

Physical Environment Committee
UW-Milwaukee
Proposed changes to campus smoking policy
October 21, 2015

Background:

- Popularity of e-cigarettes in the U.S. is on the rise. In 2013, current use among young adults 18–24 was (14.2%), adults 25–44 (8.6%), adults 45–64 (5.5%), and 65+ (1.2%). People most likely to use e-cigarettes are daily smokers (30.3%) and nondaily smokers (34.1%). 32.5% of current electronic cigarette users are never- or former smokers. Date from: McMillen, R.C., et al., (2014). Trends in Electronic Cigarette Use Among US Adults: Use is Increasing in Both Smokers and Nonsmokers. *Nicotine and Tobacco Research*, 1-8.
- Much is not fully known about the effects of second-hand vapors from e-cigarettes. Czogala and colleagues (2013) found that e-cigarettes create a second-hand exposure to nicotine, but not to other toxicants found in tobacco cigarettes. Czogala, et al. (2014) Secondhand Exposure to Vapors From Electronic Cigarettes. *Nicotine & Tobacco Research*, 16(6): 655-662.
- One concern is the presence of formaldehyde in e-cigarettes, but that appears to only occur with voltages higher than typically used due to the poor taste created at those levels. Jensen, et al. (2015). Hidden Formaldehyde in E-Cigarette Aerosols. *New England Journal of Medicine*, 372: 392-394.

Policy statements:

Brandon, TH, et al, 2013. Policy Statement from the American Association for Cancer Research and the American Society of Clinical Oncology (2013). *Clinical Cancer Research*, 21: 514.

*"Key policy recommendations include supporting federal, state, and local regulation of ENDS; requiring manufacturers to register with the FDA and report all product ingredients, requiring childproof caps on ENDS liquids, and including warning labels on products and their advertisements; prohibiting youth-oriented marketing and sales; prohibiting child-friendly ENDS flavors; **and prohibiting ENDS use in places where cigarette smoking is prohibited.**" (emphasis added)*

Bhatnagar, et al. (2014). Electronic Cigarettes: A Policy Statement From the American Heart Association. *Circulation*. 2014;130:1418-1436

"The AHA supports the inclusion of e-cigarettes in smoke-free air laws."

Policies within the UWS:

<https://www.uwsuper.edu/studentconduct/policies/smoking.cfm>

http://www.uwgb.edu/publicsafety/policies/policy_smoking.htm

<http://www.uwrf.edu/Administration/Policy/Administration/Administrative/AP01116.cfm>

<http://www.uwhealth.org/patient-guides/uw-hospital/smoke-and-tobacco-free-policy-frequently-asked-questions-for-our-patients-and-visitors/12801>

<https://www.uwlax.edu/facultysenate/47th/5-9-13/Tobacco-Free%20Policy.pdf> (

<http://www.uwsp.edu/stuhealth/Pages/Tobacco-Free/faq.aspx>

Recommendation:

- Change existing UWM smoking policy language to include e-cigarettes. Suggested change could include paragraph I – change language to ‘tobacco use’ rather than ‘smoking’. Tobacco use could be defined as, “to include any lighted cigarette (such as clove, bidis, kreteks), cigars, pipes, and hookah products; any other smoking products (such as e-cigarettes); and any smokeless, spit or spitless, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff or snus, in any form (such as orbs, sticks, pellet, etc.)” (taken from UW-LaCrosse’s policy). This is language used on more than one campus.
- Discussion enforcement of policies on UWM campus.



SMOKING POLICY

No.: S-49

Date: June 2010 (revision 4)
March 2008 (revision 3)
April 8, 1993 (revision 2)
April 25, 1984 (revision 1)
January 1956 (original)

Authority: Wisconsin Statutes §§ 36.11 and 101.123
Rossie v. State Department of Revenue, 395 N.W.2d 801
(Wis.App. 1986) Wis. Admin. Code sec.18.08 (9)(b) "Postings and Signage" and 18.08 (11)(a-b) "Smoking", Wis. Stat. sec. 287.81
UWM Administration
2009 Wisconsin Act 12 (Statewide Smoking Ban)

Initiator: Physical Environment Committee

Responsible Parties: Director of Legal Affairs
Vice Chancellor of Administrative Affairs

Definition: "Smoking" shall include the burning of any variety of lighted pipe, cigar, cigarette, or other smoking equipment, whether filled with tobacco or any other type of material.

