of all advertisements at the [insert name of college/university]; and

COMMENT: If the percentage of tobacco advertising on your particular campus is not growing, then this point of evidence would not be relevant to your policy and should not be included. Please contact TALC for further information.

- 18- to 24-year-olds have been specifically targeted by tobacco industry marketing as the youngest group of legal smokers. After the 1998 Master Settlement Agreement with the states, tobacco companies increased marketing aimed at college students by sponsoring musical events at college bars, advertising in college newspapers, and providing free samples to college students;²¹ and
- multiple studies have shown that cigarette advertising results in increased demand;²² and
- the U.S. Surgeon General concludes that the increase in smokeless tobacco use “from the 1970s to the mid-1980s can be attributed to more aggressive marketing by the smokeless tobacco industry.” Attracting people to try smokeless tobacco was one of the primary aims of advertising and promotional activities;²³
- tobacco promotional events encourage tobacco use among college students;²⁴
- a reduction in tobacco advertising exposure would alleviate some of the danger posed by tobacco because, as noted by the U.S. Supreme Court, product advertising “stimulates demand for products, while suppressed advertising may have the opposite effect,”²⁵ and the Surgeon General has found that advertising significantly contributes to a young person’s decision to smoke or use smokeless tobacco;²⁶ and
- young adults are significantly more likely to be willing to use tobacco promotional items than adults over 25 years old;²⁷ and

²¹ Campaign for Tobacco-Free Kids, *Tobacco Company Marketing to College Students Since the Multistate Settlement Agreement was Signed* (March 21, 2001), available at www.tobaccofreekids.org/research/factsheets/pdf/0135.pdf (last accessed May 13, 2002).

²² See, e.g., John P. Pierce, PhD et al, *Tobacco Industry Promotion of Cigarette and Adolescent Smoking*, 279(7) J. Am. Med.Assoc. 511 (1998) (finding “tobacco promotional activities are causally related to the onset of smoking”).

²³ U.S. Dep’t of Health & Human Servs. et al, *Preventing Tobacco Use Among Young People: A Report of the Surgeon General* 163 (1994)

²⁴ Nancy Rigotti, et. al., *Tobacco Use by College Students: New Findings from the 2001 Harvard College Alcohol Surveys*, available at <http://ncth.confex.com/ncth/responses/2002/50.ppt> (last visited Feb. 6, 2002).

²⁵ See, e.g., *Rubin v. Coors Brewing Co.*, 514 U.S. 476, 487 (1995); *US v. Edge Broadcasting Co.*, 509 U.S. 418, 434 (1993); *Central Hudson Gas & Electric Corp. v. Public Service Comm.*, 447 U.S. 557, 568-569 (1980).

²⁶ *Lorillard v. Reilly*, 533 U.S. 525, 558 (2001) (citing 60 Fed. Reg. 41332).

²⁷ California Dep’t of Health Services, Tobacco Control Section, *Final Report - The California Tobacco Control Program: A Decade of Progress, Results from the California Tobacco Survey, 1990-1999* 8-9 (2001).

3. Protection of University Image

WHEREAS, the [insert name of college/university] has a substantial interest as proprietor of its name in determining the contours of its public image, representing itself as an institution that promotes healthy living, and ensuring that its image does not contribute to the endorsement of unhealthy habits; and

WHEREAS, the [insert name of college/university] has a substantial interest as proprietor of its name, in ensuring that prospective student applicants and financial donors are not deterred by a misperception that the university endorses or supports tobacco; and

WHEREAS, persons who see tobacco advertising or sponsorship on campus property may believe that the [insert name of college/university] endorses tobacco products and/ or companies; and

WHEREAS, the [insert name of college/university] has a substantial interest in affirmatively sending a message that it does not support tobacco in any way and seeks to promote healthy habits; and

WHEREAS, college students support limits on tobacco advertising, as evidenced by the following:

- 71% of college students surveyed support a ban on on-campus tobacco advertising;²⁸

4. University Support for Other Tobacco Control Measures

WHEREAS, the [insert name of college/university] already has taken steps to reduce the presence of tobacco on campus and to disassociate its image from tobacco, as evidenced by the following:

