

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 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.

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