



September 25, 2019

Dear School Partner,

Use of electronic cigarettes continues to be a [serious health issue](#) in Colorado and the nation. We are writing to provide you with resources to address nicotine [vaping, e-cigarette and other tobacco](#) use among Colorado youth. E-cigarette use is not safe, especially for young people. Nicotine is highly addictive and can harm brain development. The U.S. Surgeon General Dr. Jerome Adams declared youth e-cigarette use an [epidemic](#) and he encourages parents, teachers and lawmakers to take action to address this epidemic.

The following are immediate actions that schools can take to help reduce tobacco use:

1. Strengthen, Communicate and Enforce Tobacco Free Schools Policies:

Use of all tobacco products including vaping devices on school property is prohibited under Colorado's Tobacco Free Schools law. Schools should adopt and enforce a building or district level policy. Include a [progressive discipline](#) approach in your enforcement of the Tobacco Free Schools law. The [Second Chance](#) program is a free, in-school alternative to suspension program that now includes information about vaping products. For assistance visit: <http://rmc.org/news/constructing-effective-tobacco-free-schools-policy-training/> or contact RMC Health at: info@rmc.org.

2. Provide Reliable and Accurate Education about Vaping:

For classroom modules to help teens learn about the health effects of vaping and other tobacco use, see the Stanford University School of Medicine Toolkit: <https://med.stanford.edu/tobaccopreventiontoolkit/E-Cigs.html>

For a lesson plan, research activity, and infographic: www.scholastic.com/youthvapingrisks

For resources to help parents, teachers and coaches to talk about vaping: www.tobaccofreeco.org/know-the-facts

If you have staff interested in presenting workshops to teachers, staff, and parents/families on talking to students about vaping, contact RMC Health at: info@rmc.org

3. Promote Quitting among Students and Staff

Taking on nicotine addiction is tough. Administrators, educators and school health professionals should encourage use of proven programs to help students and staff get the support they need to be successful. For free web, text and phone support for youth who are seeking help for addiction to any form of tobacco, [visit www.coyouthquitline.org/](http://www.coyouthquitline.org/)

For free adult cessation services including quit medications (for ages 18 and up): enroll online at www.coquitline.org or over the phone at 1-800-QUIT NOW (1-800-784-8669).

4. Lend your voice to community efforts to reduce easy access to tobacco products among youth.

Tobacco and vape use among youth is a community problem that needs community solutions. The Colorado Department of Public Health and Environment issued a [Youth Vaping Health Advisory](#) that includes proven strategies to protect the next generation from easy access to nicotine products. The [Colorado Parent Teacher Association](#) recently passed a resolution on youth use of e-cigarettes. Please read the [position statement on electronic cigarettes](#) to learn about their continued efforts to deter youth tobacco use. We urge you to contact the local public health department in your area to lend your voice to community-wide efforts to address youth vaping and prevent tobacco addiction.

Sincerely,

The State Tobacco Education and Prevention Partnership
cdphe_stepp_pg@state.co.us



Tobacco Free Schools Enforcement Strategies

Use of all tobacco products including vaping devices on school property is prohibited under Colorado's Tobacco Free Schools law. Adopting a school building level policy can help ensure adequate communication and consistent and timely enforcement of the policy. Frequent communication—including prominently placed signage*, letters to parents, announcements made during school events and athletic activities—is the key to successful tobacco-free school district policy compliance.

All school personnel and students are encouraged to support the tobacco-free schools policy as a form of pride in their school and a support for the health of the entire school community. The actual enforcement of the policy and procedures can be designated to school leadership, typically the dean of students or counselor in each school.

The intent of tobacco-free schools policy is to promote the health and well-being of the school community; therefore, enforcement of the policy is designed to support health rather than punishment.

In Colorado, we know that youth who do not have an adult they feel comfortable speaking with, youth who feel unsafe at school, youth who experience economic instability, and youth who have mental health challenges are more likely than their peers to smoke and use nicotine products.

Furthermore, youth who receive disciplinary action (i.e. suspensions, expulsions) and are involved in the juvenile justice system are at higher risk of dropping out of school and further involvement in delinquency. There are inherent biases in our systems, as students with disabilities and students of color are generally suspended and expelled at higher rates than their peers¹.