COMMENT: This section is designed to demonstrate the university's support for other tobacco control measures that already have been taken either by the government (e.g., state law) or by the college or university itself. Although this Sample Policy addresses only tobacco sales, advertising, and sponsorship, it is helpful for the university to have a consistent public position on all forms of tobacco marketing or use. Therefore, the following points of evidence provide information on other tobacco control policies that the university may have adopted or support. This evidence should be adapted to the particular circumstances of the campus adopting this policy. Only the points which apply to your campus should be included; those that do not apply should be **deleted**. Taking more steps to limit tobacco will minimize any inconsistencies in a college's/university's stance on tobacco and thus strengthen its legal position. Please contact TALC if you would like more information on any of the suggested policies.

²⁸ Nancy Rigotti, et. al., *Tobacco Use by College Students: New Findings from the 2001 Harvard College Alcohol Surveys*, available at <http://ncth.confex.com/ncth/responses/2002/50.ppt> (last visited Feb. 6, 2002).

- California has banned smoking in enclosed workplaces (including all campus buildings)²⁹ and within twenty feet of entrances or windows of state, county, and city buildings (including the University of California and California State University campuses and California Community College district buildings);³⁰ the [insert name of college/university] supports this law by [state any measures that the University has taken, e.g. posting “No Smoking” signs at applicable locations on campus]; and

COMMENT: If your college/university has adopted a policy that is stronger than state law to prohibit smoking in outdoor areas, describe that policy. For example: “The [insert name of college/university] has adopted a policy prohibiting smoking within 30 feet of all building entrances.”

- California has banned the distribution of free or nominal-cost cigarettes and smokeless tobacco products (or coupons or rebate offers for such products) on public grounds,³¹ and the [insert name of college/university] supports this law; and
- the [insert name of college/university] has adopted a policy to prohibit the sale of tobacco products on campus grounds; and

COMMENT: Include this point of evidence if your college/university already has prohibited the sale of tobacco products on campus and is not doing so through the adoption of this policy.

- the [insert name of college/university] previously has adopted a policy to prohibit tobacco advertising in publications issued by the university; and
- the [insert name of college/university] has adopted a policy to refuse donations, research grants, scholarships, or other financial benefits from tobacco companies; and
- the [insert name of college/university] has no funds invested in tobacco stocks (e.g., pension funds, endowment funds, educational foundation funds, or other).

COMMENT: If your college/university has divested some, but not all, of its investments from tobacco stocks then the above point of evidence should be modified to reflect the university’s current investment situation. Additionally, the California Public Employees. Retirement System (CalPERS) voted in October 2000 to divest from tobacco stocks and the California State Teachers. Retirement System (CalSTRS) voted in June 2000 to divest from tobacco stocks. If your college/university pension funds are managed by either CalPERS or CalSTRS, you could include a point of evidence noting that the relevant system divested its passively held investment funds and that the college/university supports this policy. Also, the University of California retirement system has no investments in tobacco stocks. Therefore, UC campuses could include a point of evidence noting this fact.

²⁹ California Labor Code § 6404.5.

³⁰ California Government Code § 7597.

³¹ California Health and Safety Code § 118950.

**Technical Assistance Legal Center
Model Fraternity/Sorority Policies
Prohibiting Tobacco Sponsorship¹**

March 2003

Introduction

College-age students are the youngest group of Americans legally targeted by the marketing campaigns of the tobacco industry.² Since the adoption of the Master Settlement Agreement in 1998, tobacco companies have specifically targeted young adults (aged 18-24) through both advertising and sponsorship opportunities.³ One of the most efficient ways for the tobacco industry to reach this target marketing group is through sponsorship of popular college-based organizations such as sororities and fraternities.

With these factors in mind, TALC designed the attached model tobacco sponsorship policies to be used by fraternities and sororities wishing to prohibit or discourage acceptance of tobacco sponsorship and funding for group events or activities.

TALC provides two versions of the policy:

- The “National Greek Charter/Local Chapter Model Resolution on Tobacco Industry Sponsorship” is a binding policy prohibiting tobacco industry sponsorship if passed by an individual charter or chapter of a fraternity or sorority.
- The “National and Local Panhellenic Conference Model Recommendation on Tobacco Industry Sponsorship” is a non-binding policy to be passed by a national or local panhellenic board, encouraging its members (e.g. individual fraternities and sororities) to adopt a policy against the acceptance of tobacco sponsorship.

