

Policy Surveillance Report

February 2015

Tobacco Policies in King County School Districts King County, Washington

About public health policy reports:

Public Health – Seattle & King County monitors the local policy environment to identify what policies are in place, how they vary across jurisdictions and institutions, and to identify opportunities for further policy development or research. This report is part of an occasional series. See our online [LawAtlasSM Policy Tracker](#) for additional reports and interactive policy maps and to download the protocol, data, and codebook.

Background

Eight out of 10 smokers start smoking before they turn age 18.¹ In King County, around 12,000 school-age kids used some form of tobacco in 2012.² The younger a person is when they begin using nicotine, the more likely they are to become addicted.¹

Washington state law prohibits the use of all tobacco products on public school property and requires each school district board of directors to have a written policy prohibiting tobacco product use on public school property (RCW 28A.210.310), with minimum specific policy components.

This report examines tobacco and nicotine-related school district policies of all 19 school districts in King County, Washington, and includes:

- Dedicated tobacco/nicotine related policies and procedures,
- Disciplinary penalties,
- Athletic policies,
- Advertising and sponsorship policies,

- School dress code, and
- Staff manuals that may cover tobacco/nicotine possession, use and exposure to tobacco products.

This report is focused solely on the formal policy and procedures at the district level and does not capture individual schools' enforcement, sanctions, or any resources provided to tobacco users to quit, all of which may go above and beyond written policy. The extent of or variation in implementation of these policies requires further analysis.



Findings

Scope of Research

School boards have authority to limit tobacco/nicotine use beyond state law requirements. This report analyzes the types of tobacco/nicotine use standards included in board policy. Additionally, districts have latitude to add policies on alternatives in lieu of disciplinary actions (called “alternatives to suspension” or ATS), education about tobacco harms, and restrictions on tobacco sponsorship/advertising. This report shows variation in district policy approaches to these objectives. Differential policy language could result in disparities in tobacco/nicotine use and educational outcomes by race, ethnicity and geographic locations. In 2008, the Puget Sound Educational Service District 121³ began providing technical assistance to districts to strengthen tobacco-related policies.



- Almost all districts’ policies (17 of 19) follow state law requiring tobacco bans on campus and in district vehicles, with sanctions for violation.
- Thirty percent of students are covered by policies that also prohibit tobacco use at off-campus school sponsored events.

Policy Coverage/Reach

King County is home to 19 public school districts, with 274,025 students enrolled in elementary through high school. In 2014, all school districts in King County have policies prohibiting tobacco and/or nicotine product use and/or possession, as required by state law. However, the universe of coverage and specific key policy components vary.

For instance:

Summary of Key Findings

- Seventy percent of all King County public school K-12 students attend schools in districts with tobacco/nicotine policies and procedures that allow for “alternatives to suspension” (ATS, which may include education, treatment, cessation services for tobacco) and many districts mandate ATS for first violations. Yet more explicit policy language regarding tobacco cessation support exists in fewer than half of district policies.
- Slightly more than 70% of King County students are covered by policies explicitly addressing electronic smoking devices (“e-cigarettes” and similar products), which is important given the rise in popularity among youth and a ban on sales to those in Washington state.
- Nearly three quarters (70%) of students (198,989) are covered by a policy around e-cigarettes or similar devices.
- However, three quarters (75%) of students *are not* covered by policies prohibiting tobacco use at *off-campus school sponsored events*.
- Tobacco cessation also *is not* routinely called out in policy as a resource for violators. Fewer than half (41%) of students’ districts have a policy with an official referral to a tobacco intervention program, counselor or community agency, and only one in three student violators is *required* by their policy to enroll in a tobacco cessation program.
- Sixty percent of student violators are covered by a policy that requires an alternative to a suspension (ATS) on a first violation.

- Only 2% of all students are covered by a policy with comprehensive explicit language preventing tobacco/nicotine on school grounds, at off-campus school-sponsored activities, in personal cars on school property, and in official cars—100% tobacco free.
- None of the other districts have a policy that is explicitly 100% tobacco free, defined as not allowing tobacco/nicotine use by all visitors, staff, students on campus, at events off-campus and in all vehicles (both district and private) on campus.
- Less than half of King County districts have a policy mandate to evaluate implementation of the tobacco or substance-abuse policy.

