



UNIVERSITY
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MĀNOA

FACULTY SENATE MEETING MINUTES (DRAFT)

December 4, 2013

Architecture Auditorium (ARCH 205)

3:00 pm –

ATTENDANCE

Present (63)

ASAHINA, Audrey; BELTON, Ian; BONTEKOE, Ronald; BROWN, Steven; CANYON, Deon; CASKEN, John; CHANG, Williamson; CHESNEY-LIND, Meda; CHIN, David; CONWAY, Thomas; COONEY, Robert; DI, Xu; DOI, Saori; DUNN, Robert; DYE, Timothy; ERICSON, David; ERTEKIN, R Cengiz; FLYNN, David; FULFORD, Catherine; GARROD, Peter; HARRIGAN, Rosanne; HARRIS-MCCOY, Daniel; HONG, Seunghye; HWANG, Hyunjoo; INAZU, Judith; KALLIANPUR, Kalpana; KIM, Albert; LE SAUX, Olivier; LENZ, Petra; MANINI, Bonnyjean; MATTER, Michelle; MAYNARD, Ashley; MELZER, Michael; MOCZ, Gabor; NGUYEN, Hannah; PARK, Hyoung-June; QURESHI, Kristine; RAWSON, James; ROBERTS, Stacey; ROBERTSON, Scott; SAFFERY, Maya; SAKAGUCHI, Ann; SANDERS, David; SANTIAGO, Lilia; SIMANU-KLUTZ, Manumaua; SOLIS, Ron; STEPHENSON, Carolyn; STEVENS, Duane; STIRR, Anna; SZUSTER, Brian; SZYMCZAK, Victoria; TALLQUIST, Michelle; TAM, Elizabeth; THOMAS, Florence; VALENZUELA, Hector; VARGO, Stephen; VINCENT, Douglas; WELIN, Stephanie; WELLS, Jenny; WERTHEIMER, Andrew; WITHY, Kelley; WOODRUFF, Rosemarie; ZALESKI, Halina

Absent (1)

KAWABATA, Wendy

Excused (22)

AGCAOILI, Aurelio; BINSTED, Kimberly; BOULOS, Daniel; CHAIN, William; COWIE, Robert; DAVIDSON, Elizabeth; DEBARYSHE, Barbara; FELIPE, Miguel; ITO, Ken; LESA, Faafetai; MATSUDA, Jennifer; MINERBI, Luciano; OISHI, Martin; PAULL, Robert; POTEMRA, James; RAYNER, Martin; RIGGS, H Ronald; ROBINSON, Scott; SHOULTZ, Janice; SMALL, Jennifer; SORENSEN, Trevor; WIECZOREK, Anna

AGENDA

1. CALL TO ORDER

2. MINUTES



- November 20, 2013 [[PDF](#)] [[DOC](#)] (Draft)

3. CHAIR'S REPORT

4. GUEST: CHANCELLOR TOM APPLE (3:15 pm)

5. GUEST: CHIEF OF CAMPUS SECURITY CHARLES NOFFSINGER (3:45 pm)

6. BUSINESS

- **Motion to Endorse the Proposed Reorganization of Campus Services** [[PDF](#)] [[DOC](#)]
Committee on Administration and Budget [[Issue 16.14](#)]

Reorganization Checklist [[PDF](#)]

Proposal to Reorganize Campus Services [[PDF](#)]

- **Tobacco-Free Campus Policy Discussion**

**The Senate Executive Committee is currently consulting with the administration. Notice of any proposed actions will be sent out on Monday (12/2)*

Senate Executive Committee [[Issue 12.14](#)]

Testimony on Tobacco-Free Campus Policy [[ALL](#)] [[ASUH](#)]

Resolution on Office of the Vice Chancellor for Students Tobacco-Free Campus Policy of 11/20 [[PDF](#)] [[DOC](#)]

Revised Draft Tobacco-Free Campus Policy of 11/6 [[PDF](#)]

Original Tobacco-Free Campus Policy of 9/23 [[PDF](#)]