Both policies involve strictly voluntary decisions by private organizations and are thus highly unlikely to raise legal questions or problems.

Please contact TALC at 510-444-8252 or talc@phi.org with any questions, including how to adapt these policies for your organization.

¹ This material was made possible by funds received from the California Department of Health Services, under contract #99-85069.

² Henry Weschler et al., *College Smoking Policies & Cessation Programs: Results of a Survey of College Health Center Directors*, J. Am. Health 1, 6(2001).

³ Campaign for Tobacco-Free Kids, *Tobacco Company Marketing to College Students Since the Multistate Settlement Agreement Was Signed* (March 21, 2001), at www.tobaccofreekids.org/research/factsheets/pdf/0135.pdf (last accessed May 13, 2002).

**Technical Assistance Legal Center
National Greek Charter/Local Chapter
Model Resolution on Tobacco Industry Sponsorship¹**

March 2003

WHEREAS, in a 2001 survey, 30% of college students reported being current tobacco users;² and

WHEREAS, between 1993 and 1997, cigarette smoking increased 28% among U.S. college students;³ and

WHEREAS, 28% of current college smokers began to smoke regularly at age 19 or older;⁴ and

WHEREAS, the [insert name of sorority/fraternity], has a substantial interest in promoting healthy living as a core aspect of its mission; and

WHEREAS, smoking is clearly an addictive and unhealthy habit given that:

- 430,000 people die from tobacco-related illnesses every year, making it the leading cause of preventable illness in the United States;⁵ and
- scientific studies have concluded that cigarette smoking can cause chronic lung disease, coronary heart disease and stroke, in addition to cancer of the lungs, larynx, esophagus, mouth, and bladder;⁶ and
- smokeless tobacco products and cigars are known to cause lung, larynx, esophageal, and oral cancer;⁷ and
- exposure to secondhand smoke is the third leading cause of preventable death in this country, killing over 50,000 non-smokers each year;⁸ and
- tobacco-related lung cancer is the leading cause of cancer death among women, surpassing breast cancer rates since 1987,⁹ and is consistently associated with an increased risk for cervical cancer [*for use by sororities/women's fraternities*].¹⁰

¹ This material was made possible by funds received from the California Department of Health Services, under contract #99-85069.

² Nancy Rigotti, et. al., *Tobacco Use by College Students: New Findings from the 2001 Harvard College Alcohol Surveys*, available at <http://ncth.confex.com/ncth/responses/2002/50.ppt> (last visited Feb. 6, 2002).

³ Nancy A. Rigotti et al., *U.S. College Students' Use of Tobacco Products: Results of a National Survey*, 284 J. Am. Med. Ass'n 699 (2000).

⁴ Henry Weschler et al., *Increased Levels of Cigarette Use Among College Students - A Cause for National Concern*, 280 J. Am. Med. Ass'n 1673, 1677 (1998).

⁵ U.S. Dept. of Health & Human Servs., Centers for Disease Control & Prevention, *Targeting Tobacco Use: The Nation's Leading Cause of Death 2001 2* (2001), available at www.cdc.gov/tobacco/overview/oshaag.pdf (last accessed Sept. 21, 2001).

⁶ *Id.*

⁷ *Id.*

⁸ S.A. Glantz & W. Parmley, *Passive Smoking and Heart Disease: Epidemiology, Physiology, and Biochemistry*, 83(1) *Circulation* 1 (1991). See also, California Environmental Protection Agency, Office of Env'tl. Health Hazard Management, *Health Effects of Exposure to Environmental Tobacco Smoke: Final Report* (1997).

⁹ Office of the Surgeon General, U.S. Dept. of Health and Human Servs., *Women and Smoking: A Report of the Surgeon General 193* (2001).

¹⁰ Office of the Surgeon General, U.S. Dept. of Health & Human Servs., *Women and Smoking: A Report of the Surgeon General 220* (2001).