Punitive procedures and discipline practices can contribute to youth disengaging from school and create the conditions for a negative school climate. Tobacco possession and use violations can be approached as a health issue rather than a school discipline / community violation issue. A progressive discipline approach allows students to remain in school and receive tobacco use education and cessation services.

Specific Strategies for Enforcement of Youth Tobacco Possession and Use

Schools are encouraged to use a tiered approach with increasing the intensity of the response to repeated violations and to adapt this list to meet school and community needs and concerns. Encourage students to make responsible decisions about the effects of tobacco use on their health and on others in their school community.

The following steps are progressive steps to address nicotine/tobacco use in the discipline approach. Please adjust enforcement based in [which substance/product](#) are being used:

Because it is illegal for youth to possess tobacco products on school property, it is recommended that at each level of the enforcement tobacco products are confiscated. However, schools should be aware that all tobacco/nicotine products are considered a hazardous waste, which has requirements/recommendations for safe store and disposal.**

- **First Violation**
 - a. School leadership confiscates tobacco product
 - b. Parent/guardian notification via telephone call of tobacco violation by school leadership/counselor and SRO (if applicable)
 - c. Conference with parent/guardian, student, school leadership, SRO (if applicable) regarding student/youth violation
 - d. Referral to school counselor/nurse for a holistic trauma-informed assessment (i.e. mental health, current coping tools, tobacco use behaviors), including offering tobacco prevention education including tobacco prevention education and [voluntary enrollment](#) in cessation program if student/youth is ready to quit

- e. Mandatory enrollment in and completion of Second Chance - online tobacco education program for youth
- **Second Violation**
 - a. School leadership confiscates tobacco product
 - b. Parent/guardian notification via written notice of tobacco violation and signed and returned to school
 - c. Referral to school counselor/nurse for a holistic trauma-informed assessment (i.e. mental health, current coping tools, tobacco use behaviors), including offering tobacco prevention education and [voluntary Enrollment](#) in cessation program if student/youth is ready to quit
 - d. Written assignment using guided questions regarding the underlying reasons they use tobacco, personalized support for addressing underlying causes, and motivations to quit.
 - e. Restorative justice / community service education program
- **Third Violation**
 - a. School leadership confiscates tobacco product
 - b. Parent/guardian notification via written notice of tobacco violation and signed and returned to school
 - c. Community service (e.g., cleaning up school grounds of litter or providing tobacco education to younger students) or referral to a mental health professional
 - d. Suspension from extra-curricular activities for a limited time
 - e. Referral to school counselor/nurse for assessment, including tobacco prevention education and [voluntary enrollment](#) in cessation program if student/youth is ready to quit.

If suspension is deemed absolutely necessary, such as in the case of a repeat offender who refuses to participate in other options, then alternative forms of suspension such as in-school suspension are preferable to out-of-school suspension.

Strategies That Do Not Work and Why Not

[Minor in Possession \(MIP\)](#) or “Possession, Use and Purchase” (PUP) laws are not an effective strategy to reduce youth tobacco use. Experts suggest that MIP/PUP laws detract from more effective enforcement and tobacco control efforts. These types of policies can have unintended consequences and are known to exacerbate tobacco-related disparities, disproportionately impact LGBT, African-American and Hispanic students, and shift the blame away from the tobacco industry and retailers onto youth². Therefore, we do not support these types of punitive policies.

Key Considerations Regarding Consequences

- All violations must be taken seriously and consequences implemented immediately
- Justification for consequences should be provided to the student and family
- Consequences must be fair, concise and consistently enforced
- Consequences must be in accordance with relevant school district codes of conduct and tobacco free schools policy

Skiba, R. J., Horner, R. H., Chung, C. G., Rausch, M. K., May, S. L., & Tobin, T. (2011). Race is not neutral: A national investigation of African American and Latino disproportionality in school discipline. *School Psychology Review, 40*(1). Retrieved from http://teachingisintellectual.com/wp-content/uploads/2019/05/Race_Is_Not_Neutral_A_National_Investigation_of_Af.pdf

* Contact your local public health agency for tobacco-free schools assistance and signage.