7. SENATE COMMITTEE REPORTS - FALL 2013 [Informational]

- Committee on Academic Policy and Planning [[PDF](#)]
- Committee on Athletics [[PDF](#)]
- Committee on Research and Graduate Education [[PDF](#)]
- Committee on Professional Matters [[PDF](#)]

7. ISSUES

8. ADJOURNMENT

MINUTES



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1. CALL TO ORDER by Chair Ericson at 3:06 pm

2. MINUTES of November 20, 2013.

The minutes were approved as posted. (45:3)

3. CHAIR'S REPORT - David Ericson

A motion was passed at the previous Senate meeting asking that the SEC meet with administration to resolve issues on the draft policy for a tobacco-free campus. The SEC met with VCS Hernandez, Associate Vice Chancellor Lorie Ideta and Chancellor Apple. The SEC also asked for and received comments from the wider faculty (75% for, 25% opposed). Many comments were form letters supporting the policy. Further information will be provided when the tabled resolution is brought to the floor.

4. GUEST: CHANCELLOR TOM APPLE (3:15 pm)

The Chancellor has had conversations with the SEC and his executive team regarding the tobacco policy; there are some areas of agreement and some of disagreement. Dr. Apple is a former smoker who quit because of his wife's no smoking policy. All can see benefits from not smoking. The major concern is enforcement. The policy is not about punitive actions or results, unless someone is deliberately blowing smoke at others. With vaping there is concern regarding carcinogens; ecigs are not regulated and may be imported. Having designated smoking areas somewhat defeats the purpose from a social perspective. The Chancellor would like to try the policy in pilot status and follow up with a survey regarding quitting and any other issues after six months. He would allow the policy to evolve. Students support the policy more than faculty and staff do. Staff probably have a higher level of smoking. Our approach should keep fluid; we can implement something, but be open to change. The Chancellor used to smoke heavily, and is likely alive today because he quit; a cousin who smoked died. Implementing the policy will save lives without question, how many we don't know. The Chancellor was originally opposed to regulating actions that are not affecting others, but the policy will save lives. We need to mull over what is good policy. The intent is not harass smokers, but to educate and provide information on the policy and on cessation. Looking to other universities, we know that others have developed a policy, but not what happened and what support structures are in place. Last year he was not in favor; now he wants to try a pilot.

A Senator noted that a security officer had asked whether he had a lighter or match. Other support, for treatment or cessation, is important. What is available? Response: University Health Services have information and a patch program. On one large company campus in Los Angeles smokers take two smoke breaks instead of a lunch break. A lot have quit due to the inconvenience, so this is a success in social engineering.

A Senator asked for information on conversations with labor unions regarding working conditions. Apparently HGEA had issues, but the relationship of the policy to bargaining on working conditions is unclear. Response: There was consultation last year.

A Senator noted that the United States has exported obesity to Europe and other places. Making something taboo makes it exotic. Germany uses pictures of lung disease on cigarette packages, but some in some groups if you are a real man, you will really smoke. This is both a class and cultural issue. The proposed policy is too



totalitarian and draconian and should be reconsidered.

The policy is consistent with existing collective bargaining agreements. The policy is different for outside contractors.

Why did the tobacco issue come back to Senate? The concern is not with tobacco-free, but with the additional provisions. Provisions on ecigs and enforcement should be left to the future, not added on now. Did ecigs exist when the policy was suggested?

A Senator noted their support for a policy that would reduce deaths due to lung cancer, but this policy is not ready. We were assured there would be no enforcement. Dr. Apple says the policy is educational, but that is not what the policy states, except for HGEA members. Important issues are not yet settled, and adequate consultation is needed. We need to hear more from students, not just ASUH. It would be better to delay for a few months so we can figure out a good policy that is based on research. The SEC had the impression in their Monday meeting that delay was acceptable to the Chancellor. The Chancellor stated that he wants the policy in effect soon, because the perfect is the enemy of the good. There is general agreement on opposition to smoking. The Chancellor wants the policy now because of his passion. We can iron out the bugs later. We can implement on Jan. 1 or Feb. 1 or Mar. 1. We agree on 95% and can do research on the 5%. The Chancellor will only put the policy off for a short time.