Tobacco/Nicotine Products Findings

Tobacco products include both smoked and various smokeless forms (such as chew, snuff).⁴ National and local data show an increase in newer electronic smoking devices used by school-aged youth.

Smoked and Smokeless

Fourteen districts explicitly prohibit both smoked and smokeless tobacco products in their policies.

Electronic Smoking Devices

King County’s Board of Health (KCBOH) bans



Standard E-Cigarette



Vape Pen



E-Liquid (nicotine)

use of electronic smoking devices (KCBOH Code 19.12) in locations where smoking is banned under the state Clean Indoor Air and Smoking in Public Places law (Chapter 70.160 RCW), including public enclosed places and places of employment. The KCBOH code also restricts selling of electronic smoking devices

and nicotine delivery products not approved by the Food and Drug Administration (FDA) to minors under age 18.

Districts’ policies vary widely in their definition of electronic smoking devices. See Appendix A for sample language by district.

In 2014, electronic smoking devices are explicitly restricted by policy in 12 districts (Auburn, Bellevue, Enumclaw, Federal Way, Highline, Issaquah, Northshore, Renton, Riverview, Seattle, Tahoma and Tukwila).

Areas of Restriction Findings

All 19 districts restrict tobacco use on all school district property, defined as buildings, grounds, vehicles (including buses), facilities and other structures or items which are owned or leased by the district.

Three districts (Federal Way, Mercer Island and Snoqualmie) further explicitly restrict tobacco use at school or district-sponsored events both on and off-campus, at all times.⁵ Two districts (Lake Washington and Mercer Island) explicitly restrict tobacco use in private vehicles on school property. Two districts (Federal Way and Shoreline) prohibit tobacco use “within line of sight” or adjacent to the school, such as at public bus stops or at other visible areas.

Tobacco Sponsors/Advertising Findings

Seventeen districts prohibit tobacco advertising, but only two (Mercer Island and Snoqualmie) provide detail in the tobacco policies about what this covers.

Explicit policy language on student dress, disallowing wearing of tobacco-related clothes, is included in nine policies (all in South or East King County).⁶ Fifteen districts prohibit tobacco advertising in student publications. Seattle is the sole district with a policy that explicitly prohibits tobacco sponsorship of school activities/events/organizations.

Discipline and Treatment of Tobacco Addiction Findings

Sanctions—General

Almost all (17 of 19) district tobacco policies specify that violation of the policy will require sanctions, consistent with what is required by state law. Two districts, Lake Washington and Renton, do not. Most sanctions are listed in other policies and procedures, such as the student handbook, not the tobacco policy.

Suspension and expulsion for student violation of tobacco use policy

Suspension/expulsions remain a primary discipline option for many districts for many types of violations of student codes or conduct, including tobacco use/possession.

- Suspensions are permitted for tobacco violations in 17 school districts.⁷
- Thirteen districts permit suspension for tobacco on the first violation. Note that many districts also allow use of “Alternatives to Suspension” (see chart below) for first violation.
- Of the 13 districts in King County that permit suspension on first violation, seven permit suspension for all grade levels.
- Because tobacco use rates are higher in South King County, we looked specifically at policies in those school districts.⁸ Of the eight South King County school districts, all eight permit suspension on first violation.

- Expulsions for tobacco violations are technically permitted in three school districts (Enumclaw, Riverview, and Tahoma).

Multiple violations of policy may subject student to progressive discipline

Seventeen districts have progressive discipline in place for repeat violations. Progressive discipline is defined as using increasingly severe steps or measures upon repeated misconduct. Mercer Island does not, but its policy requires that all violations are subject to Alternatives to Suspension (ATS).