WHEREAS, the American College Health Association (ACHA) has formally recognized that tobacco use in any form is a health hazard;¹¹ and

WHEREAS, 71% of college students surveyed in 2001 support a ban on tobacco sponsorship of parties;¹² and

WHEREAS, the [insert name of sorority/fraternity], has a substantial interest in promoting an educational atmosphere, minimizing the organization's commercial nature, and preventing commercial exploitation of our members; and

WHEREAS, multiple studies have shown that cigarette advertising results in increased demand;¹³

NOW THEREFORE BE IT RESOLVED, that [insert name of National Charter/Local Chapter], in its efforts to promote a healthy lifestyle and behavior consistent with fraternal ideals and principles, is committed to reducing the prevalence of tobacco use among college men and women; and

BE IT FURTHER RESOLVED: that [insert name of National Charter/Local Chapter]:

- shall neither solicit nor accept any tobacco-related funding or sponsorship of [insert name of National Charter/Local Chapter] events or activities, including but not limited to parties, conferences, and fundraisers, including those held in conjunction with other Greek-letter organizations ("tobacco-related" refers to a manufacturer, distributor, or retailer whose principal business is tobacco products); and
- shall not permit the distribution or sale of tobacco products and promotional items identified with a tobacco company or brand at [insert name of National Charter/Local Chapter] events, whether they are held on or off sorority/fraternity premises; and
- shall neither solicit nor accept tobacco-related advertisements for inclusion in [insert name of National Charter/Local Chapter] publications.

¹¹ Subcommittee on Tobacco Intervention and Prevention, American College Health Association, *ACHA Guidelines: Position Statement on Tobacco on College and University Campuses* (June 2000).

¹² Nancy Rigotti, et. al., *Tobacco Use by College Students: New Findings from the 2001 Harvard College Alcohol Surveys*, available at <http://ncth.confex.com/ncth/responses/2002/50.ppt> (last visited Feb. 6, 2002).

¹³ See, e.g., John P. Pierce, PhD et al., *Tobacco Industry Promotion of Cigarette and Adolescent Smoking*, 279(7) *J. Am. Med. Assoc.* 511 (1998) (finding "tobacco promotional activities are causally related to the onset of smoking").

**Technical Assistance Legal Center
National and Local Panhellenic Conference
Model Recommendation/Resolution on
Tobacco Industry Sponsorship¹**

March 2003

WHEREAS, in a 2001 survey, 30% of college students reported being current tobacco users;² and

WHEREAS, between 1993 and 1997, cigarette smoking increased 28% among U.S. college students;³ and

WHEREAS, 28% of current college smokers began to smoke regularly at age 19 or older;⁴ and

WHEREAS, the [insert name of national/local panhellenic organization], has a substantial interest in promoting healthy living as a core aspect of its mission; and

WHEREAS, smoking is clearly an addictive and unhealthy habit given that:

- 430,000 people die from tobacco-related illnesses every year, making it the leading cause of preventable illness in the United States;⁵ and
- scientific studies have concluded that cigarette smoking can cause chronic lung disease, coronary heart disease and stroke, in addition to cancer of the lungs, larynx, esophagus, mouth, and bladder;⁶ and
- smokeless tobacco products and cigars are known to cause lung, larynx, esophageal, and oral cancer;⁷ and
- exposure to secondhand smoke is the third leading cause of preventable death in this country, killing over 50,000 non-smokers each year;⁸ and
- tobacco-related lung cancer is the leading cause of cancer death among women, surpassing breast cancer rates since 1987,⁹ and is consistently associated with an increased risk for cervical cancer [*for use by women's national/local panhellenic organizations*].¹⁰

¹ This material was made possible by funds received from the California Department of Health Services, under contract #99-85069.

² Nancy Rigotti, et. al., *Tobacco Use by College Students: New Findings from the 2001 Harvard College Alcohol Surveys*, available at <http://ncth.confex.com/ncth/responses/2002/50.ppt> (last visited Feb. 6, 2002).

³ Nancy A. Rigotti et al., *U.S. College Students' Use of Tobacco Products: Results of a National Survey*, 284 J. Am. Med. Ass'n 699 (2000).