Enforcement by campus security or the responsible administrator is not understood; it only applies if a person refuses to discontinue smoking.

Can enforcement be removed? It was suggested that a group from the Senate meet with the drafters of the policy. An ASUH member should be included. Dr. Apple feels urgency. New wording could be circulated by email and passed soon. Education is not confrontation. What about guest workers?

The Senate was assured by Chancellor Hinshaw that there would be no enforcement. The policy goes beyond tobacco smoke affecting others. The Senate endorsed the ASUH resolution, but did not give up any rights to consultation on policy drafting and details. We don't want punitive enforcement, but rather dialogue and consultation. Good consultation is important. The Chancellor reiterated that the perfect is the enemy of the good. Enforcement is soft: first, compliance, second, a reminder, and, third, appropriate measures if a person refuses to stop. The Chancellor agreed that the policy should currently not be punitive. He is willing to consider delaying to February 1, and maybe removing the third clause. He thought we should leave vaping in and wait and see the effects; he doesn't want to be in same room as someone vaping. One month delay is okay. That would allow time for a couple more meetings so people can feel that they have been consulted.

Punitive measures in the policy include negative consequences such as removal from campus or a fine.

5. GUEST: CHIEF OF CAMPUS SECURITY CHARLES NOFFSINGER (3:45 pm)

Charles Hoffinger began as the new chief at the beginning of October. After graduating from the University of Michigan he spent 24 years in the University of Michigan at Ann Arbor police department, and fell in love with the job. After the University of Michigan made transition from a security force to a police department, he worked his way up through the ranks to deputy chief. He loves campus life. He farmed for a year, and then saw the opportunity in Hawaii. He likes warm islands. Although this is a new culture, people are friendly. He spent the first month getting to know staff, students, and the community and culture, and seeing what is needed to



move forward in terms of safety. He is talking to stakeholders and organizations.

What is his major challenge? Different individuals have different perspectives. The biggest challenge is balancing safety and security with openness and accessibility. A research university has to engage with the community. His job is to minimize opportunities for victimization and to prevent crime. Campuses are safe, but communities not always so. One challenge is access control to keep buildings both accessible and safe. Manoa has positive access control in the evening with booths, emergency call boxes, and dedicated and professional campus security staff. There are no major problems, but some regulatory issues.

Questions and discussion followed.

The escort service in the evening is good. Shidler is not locked after hours, is there a security plan? Specific buildings focus on community-oriented work, he is getting to know the buildings and people and specific challenges. He wants to come up with specific solutions, not just throw uniforms at problems; the focus is on problem-solving.

The parking structure is creepy at night, and a Senator would like to see people there. There is low rate of crime, but it doesn't feel safe. Lower campus has a similar concern. The Chief is still learning. If security and controls are not visible enough he can work on them.

It is dark by the College of Education, which seems to be forgotten since it is off campus, but children's events are held there. University of Michigan had campus night walks with community members to note what it looks like and what could or should be done, for example, lighting or trimming shrubs. Security will do the same here. Email concerns so they can be addressed.

Staff numbers (47 if fully staffed) are not enough for 24/7 coverage, so Security has to be strategic in their use. Security will work all days through the holidays. Enforcement of no smoking puts Security in a difficult position; they want a compassionate response and to ticket or cite only if needed. A similar policy at the University of Michigan led to lot of anxiety before implementation, but after security never got a call.

Community pressure was enough to get people to comply. Security will be part of the educational process, not confrontation. The Chief is okay with the policy, which has lots of latitude. Most people will figure out how to live with it.

6. BUSINESS

Motion to Endorse the Proposed Reorganization of Campus Services

Committee on Administration and Budget [Issue 16.14] - David Chin. Passed (42:1)

An all-you-can-eat pasta fund-raiser for the victims of typhoon Haiyan will be held at noon on December 6 in the Agricultural Sciences building. All are welcome.