Contact Information: Director of Legal Affairs/Vice Chancellor of Administrative Affairs

I. STATEMENT OF POLICY

UWM is committed to maintaining a safe campus environment and to ensuring that it acts to the extent possible to shield its students and employees from harm, to mitigate the established health risks associated with exposure to second-hand smoke, UWM prohibits smoking in all buildings, University vehicles, and parking structures and within twenty-five (25) feet of all buildings.

To reduce the risk of fire and litter on the campus all smoking materials must be extinguished and disposed of in designated containers.

II. REPORTING OF VIOLATIONS

An employee or student who observes a violation of this policy may make the violator aware of the restrictions contained in this policy and that they are violating UWS 18.08 (9) and (11) and may report the violation to the University Police.

Upon receiving a report, the University Police will investigate the complaint and may issue a warning to the violator. If a violator continues to disregard the posted signs, the violator may be issued a citation by the University Police.

Employees or students who observe a frequent pattern of smoking policy violations at a particular location may notify University Police about this location. University Police will investigate the smoking violations at this location.

III. EXEMPTIONS

From time to time, UWM may exempt employees or students from this policy under unique, limited circumstances (e.g., if smoking is required as part of an artistic performance or if smoking may be required in a laboratory by a research project). Persons seeking such an exemption should contact the Provost's office for approval.

Campus Tobacco Policy Language

University of Wisconsin – La Crosse Tobacco-Free Campus Policy

1.0 Policy/Purpose: The University of Wisconsin-La Crosse acknowledges and supports the findings of the Surgeon General that tobacco use in any form, active and passive, is a significant health hazard. In light of the health risks, and in support of a safe and healthy learning and working environment, the University of Wisconsin-La Crosse has set the following tobacco-free campus policy to be implemented on July 1, 2013. This policy supersedes University of Wisconsin-La Crosse smoking policy UWS 18.08(6)(11).

The purposes of this policy are to reduce harm from secondhand smoke, provide an environment that encourages persons to be tobacco-free, establish a campus culture of wellness and environmental responsibility, and promote a tobacco-free future.

For the purpose of this policy, “tobacco” is defined to include any lighted cigarette (such as clove, bidis, kreteks), cigars, pipes, and hookah products; any other smoking products (such as e-cigarettes); and any smokeless, spit or spitless, dissolvable, or inhaled tobacco products, including but not limited to dip, chew, snuff or snus, in any form (such as orbs, sticks, pellet, etc.).

Smoking or the use of other tobacco products (see above) is prohibited on all campus grounds (college owned, controlled, and/or leased); college owned or leased properties; and campus owned, leased, or rented vehicles. This includes but is not limited to all university streets and sidewalks, parking lots, landscaped areas, outdoor athletic facilities, and recreational areas; at lectures, conferences, meetings, and social events held on campus property or campus grounds. Smoking or the use of other tobacco products is also prohibited in the interior of all buildings, including campus residence halls.

This policy applies to all faculty, staff, students, contractors, vendors, and visitors during and after campus hours at all University of Wisconsin-La Crosse sites.

2.0 Responsibilities: All University of Wisconsin-La Crosse faculty, staff, and students are responsible for compliance and for advising visitors of the policy.

All administrators, deans, directors, department chairs, and supervisors are responsible for communicating the policy to everyone within their areas of responsibility.

Sufficient signage will be posted to inform members of the campus community and its visitors, including contractors and vendors, of the policy.

Cessation information for students, faculty, and staff is available in the Student Health Center, Student Life Office, Counseling and Testing, and Human Resource Office to those who would like to end their use of tobacco products.

The Office of Student Life and Wellness Resource Center in consult with the Chancellor' is responsible for determining policy applicability and will answer policy-related questions.

3.0 Enforcement: Enforcement of this policy will depend upon the cooperation of all faculty, staff, and students to not only comply with the policy, but also to encourage others to comply in order to promote a healthy and clean environment in which to work, learn, and live. The success of this policy will depend on the courtesy, respect, and cooperation of users and non-users of tobacco products.

Violations will be handled like other work rules or policy violations.

This policy does not apply to the practice of cultural activities by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 USC, sections 1996 and 1996a. All ceremonial use exceptions must be approved in advance by the Student Life Office.