** Colorado Department of Public Health and Environment Customer Technical Assistance
 Hazardous Materials and Waste Management Division 4300 Cherry Creek Drive South
 Denver, Colorado 80246-1530
 Phone: Toll-free (888) 569-1831 ext. 3320 or (303) 692-3320
 Website: www.colorado.gov/cdphe/hm
 E-mail: comments.hmwmd@state.co.us



COMBATING VAPING AMONG COLORADO'S YOUTH

The most recent Youth Risk Behavior Survey from the Centers for Disease Control and Prevention (CDC) shows that Colorado leads the nation in youth use of vapor products, known as vape or e-cigarettes.¹ These products have become increasingly popular: one in four Colorado high school students vape.² What our kids inhale from JUUL, a vape product that looks like a USB flash drive, and other e-products is not harmless water vapor. These products almost always contain nicotine,³ even if the label doesn't say so.



The 11 local communities in Colorado with some form of a license have fewer illegal sales to minors than communities without a license.

Nicotine, the addictive substance in vape and cigarettes, affects the developing brain.

One in three Colorado high school students reports using tobacco products, and the vast majority of those vape.²

- Youth who vape are at risk for long-lasting effects of exposing their developing brains to nicotine. These risks include nicotine addiction, mood disorders and permanent lowering of impulse control.⁴
- Nicotine also changes the way synapses (connections between brain cells) are formed, which can harm the parts of the brain that control attention and learning.⁴
- Teens who vape are more likely to start smoking cigarettes or cigars,⁵ products that kill up to half of their lifetime users.
- Kids don't realize vape products almost always contain nicotine.⁶ While nearly all teens know smoking cigarettes is unhealthy, fewer realize vape products are unhealthy.²
- Vapor products expose bystanders to air pollutants that are not safe to breathe. These can include cancer-causing chemicals, heavy metals and nicotine.⁵



"Local and state politicians should ...take swift action. They should combat this latest menace that threatens the health of our youths and the quality of our future."

Colorado Springs Gazette editorial board

WE NEED TO TAKE ACTION TO PROTECT THE NEXT GENERATION FROM THE EFFECTS OF NICOTINE ADDICTION.

There are several proven policy solutions that address this emerging health issue.

1. Extend the existing excise tax on tobacco products to vaping products and e-cigarettes, or impose a fee on these products.

Colorado imposes an excise tax of 40% of the manufacturer's list price on non-cigarette tobacco products, but this tax does not apply to vaping devices and vaping liquids. Higher prices are one of the most effective tools to discourage tobacco use and encourage quitting.

Youth are particularly sensitive to price increases. A 10% increase in the

price of e-cigarettes has been estimated to reduce sales of disposable e-cigarettes by 12% and reusable products by 19%.⁴

2. Require a license for all retailers of tobacco products, vaping products and e-cigarettes.

Colorado licenses retailers of other age-restricted products, like marijuana and alcohol. Although Colorado was among the first states to pass a law banning the sale of e-cigarettes to youth, it is one of only 12 states that does not license tobacco retailers.⁷ Without a statewide license, tobacco retailers who sell to minors can continue to sell tobacco and vaping products even

COMBATING VAPING AMONG COLORADO'S YOUTH

after violating Colorado law.

The City of Fountain has had 0 violations of their non-cigarette tobacco retail license for more than 2 years. Strategies that reduce illegal sales to youth also reduce social sources, such as friends and family.⁸

3. Require internet retailers who sell vaping products to implement age verification procedures, billing and shipping address matching and the use of mail carriers that offer point-of-delivery age verification.

Federal law requires that mail carriers must verify the age of individuals receiving packages of tobacco products. However, this requirement does not apply to e-cigarette and vaping products, making it possible for youth in Colorado to obtain these products without an age check.