⁴ Henry Weschler et al., *Increased Levels of Cigarette Use Among College Students - A Cause for National Concern*, 280 J. Am. Med. Ass'n 1673, 1677 (1998).

⁵ U.S. Dept. of Health & Human Servs., Centers for Disease Control & Prevention, *Targeting Tobacco Use: The Nation's Leading Cause of Death 2001 2* (2001), available at www.cdc.gov/tobacco/overview/oshag.pdf (last accessed Sept. 21, 2001).

⁶ *Id.*

⁷ *Id.*

⁸ S.A. Glantz & W. Parmley, *Passive Smoking and Heart Disease: Epidemiology, Physiology, and Biochemistry*, 83(1) *Circulation* 1 (1991). See also California Environmental Protection Agency, Office of Env'tl. Health Hazard Management, *Health Effects of Exposure to Environmental Tobacco Smoke: Final Report* (1997).

⁹ Office of the Surgeon General, U.S. Dept. of Health and Human Servs., *Women and Smoking: A Report of the Surgeon General 193* (2001).

WHEREAS, the American College Health Association (ACHA) has formally recognized that tobacco use in any form is a health hazard;¹¹ and

WHEREAS, 71% of college students surveyed in 2001 support a ban on tobacco sponsorship of parties;¹² and

WHEREAS, the [insert name of national/local panhellenic organization], has a substantial interest in promoting an educational atmosphere, minimizing the organization's commercial nature, and preventing commercial exploitation of our members; and

WHEREAS, multiple studies have shown that cigarette advertising results in increased demand;¹³

NOW THEREFORE BE IT RESOLVED, that [insert name of national/local panhellenic organization], in its efforts to promote a healthy lifestyle and behavior consistent with fraternal ideals and principles, is committed to reducing the prevalence of tobacco use among college men and women; and

BE IT FURTHER RESOLVED: that [insert name of national/local panhellenic organization]:

- strongly encourages member charters/chapters to adopt policies prohibiting the solicitation or acceptance of any tobacco-related funding or sponsorship of Greek-sponsored events or activities, including but not limited to parties, conferences, and fundraisers, including those co-hosted with other Greek-letter organizations (*tobacco-related* refers to a manufacturer, distributor, or retailer whose principal business is tobacco products); and
- strongly encourages member charters/chapters to adopt policies prohibiting the distribution or sale of tobacco products and promotional items identified with a tobacco company or brand at Greek-sponsored events, whether held on or off sorority/fraternity premises; and
- strongly encourages member charters/chapters to adopt policies prohibiting solicitation or acceptance of tobacco-related advertisements for inclusion in Greek-letter publications.

¹⁰ Office of the Surgeon General, US. Dept. of Health and Human Servs., *Women and Smoking: A Report of the Surgeon General* 220 (2001).

¹¹ Subcommittee on Tobacco Intervention and Prevention, American College Health Association, *ACHA Guidelines: Position Statement on Tobacco on College and University Campuses* (June 2000).

¹² Nancy Rigotti, et. al., *Tobacco Use by College Students: New Findings from the 2001 Harvard College Alcohol Surveys*, available at <http://ncth.confex.com/ncth/responses/2002/50.ppt> (last visited Feb. 6, 2002).

¹³ See, e.g., John P. Pierce, PhD et al., *Tobacco Industry Promotion of Cigarette and Adolescent Smoking*, 279(7) *J. Am. Med. Assoc.* 511 (1998) (finding "tobacco promotional activities are causally related to the onset of smoking").

Technical Assistance Legal Center

Enforcing the State Smoke-free Entranceway Law on College Campuses¹

As of January 1, 2004, smoking within twenty feet of the main entrances, exits and operable windows of buildings on community college campuses in California is prohibited.² The law does not specify what sort of penalty is imposed for a violation, nor does it designate what governmental entity is responsible for implementing and enforcing the law. Community colleges have several options to enforce and encourage compliance with the new law.

Encourage Compliance

If direct enforcement is insufficient, community colleges can encourage compliance with the law, by posting signs and removing ashtrays and tobacco waste receptacles. The law does not provide state funding for signs. However, the California Department of Public Health, Tobacco Control Program and the Tobacco Education Clearinghouse of California have developed a clear, uniform prototype sign that can be reproduced by local communities throughout the state. Decal signage also may be obtained from your local Tobacco Control Program.

