MENLO PARK CITY SCHOOL DISTRICT
RESOLUTION NO. 19.20.08

DECLARING PUBLIC HEALTH EMERGENCY NEEDING ACTION NOW: EPIDEMIC YOUTH USE OF E-CIGARETTES

WHEREAS, tobacco use remains the leading cause of preventable death in the US, killing more than 480,000 people each year; and

WHEREAS, youth e-cigarette use in the United States has skyrocketed to what the U.S. Surgeon General and the FDA have called “epidemic” levels.¹; and

WHEREAS, newly released data from the 2019 National Youth Tobacco Survey (NYTS) shows that e-cigarette use among high school students more than doubled from 2017 to 2019, to 27.5 percent of students, or more than 1 in 4 high schoolers.² Altogether, 5 million middle and high school students used e-cigarettes in 2019 – an increase of nearly 3 million users in two years.³ Another national study showed that e-cigarette use among 8th, 10th and 12th graders has more than doubled in the past two years⁴; and

WHEREAS, flavored tobacco products have fueled youth tobacco use. Flavors improve the taste and mask the harshness of tobacco products, making it easier for kids to try the product and ultimately become addicted. There is conclusive evidence that flavors – of which there are over 15,000 available - play a key role in youth initiation and continued use of tobacco products. In fact, over 80 percent of kids who have used tobacco started with a flavored product⁵,⁶; and

WHEREAS, the availability of inexpensive tobacco products leads to increased tobacco use as evidenced by more than one hundred academic studies that conclusively show that when tobacco products are made more expensive, fewer people use tobacco, fewer initiate tobacco use, and more people quit tobacco use. Youth under 18 are particularly responsive to changes in tobacco prices. In the Cities of Hayward and Union City, which adopted ordinances requiring a minimum pack size of five for cigars, the tobacco industry has responded by selling packs of five or six for one dollar or less in those cities, making it important to set minimum prices; and,

WHEREAS, by selling tobacco products, pharmacies reinforce positive social perceptions of smoking, convey tacit approval of tobacco use, and send a message that it is not dangerous to smoke; and

WHEREAS, the marketing of these products appeal to teens; and accessibility of these products within self-service displays at retailers, social media promotion from retailers, and coupons, discounts and other promotional materials make these products more available; and

WHEREAS, in nearby Santa Clara County, the Tobacco survey, which was funded by the Santa Clara County Public Health Department, found that “13.2% of Santa Clara County teens reported using e-cigarettes in the past month, meaning they were counted as current users…82.3% of teens currently using tobacco reported using a flavored product: use of flavored products was widespread across all tobacco products and all demographic categories…And more than 2 in 5 teens – 45.4% -- reported purchasing their own e-cigarettes, with over a quarter of this group saying they buy them directly from a local store. Among those who purchased e-cigarettes in a local store, 62.5% purchased them at a vape shop”⁷; and

WHEREAS, 76% of tobacco retailers located within 1000 ft of schools in San Mateo County sell flavored tobacco products other than menthol cigarettes and nearly all sell menthol cigarettes; and

WHEREAS, tobacco use rates are affected by where tobacco retailers are located and how concentrated, or dense, they are in a given area. Increased availability of tobacco products is associated with increases in both youth and adult smoking rates, even when other neighborhood factors like racial
composition and socioeconomic status are taken into consideration. In particular, studies have consistently shown that children are more likely to smoke when they live or go to school in neighborhoods with a high density of tobacco retailers; and

WHEREAS, local jurisdictions in California have the authority to enact regulations on the sale of tobacco products through local tobacco retail licensing in an effort to decrease availability and use of tobacco products by youth, including restrictions on the sale of flavored tobacco products (including electronic smoking devices and menthol cigarettes), establishing maximum thresholds of tobacco retailer densities, establishing distance requirements near schools and other youth-sensitive areas; and

NOW THEREFORE IT BE RESOLVED, the Governing Board of the Menlo Park City School District supports action by the Town of Atherton and the City of Menlo Park and the County of San Mateo, under their regulatory authority, to restrict the sale of tobacco products in order to prevent youth access and take urgent action to:

1. prohibit the sale, manufacture, and distribution of flavored tobacco products;
2. prohibit the sale, manufacture, and distribution of e-cigarettes and electronic vaping devices;
3. prohibit the sale of tobacco products in pharmacies;
4. set a minimum price and minimum pack size for sale; and
5. restrict the marketing (including social media marketing), product placement, coupons and promotional materials, and self-service displays of tobacco products in and from retailers; and
6. reduce the concentration and density of tobacco stores, particularly near schools and other youth-sensitive areas.

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7 “Tobacco Use among High School Students in Santa Clara County: Findings from the 2017-18 California Student Tobacco Survey” California Student Tobacco Survey, by Shu-Hong Zhu, PhD, Joan Lee, BS, Yue-Lin Zhuang, PhD, Katherine Braden, MPH, Adam G. Cole, PhD, Anthony Gamst, PhD.
PASSED AND ADOPTED by the Board of Education of the Menlo Park City School District, City of Atherton, County of San Mateo, State of California, on October 24, 2019 by the following vote:

AYES: ________________________________  NOES: ____________________________

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ABSENT: ________________________________

ATTESTED:

_________________________________________  DATE: __________________________

Erik Burmeister, Superintendent/Secretary to the Board