Tobacco-Free Campus Policy Discussion - Ericson

Chair Ericson reported that the SEC met with the VCS and Chancellor Apple and expected a longer delay and more consultation regarding faculty housing, research vessels, vaping, and no smoke products. The Chancellor invited the Senate to help develop something quickly. The VCS thought the 2012 Senate motion was sufficient



consultation. The proposed policy, especially as regards enforcement, is different than what was discussed in 2012. We still need satisfactory consultation.

The tabled motion was brought to the floor. It was explained that the Senate can vote on the motion or table it again or postpone it. Discussion on the motion opened.

People die from lung cancer, but it is difficult to quit, and the policy shows little concern on its impact on people. It is too much, too fast. Manoa already has a policy forbidding smoking in buildings or close to doorways. A more gradual approach could include smoking areas. Changing too fast will drive smokers off campus, onto streets, such as Dole. Dole is not part of campus, but is City & County of Honolulu property - is UH responsible for maintaining it? People can smoke on the sidewalk. We need to have some exceptions, for example researchers still grow tobacco on campus and use it for research. Can we trust the Security Chief not to enforce the policy? Designated smoking areas undermine the initiative of this aspirational statement. The proposed policy sends a signal to stop smoking, but people can still smoke on Dole Street and other places. The proposed policy creates antagonism and does not encourage quitting; it simply outlaws smoking. Language about enforcement is in the policy for a reason. Smokers might hide in the bushes or on St. Francis School property. People need a safe haven that does not cause problems, and an opportunity to gradually reduce smoking. Department chairs have enough to do without going after smokers. The policy states, "May lead to citations or arrest." The entire enforcement section should be stricken. The resolution does not address the proposed policy directly, but is an objection to the policy as written.. It is better to change the resolution to support the policy and list sections to strike. Amendments need to be consistent with the purpose of resolution. A motion was made to table the resolution. A motion to bring back a tabled resolution can be made at any meeting. The Senate passed a motion at the last meeting to direct the SEC to work with administration, and the SEC needs time to work. The motion to table passed (34:19).

The SEC was asked to summarize concerns on current policy. The SEC has been collecting concerns pro and con and can try to summarize them. The SEC is still acting on the motion passed at the last meeting. Senators asked to see what is being negotiated and what is being advocated. This not yet known. What is the mechanism? A motion was made to strike all clauses related to enforcement. It was suggested to start at responsible administrator.

A motion was made to amend the previous motion to specify a deletion starting at "All staff" and ending at "manner". A Senator opposed the amendment because the policy says "may". It was suggested to keep the no retaliation section. That section may not be relevant if there is no reporting. People can still ask others to stop smoking, so they still need protection from retaliation.

The question was called. Passed (34:4).

The amendment was passed (24:18).

A motion was made to suspend the rules to allow a vote on the main motion at this meeting. This passed with



over two-thirds in favor (28:9).

The amended motion is to strike all clauses related to enforcement starting at “All staff” and ending at “manner”.

The main motion as amended was passed (29:12).

There are other areas of concern such as smokeless products, faculty housing, research on tobacco, and research vessels. The faculty housing contract states no smoking with 25 ft of buildings. The SEC was asked to provide a summary of other concerns. This will be posted on the Senate web site. Faculty were asked to continue to send issues, so SEC can negotiate and bring proposals back to the Senate.

7. SENATE COMMITTEE REPORTS - FALL 2013 [Informational] Available on Senate web site.

Committee on Academic Policy and Planning [PDF]

Committee on Athletics [PDF]

Committee on Research and Graduate Education [PDF]

Committee on Professional Matters [PDF]

7. ISSUES

8. ADJOURNMENT at 5:00 pm

Respectfully submitted by Halina Zaleski, Senate Secretary



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MOTION TO ACCEPT DECEMBER 4, 2013 MANOA FACULTY SENATE MINUTES



SUPPORT
OPPOSED
ABSTAIN