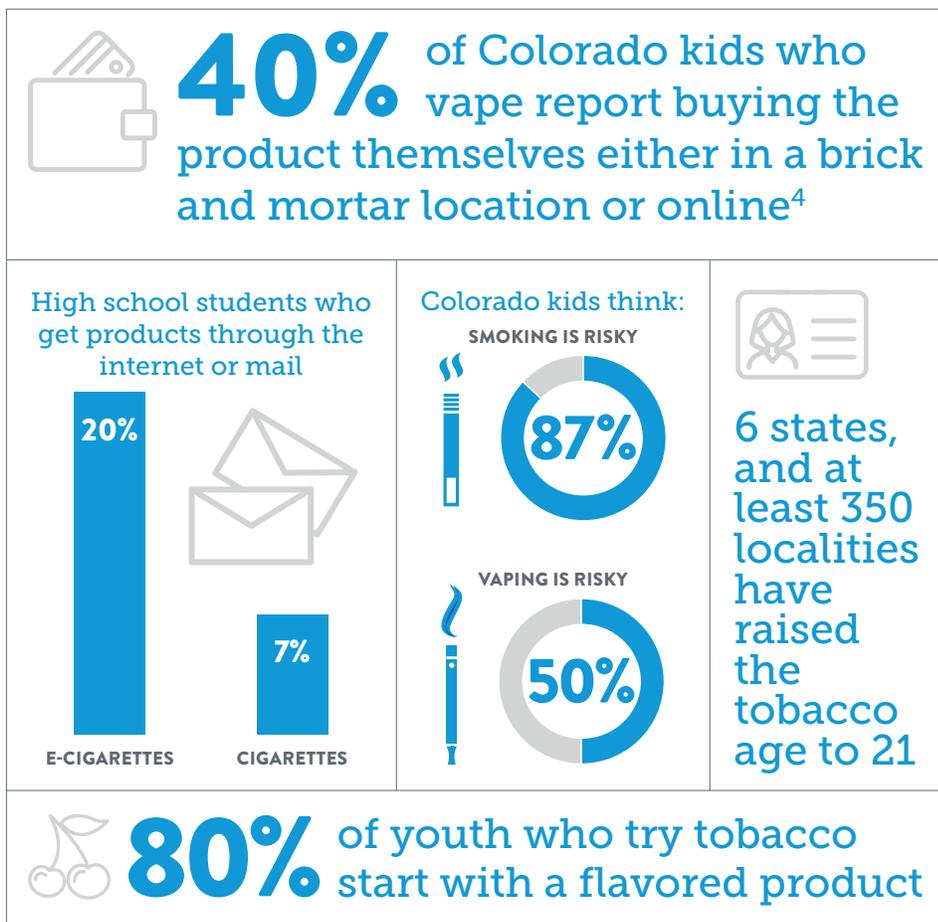
4. Prohibit vaping indoors.

The Colorado Clean Indoor Air law does not prohibit vaping in indoor public places. Although state government buildings and at least 25 local communities have passed policies to do so, there is no statewide protection for workers or the public.

Vape products produce air pollution that is unsafe to breathe.⁵ Including these products in the smoke-free laws would ensure workers have clean air. Banning indoor vaping reduces youth use by maintaining the tobacco-free social norm established for cigarettes and making vaping harder.^{4,9}

5. Raise the minimum sales age for tobacco and e-cigarette products to 21.

Coloradans must be 21 to purchase alcohol or marijuana, but only 18 to purchase



tobacco and vaping products. However, the toll that tobacco places exceeds the toll from these other products.

In Colorado, Aspen, Basalt, Carbondale and Avon have raised the purchasing age to 21. When California raised the age of tobacco sale to 21, illegal sales to under 18s were cut nearly in half. The law is accompanied by a strong statewide retailer license and education system, which is essential to ensuring it is enforced.

6. Prohibit the sale of flavored tobacco and vaping products.

Colorado doesn't restrict the sale of flavored tobacco and vaping products. Six states and several communities have banned the sale of flavored tobacco products, including vape.¹⁰ E-cigarettes come in flavors like gummy bear, cotton candy, and fruit punch, and 81% of youth who vape do so because they come in flavors that appeal to children.

1. Centers for Disease Control and Prevention. 2017 *Youth Risk Behavior Survey Data*. Accessed on 10/18/2018.

2. *Healthy Kids Colorado Survey, 2017*.

3. Kristy L. Marynak, Doris G. Gammon, Todd Rogers, Ellen M. Coats, Tushar Singh, Brian A. King, "Sales of Nicotine-Containing Electronic Cigarette Products: United States, 2015", *American Journal of Public Health* 107, no. 5 (May 1, 2017): pp. 702-705.

