

**DELEGATION OF AUTHORITY TO IMPLEMENT  
THE ILLINOIS SMOKE-FREE CAMPUS ACT**

**Summary:** The Illinois General Assembly passed and Governor Quinn signed into law Public Act 098-0985 on August 18, 2014 creating the Act. The Act prohibits smoking on the property of State-supported institutions of higher education beginning July 1, 2015. The Act extends the current smoking prohibitions and established certain requirements for governing boards of higher education including: the appointment of a Community Task Force, notification to students, employees and the public, of the prohibition under the Act and the development and distribution of policies, procedures and rules to implement the Act.

**Recommendation:** The NIU Board of Trustees hereby delegates to the President of the University the authority to appoint a Community Task Force formed for the purpose of carrying out the responsibilities of State-supported institutions of higher education including but not limited to, notification to students, employees and the public of the prohibition under the Act and the development and distribution of policies, procedures and rules to implement the Act. The Board further delegates to the President the authority to establish and approve policies and procedures necessary for the implementation of the Act, to establish disciplinary and administrative procedures and standards for violation of the Act including fines.

The President shall periodically report to the Board the status of this effort and shall take any and all steps necessary to fulfill the purpose and intent of the Illinois Smoke-Free Campus Act.



## Northern Illinois University

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**TO: Chair and Members of the NIU Board of Trustees**

John R. Butler, Chair  
Marc J. Strauss, Vice Chair  
Wheeler G. Coleman, Secretary  
Cherilyn G. Murer, Immediate Past Chair  
Robert T. Boey  
The Honorable Anthony A. Iosco  
Paul Julion  
Robert T. Marshall, Jr.

**FROM:** Douglas D. Baker, President

**DATE:** Tuesday, September 09, 2014

**RE: Illinois Smoke-Free Campus Act**

**CC:** Dr. Lisa Freeman, Executive Vice President and Provost  
Bill Nicklas, Vice President, Operations and Community Relations  
Dr. Eric Weldy, Vice President, Student Affairs and Enrollment Management  
Jerry D. Blakemore, Vice President and General Counsel  
Gregory Brady, Deputy General Counsel, Administration and Governance  
Michael Mann, Assistant Vice President, Budget & Planning, Legislative Affairs

### **I. Purpose**

The purpose of this memorandum is to provide the NIU Board of Trustees information related to the new Illinois Smoke Free Campus Act ("Act") and to request the Board at its September 18, 2014 meeting authorize the President to take the necessary actions needed to meet the new requirements under the Act.

### **II. Background**

The Illinois General Assembly passed and Governor Quinn signed into law Public Act 098-0985 on August 18, 2014 creating the Act. The Act prohibits smoking on the property of State-supported institutions of higher education beginning **July 1, 2015**. The Act extends the current smoking prohibitions and established certain requirements for governing boards of higher education including: the appointment of a Community Task Force, notification to students, employees and the public, of the prohibition under the Act and the development and distribution of policies, procedures and rules to implement the Act.

### **III. Critical Requirements of the Act**

1. The Act requires that on or before **December 31, 2014** the University governing board ("Board") establish a community task force for the purpose of coordinating with community and campus leaders the implementation of the University's Smoke-Free Campus Policy. The governing board is required to coordinate with its respective Community Task Force a public education and notice program regarding the Act.
2. The Act requires certain notices to students, employees and the public. As part of the notice, "No Smoking" signs or the international "No Smoking" symbol must be clearly and conspicuously posted on each campus where smoking is prohibited.
3. The Act requires that the prohibitions on smoking be communicated to all students and employees of State-supported institutions of higher education on or before **May 1, 2015** and to each guest of a State-supported institution of higher education upon request.
4. The Act requires that each State-supported institution of higher education post on its internet website a smoke-free campus map indicating the locations where smoking is prohibited under this Act.
5. The Act requires that the governing board of each State-supported institution of higher education implement the Act and promulgate all policies and regulations necessary for this purpose, including, but not limited to, disciplinary action, fines, and an appeals process.

### **IV. Proposed Presidential Delegation**

The President recommends that the Board of Trustees delegate to the President the authority to appoint a Community Task Force whose responsibilities would be to fulfill the coordination functions outlined in the Act, that the Community Task Force recommend to the President policies, procedures and rules for the implementation of the Act and that the Task Force further recommend to the President what actions the University may take for violation of the Act, including but not limited to, disciplinary action, fines, and administrative procedures.

Finally the Task Force is charged subject to Presidential approval with the development of policies and procedures as well as penalties and rules for the implementation of the Smoke-Free Campus Act. The Task Force composition shall include, but not be limited to, Senior Cabinet representation (Academic Affairs, Law Enforcement, Environmental Health and Safety, Health Enhancement, Health Services, Community Standards and Student Conduct, HR/Employee Assistance) , Council of Deans representation, Community Representation (Law Enforcement, DeKalb County Health Department, business), and City of DeKalb and any other entities which the President deemed useful to fulfill the purpose of the Act.

### **V. Conclusion**

The Illinois General Assembly has passed and the Governor has signed into law legislation creating the Illinois Smoke Free Campus Act. The Act makes certain requirements of State supported institutions of higher education including Northern Illinois University. In order to meet the requirements of the Act, the President seeks authority from the Board to carry out the requirements of the Act. The attached Delegation of Authority outlines the proposed duties and responsibilities of the President.

Attachment: Delegation of Authority