



MEMORANDUM

TO: John Delano, Senate Chair
FROM: George M. Philip, President *GP*
DATE: August 27, 2009
SUBJECT: "Smoke-Free Campus" Legislation (Senate Bill No. 0809-16)

I am referring Senate Bill No. 0809-16, which pertains to the formation of a smoke-free campus task force, back to the University Senate for further study and potential revision.

I laud the intent of this legislation, which would advance the University at Albany as a smoke-free environment both indoors and outdoors. As President, my first priority is to protect the health and safety of the University's students, faculty and staff. While the University at Albany respects an individual's right to smoke, this entitlement does not necessarily outweigh the rights of others to be free of second-hand smoke.

However, there are several concerns that I wish for the University Senate's University Life Council (ULC) to examine with respect to Senate Bill No. 0809-16. First, I encourage the Senate to engage in further conversations with relevant campus stakeholders who would be affected by this policy. The proposed legislation would implement sweeping changes in health and welfare regulations at the University, as the bill's stated goal is for the task force to oversee the implementation of smoke-free campus policies. Potential stakeholders from which to solicit comment might include the undergraduate and graduate student population, Academic Affairs, Residential Life, Health Center, Human Resources, University Police, as well as the campus chapters of United University Professions (UUP), Civil Service Employees Association (CSEA), among other labor unions.

Second, the University Senate should closely examine the impact of such universal smoking bans at other universities and colleges. The text of Senate Bill No. 0809-16 reports that more than 150 campuses have implemented full smoking bans. However, further detailed information regarding the development and implementation of such bans would be useful in evaluating the efficacy of smoking prohibitions. The University Senate should also consider the applicability of such case studies specifically to the University at Albany.

Finally, I urge the University Senate to address the broader implications of establishing a task force to oversee smoke-free campus policies. Absent clear buy-in from campus stakeholders to the formation of a task force whose charge is to develop and enforce a smoking ban, it would seem highly likely that objections would mount about the feasibility of enforcing such a ban, as well as the moral and practical legitimacy of such a stringent mandate.