Student Code of Conduct/Employee Personnel Policies

College advocates should review their college Student Codes of Conduct and Employee Personnel Policies. Students and employees must comply with the provisions of these policies as a condition of maintaining student status or employment. Advocates should look for a provision stating that students and employees are expected to comply with existing law. Violating an existing state law, such as the state doorway smoking law, can be a violation of the student code and employee personnel policies. Most policies also outline the procedure and penalties for violation.

Trespass

An alternative enforcement mechanism for community colleges is to prosecute violators for trespassing on college property. In general, trespass is the unlawful interference with the property right of another. A conditional or restricted consent to enter land creates a privilege to do so only in so far as the condition or restriction is complied with.³ Similarly, failure to leave property when requested can also constitute trespass. Courts have held that a trespass may occur if a party, entering property pursuant to a limited consent (for example, not smoking), violates that consent by exceeding the limitation.⁴ For example, refusing to submit to the inspection of one's person and personal property at an airport screening area is criminal trespass.⁵ In other words, people invited onto property can remain there so long as they comply with the requirements of the property owner. Smoking on public property in violation of a state law prohibiting smoking also violates the conditions under which a person is permitted to be on the property. While this meets the legal requirements of trespass, a community college must be willing to enforce the law in this way. Advocates should discuss this option with appropriate officials and be prepared to have to educate the officials on the importance of this level of enforcement.

California Education Code

Colleges have an additional enforcement option. California law allows a college governing board, president of a community college or instructor to suspend a student for the willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the governing board.⁶ In addition, the governing board can expel a student for good cause, for egregious violators if other means

of correction are unsuccessful.⁷ In addition, each community college district shall adopt regulations and penalties for student behavior.⁸

While the state law provisions appear designed to deal with egregious offenses and may not be embraced as a viable option in all community college districts, they may serve as an effective deterrent. A letter from the community college president highlighting the importance of complying with the new state law and noting the authority to suspend and expel persistent violators of the policy may be persuasive. Each community college district's regulations governing student behavior should be examined to determine whether a deliberate violation of existing law is penalized.

Campus Policies Can Be Enforced

Finally, the new state law explicitly allows local governments, including community colleges, to pass and enforce more restrictive policies. Community colleges with broader smoking prohibitions may continue to enforce them, and those with weaker prohibitions have the authority to pass stronger policies. Such policies could expand the area in which smoking is prohibited (either by expanding the state's twenty-foot buffer zone, or by extending the buffer zone to all entrances and windows) and should include clear penalty and enforcement provisions. In fact, a campus policy that is substantively identical to state law but includes enforcement provisions is more restrictive than state law and thus permissible. Advocates may be most successful in seeking adoption of such a modest policy.

Community college advocates interested in seeing the public health protections offered by California's new doorway smoking ban should, in consultation with the campus enforcement entity and the administration, determine the best way to ensure compliance with the law. For questions on the new law or enforcement options, please contact TALC at 510-444-8252 or talca@phi.org.

(Footnotes)

¹ This fact sheet was created to provide general information only and is not offered or intended as legal advice. This material was made possible by funds received from the California Department of Health Services, Tobacco Control Section under contract # 99-85069.

² See California Government Code § 7597.

³ See Restatement (2d) of Torts section 168.

⁴ See *Rogers v. Duhart*, 97 Cal. 500, and *Riechhold v. Sommarstrom Inv. Co.*, 83 Cal.App. 173.

⁵ See California Penal Code section 602(v)(1).

⁶ See California Education Code section 76033(e).

⁷ See California Education Code section 76030.

⁸ See California Education Code section 66300.

