

SUNY Buffalo State Tobacco Free Campus Policy

Preamble

The New York State Clean Indoor Air Act of July 24, 2003 amended Public Health Law Article 13-E (Regulation of Smoking in Certain Public Areas) and requires every employer in the State to provide smoke-free work areas for all employees in the workplace.

On September 1, 2011, Buffalo State's President accepted the College Senate resolution of May, 13, 2011, calling for a tobacco free campus policy. The policy statement below has been adopted by the campus administration in response to the Senate resolution.

On June 12, 2012, The State University of New York Board of Trustees passed a resolution to support a "Tobacco-Free SUNY" policy and the development of New York State legislation that bans the use of tobacco on grounds and facilities and in vehicles owned, leased, or controlled by SUNY. The Chancellor has asked that campuses persist in designing and implementing strategies to drive their campuses toward the tobacco-free goal, with the understanding that to achieve this, a campus culture change is necessary and that no campus can effectively achieve a tobacco-free campus without addressing both social and collective bargaining issues and that time, collaboration and full dialogue are critical to the process.

Given that both New York State law and campus policy govern the use of tobacco products at Buffalo State, the policy below includes both the previously established requirements under law (part A) and the new expectations arising under the tobacco free campus resolution adopted by the College Senate (part B).

Tobacco Free Campus Policy

- A. With regard to the NYS Indoor Clean Air Act:** In accordance with the New York State Clean Indoor Air Act, the college smoking policy, originally in effect since January 5, 1990, is revised effective July 24, 2003. It is the college's policy to comply with all sections of this Act and, therefore, smoking is prohibited in all college buildings and vehicles.

- B. With regard to the Buffalo State Tobacco Free Campus Policy:** It is the policy of Buffalo State that all buildings and grounds, including indoor and outdoor areas that comprise the Elmwood Ave. campus, and any off-campus affiliated facilities and geographic locations, are to be tobacco-free.

Compliance

A. With regard to the NYS Indoor Clean Air Act:

It is the responsibility of all members of the college community to observe this smoking policy. Since the college is legally responsible for compliance with this State law, the following enforcement system will be used if necessary.

The person with direct supervision of an area is responsible for requesting compliance. If a person refuses to stop smoking in a non-smoking area, after receiving such a request, University Police will be notified. University Police will assess the situation and, if necessary, complete a State Incident Report (SIR).

Copies of the SIR will be sent to the Environmental Health and Safety Office and as follows:

- Students: A copy is forwarded to the Student Judicial System for review and action.
- Faculty/Staff: A copy is forwarded to the individual's supervisor who will be responsible for speaking to the individual and his/her violation of college policy. Violations of the college policy may result in disciplinary action pursuant to the applicable collective bargaining agreements.
- Visitors/Guests: In the event of non-compliance, University Police will be notified and take appropriate action.

B. With regard to the Buffalo State Tobacco Free Campus Policy:

Adherence to the tobacco free policy is the responsibility of all Buffalo State students, faculty, staff, contractors and visitors. It is expected that all students, faculty, staff, contractors and visitors comply with this policy. Members of our campus community are empowered to respectfully inform others about the policy in an ongoing effort to enhance awareness and encourage a culture of voluntary compliance.

In the spirit of respect for all members of our community, disciplinary action will not be taken for violations of the campus policy. Instead, education about cessation resources will be provided along with encouragement to willingly refrain from use of tobacco products on campus.

Approved by the Tobacco Free Campus Implementation Committee, November 14, 2013