4. U.S. Department of Health and Human Services. *E-Cigarette Use Among Youth and Young Adults: A Report of the Surgeon General—Executive Summary*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

5. National Academies of Sciences, Engineering, and Medicine. 2018. *Public Health Consequences of E-cigarettes*. Washington, DC: The National Academies Press.

6. Willett JG, Bennett M, Hair EC, et al Recognition, use and perceptions of JUUL among youth and young adults *Tobacco Control* Published Online First: 18 April 2018. doi: 10.1136/tobaccocontrol-2018-054273

7. Centers for Disease Control and Prevention. *State Tobacco Activities Tracking and Evaluation system*. (2018). <https://chronicdata.cdc.gov/Legislation/STATE-System-Licensure-Fact-Sheet/uev9-5sp9>

8. U.S. Department of Health and Human Services. *Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012.

9. U.S. Department of Health and Human Services. *The Health Consequences of Smoking - 50 Years of Progress: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.

10. Tobacco Control Legal Consortium. *U.S. sales restrictions on flavored tobacco products*. <http://www.publichealthlawcenter.org/sites/default/files/resources/US-Sales-Restrictions-Flavored-Tobacco-Products-2017.pdf>. Accessed April 18, 2017.

COLORADO PTA POSITION STATEMENT ON ELECTRONIC CIGARETTES

Colorado PTA supports legislation and/or local regulation to increase the age of legal purchase of all tobacco products to 21, to prevent the selling of these products to underage individuals, to tax vaping products in a manner similar to combustible cigarettes, and to encourage the elimination of advertising and marketing of such products to children and youth.

Furthermore, Colorado PTA supports education and increasing awareness to deter the use of Electronic (E-) cigarettes by children and youth and encourages parents, guardians, and trusted adults to take an active role in the prevention of using such products by children and youth.

Rationale:

There have been several major studies showing the negative effects of using E- Cigarettes by children, youth, and young adults. In addition to a high rate of nicotine addiction in these age-groups, there is an increased likelihood of becoming long-term users of combustible cigarettes and using other mind-altering drugs. Irreversible lung damage can also occur. The use of E-cigarettes by children and youth has risen at an alarming rate in Colorado.

The U.S. Surgeon General, American Academy of Pediatrics, Centers for Disease Control, American Heart Association and other organizations have provided evidence-based warnings against the use of E-cigarettes by youth and young adults.

It is a known fact that nicotine, toxins, carcinogens, and other components of E-cigarette aerosol are harmful to humans and can adversely affect adolescent brain development. One cartridge or pod in the popular E-cigarette called JUUL contains the nicotine content of an entire pack of combustible cigarettes. With the availability of a variety of flavors that are very appealing to youth, the ability to discreetly use the vaping devices, and hip vaping paraphernalia marketed by the vaping industry, these devices are highly attractive to youth.

References:

- National PTA Resolution Electronic Cigarettes and Electronic Nicotine Delivery Systems (ENDS) and Youth
- Colorado PTA Parent Information Sheet E-Cigarettes Posing Health Danger to Children
- [E-cigarette Advertising Exposure, Explicit and Implicit Harm Perceptions, and E-cigarette Use Susceptibility Among Nonsmoking Young Adults](#) Journal: Nicotine and Tobacco Research Published: February 2018- republished January 2019
- [Notes from the Field: Use of Electronic Cigarettes and Any Tobacco Product Among Middle and High School Students — United States, 2011–2018](#)
- Journal: CDC Morbidity and Mortality Weekly Report Published Nov 16, 2018 <https://e-cigarettes.surgeongeneral.gov/knowtherisks.html#risks>
- [Healthy Kids Colorado Survey Results Infographic](#)
- <https://www.cdc.gov/features/ecigarettes-young-people/index.html>
- https://www.cdc.gov/tobacco/basic_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html : (August 2018)
- N Engl J Med 379;12 nejm.org September 20, 2018 Adolescents' Use of "Pod Mod" E-Cigarettes — Urgent Concerns by Jessica L. Barrington-Trimis, Ph.D., and Adam M. Leventhal, Ph.D.