CAMPUS ASSESSMENT

A. Signage

- | | | | <u>Comments</u> |
|----|---|-----|-----------------|
| 1. | Are there any “no smoking” signs posted near: | | |
| a. | Classrooms? | Yes | No |
| b. | Dorms? | Yes | No |
| c. | College Centers? | Yes | No |
| d. | Campus Store? | Yes | No |
| e. | Gymnasium? | Yes | No |
| f. | Library? | Yes | No |
| g. | Bookstore? | Yes | No |
| h. | Eateries? | Yes | No |
| i. | Athletic Fields/Arenas? | Yes | No |
| h. | Other: (please list) | | |
| 2. | Have you seen ashcans? | | |
| a. | Right outside doors? | Yes | No |
| b. | 1 to 5 feet from doors? | Yes | No |
| c. | Placed in compliance with policy? | Yes | No |

B. Policy and Enforcement

- | | | | |
|----|---|---------------------|----|
| 1. | Is there a tobacco-free policy for your college campus?
If so, what is it? | Yes | No |
| 2. | If a tobacco-free policy does exist, how is it enforced, and by whom? | | |
| 3. | What are the consequences for a violation of a policy? | | |
| 4. | Does the school website or student manual contain any of the following information? | | |
| | School demographics: Size, ages, ethnicity... | Yes (Attach copies) | No |
| | School smoking rules & policies | Yes (Attach copies) | No |

C. Other Information

1. Where do people smoke on campus when weather is good?

2. Where do people smoke on campus when weather is bad?

3. Are tobacco products sold on campus? Yes No
 3a. If YES, where?

 3b. If NO, is there an official policy?

4. Do the campus newspapers and/or publications accept tobacco product or tobacco industry advertisements? Yes No
 4a. If YES, what products/companies?

 4b. If NO, why?

5. Does the campus currently accept any grants, gifts, or donations from a tobacco company or tobacco subsidiary company? Yes No
 5a. If YES, which companies?

 5b. If NO, is there an official policy prohibiting the acceptance of grants, gifts and donations from tobacco companies? Yes No

6. Are any college events or student organizations sponsored by a tobacco company? Yes No
 6a. If YES, which events/organizations?

 6b. If NO, is there an official sponsorship policy? Yes No

D. Cessation

1. Are cessation services provided to students, faculty and staff? Yes No
 1a. If YES, what are the services?

 1b. If YES, are services available free of charge?

POLICY ATTITUDE SURVEY

You are invited to take part in a survey conducted by GROUP or PERSON ADMINISTERING SURVEY. In this survey we hope to learn about students' views on tobacco and secondhand smoke. Your participation in this survey is completely voluntary and confidential. Confidential means that there is no identifier or personal information requested so please remember to not identify yourself on the survey. Reports resulting from this survey will not identify you as a participant so feel free to answer honestly. An overall summary of survey results will be made available and shared with the campus.

Please clearly check the box that represents your answer.

- 1. You attend: Day classes only Evening classes only Both day & evening
- 2. You live in: Residence Hall Off campus home or apartment
- 3. Is secondhand smoke on campus a concern or an annoyance for you?
 Yes, a concern/annoyance Not a concern/annoyance I don't know

Comment:

- 4. Where do you see smoking occur on campus? (Check all that apply)
 I don't see anyone smoke on campus Near Library Building
 Near Classroom Buildings Sports Fields/Stadiums
 Near Cafeteria and other food areas Parking Lots/garage
 Open, outdoor areas (i.e. quad) Breezeways (areas between buildings)
 Other (identify): _____
- 5. Do you have any allergy/sensitivity (i.e. asthma, sneezing, watery eyes, etc.) that are triggered by exposure to either indoor and/or outdoor tobacco smoke?
 Yes No

- 6. How important is it to you that your campus adopt a **smoke-free campus policy**?
 Very Important Somewhat Important No Opinion Somewhat Unimportant Very Unimportant

- 7. How important is it to you that your campus adopt a minimum **"no smoking with the exception of designated areas"** policy?
 Very Important Somewhat Important No Opinion Somewhat Unimportant Very Unimportant

- 8. How important is it to you that your campus enforce existing **smoking regulations (e.g., no smoking within 20 feet of buildings)**?
 Very Important Somewhat Important No Opinion Somewhat Unimportant Very Unimportant

~PLEASE TURN OVER TO CONTINUE~

9. How do you feel about the sale of tobacco products in campus stores and on campus property?

- Allow the sale Prohibit the sale No Opinion

10. Should tobacco companies be allowed to sponsor campus events or distribute tobacco products or tobacco-related promotional items on campus?

- Yes No No Opinion

11. Your age? under 18 18-19 20-21 22-25 26-29 30+

Additional Comments:

THANK YOU VERY MUCH FOR YOUR PARTICIPATION IN THIS SURVEY!!

TOBACCO USAGE AND POLICY ATTITUDE SURVEY

You are invited to take part in a survey conducted by GROUP or PERSON ADMINISTERING SURVEY. In this survey we hope to learn about students' views on tobacco usage and secondhand smoke. Your participation in this survey is completely voluntary and confidential. Confidential means that there is no identifier or personal information requested so please remember to not identify yourself on the survey. Reports resulting from this survey will not identify you as a participant so feel free to answer honestly. An overall summary of survey results will be made available and shared with the campus.

Please clearly check the box that represents your answer.

1. Your gender (Optional): Female Male

2. Your ethnicity (Optional) African American Native American White/Caucasian
 Asian American Pacific Islander Latino/a
 Other, please specify _____

3. You are a: (Optional) Native Born Citizen Citizen, Not Native Born
 International Student
 Other, please specify _____

4. You attend: Day classes only Evening classes only Both day & evening

5. You live in: Residence Hall Off campus home or apartment

6. Describe your present use of cigarettes:
 Never Occasionally Daily Weekly Quit

**** IF YOU CIRCLED "NEVER" OR "QUIT" SKIP TO # 9 BELOW****

7. How many cigarettes do you smoke per day?
 None 1-7 8-15 16-20 1 ½ packs 2 packs More than 2 packs

8. Do you smoke on campus? Yes No

If yes, please indicate **where** you usually smoke on campus:

9. Is secondhand smoke on campus a concern or an annoyance for you?
 Yes, a concern/annoyance Not a concern/annoyance I don't know

Comment:

~PLEASE TURN OVER TO CONTINUE~

10. Where do you see smoking occur on campus? (Circle all that apply)

- | | |
|--|---|
| <input type="checkbox"/> I don't see anyone smoke on campus | <input type="checkbox"/> Near Library Building |
| <input type="checkbox"/> Near Classroom Buildings | <input type="checkbox"/> Sports Fields/Stadiums |
| <input type="checkbox"/> Near Cafeteria and other food areas | <input type="checkbox"/> Parking Lots/garage |
| <input type="checkbox"/> Open, outdoor areas (i.e. quad) | <input type="checkbox"/> Breezeways (areas between buildings) |
| <input type="checkbox"/> Other (identify): | |

11. Do you have any allergy/sensitivity (i.e. asthma, sneezing, watery eyes, etc.) that are triggered by exposure to either indoor and/or outdoor tobacco smoke? Yes No

12. How important is it to you that your campus adopt a **smoke-free campus policy**?

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Very | Somewhat | No | Somewhat | Very |
| Important | Important | Opinion | Unimportant | Unimportant |

13. How important is it to you that your campus adopt a minimum **"no smoking with the exception of designated areas"** policy?

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Very | Somewhat | No | Somewhat | Very |
| Important | Important | Opinion | Unimportant | Unimportant |

14. How important is it to you that your campus enforce existing **smoking regulations (e.g., no smoking within 20 feet of buildings)**?

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Very | Somewhat | No | Somewhat | Very |
| Important | Important | Opinion | Unimportant | Unimportant |

15. How do you feel about the sale of tobacco products in campus stores and on campus property?

- Allow the sale Prohibit the sale No Opinion

16. Should tobacco companies be allowed to sponsor campus events or distribute tobacco products or tobacco-related promotional items on campus?

- Yes No No Opinion

17. Your age? under 18 18-19 20-21 22-25 26-29 30+

Additional Comments:

THANK YOU VERY MUCH FOR YOUR PARTICIPATION IN THIS SURVEY!!

FOR FURTHER INFORMATION ON COLLEGE TOBACCO-FREE POLICIES OR
STATEWIDE POLICY ADVOCACY INFORMATION,
PLEASE CONTACT:

CYAN COLLEGE PROJECT
PHONE #: 916-339-3424
EMAIL: INFO@CYANONLINE.ORG
VISIT: www.cyanonline.org



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