Alternatives to Suspension (ATS)/ Cessation and treatment

Alternatives to Suspension (ATS) are an increasingly recommended practice for school districts, as evidence shows that exclusionary discipline increases student disengagement (both social and academic), most students don’t receive educational services during exclusionary discipline, and there is a disproportionate impact on students of color and youth living in poverty, in addition to having a wide range of variation between Washington school districts.⁹ ATS includes a range of consequences related to student behavior that are more responsive to the situation, such as tobacco education and referral to counseling and cessation services. Table 1 shows that 16 districts have policies and procedures on tobacco-focused ATS. Nine districts have mandatory ATS on a student’s first violation of tobacco policy, and four others offer it as an option. Ten districts offer ATS at all grade levels. Seven (Auburn, Federal Way, Renton, Riverview, Snoqualmie, Tahoma, Tukwila) may suspend on first tobacco



TABLE 1. Tobacco-focused ATS policy, by school district and grade level

SCHOOL DISTRICT	ATS POLICY	ELEMENTARY	MIDDLE SCHOOL	HIGH SCHOOL	REQUIRE ATS ON FIRST VIOLATION	SCHOOL ENROLLMENT ¹⁰
Auburn School District						14,987
Bellevue School District						19,085
Enumclaw School District						4,386
Federal Way School District						21,130
Highline School District						18,826
Issaquah School District						18,729
Kent School District						27,484
Lake Washington School District						26,147
Mercer Island School District						4,357
Northshore School District						20,653
Renton School District						15,135
Riverview School District						3,303
Seattle School District						51,918
Shoreline School District						9,054
Skykomish School District (Sanction data not available)						37
Snoqualmie School District						6,402
Tahoma School District						7,837
Tukwila School District						3,000
Vashon Island School District						1,555

violation but allow tobacco education and referral to counseling and cessation services to decrease the suspension time.

Ten districts include tobacco education/diversion as part of the ATS program. Five include enrollment in tobacco cessation treatment/counseling. Six require official referral to prevention-intervention specialist, counselor or community agency, and five require the student to follow the identified course of action.

Tobacco Prevention Education Findings

Thirteen districts require some level of tobacco prevention education for students, whether or not in violation of the policy. Of these, 12 require education for all grades. Two districts (Highline and Tukwila) require teachers to receive training for tobacco prevention curricula.

Communication/Evaluation/Enforcement Findings

Communications with students/parents/visitors/staff

Twelve districts have tobacco policies that give authority to the Superintendent to determine communication and notifications requirements. All school districts, with the exception of Renton, specify how the policy should be communicated. Eighteen district tobacco policies require signage, per state law. Seventeen of the eighteen districts that require signage, however, do not specify where signage is required. One district (Kent) requires signage in school vehicles.

- Fifteen districts require notification of tobacco/nicotine policies in student and employee handbooks.
- Two (Lake Washington and Shoreline) require parental notification about tobacco policy.

Explicit language around equitable enforcement

One district (Mercer Island) specifically calls out an equitable enforcement requirement in their tobacco policy, suggesting that all students be treated equitably in the policy’s implementation across schools in the district. Although not specific to tobacco, a recent report on 177 school districts in WA showed Native Hawaiian/Pacific Islanders, American Indian/Alaska Natives, and African Americans were more than twice as likely to be disciplined than their white peers.¹¹

Evaluation of tobacco-related policies

Less than half of the districts (eight of 19) require either the tobacco or substance abuse policy (with tobacco language) to be evaluated for effectiveness, although 13 have language requiring the Superintendent to address the “scope, cause, and effect” of tobacco and nicotine use in their district.

Non-Student Sanction Findings

Sanctions for visitors

Only six districts specify sanctions for visitors in violation of the policy. Of these, four may remove visitors from campus. Five districts include other sanctions, and one district does not specify sanctions for visitor violations.

Sanctions for staff

Seventeen of 19 districts’ policies note sanctions for staff in violation. Of these,

- Five offer potential discipline,
- Three progressive discipline,
- Three intervention/cessation options,
- Seven districts offer other sanctions, and
- Nine do not offer details about sanctions.

It is unknown how violation may be treated in personnel requirements separate from the tobacco policy.¹²

District Policy Rationale Findings

Where policy language is unclear or vague,

the board or Superintendent’s stated policy rationale may be utilized in understanding the district’s intent. Formal rationale exists in 18 districts’ policies. Two of these reference the same rationale included in state law. Overall, policy rationale varies and ranges from: Protect from tobacco use impacts (15 districts), role modeling (14 districts), protect from second hand smoke impacts (four districts), provide a healthy working environment (one district). Eleven districts implemented the language of the Washington State School Director’s Association (WSSDA), while eight developed their own statement of intent.

Methods

School districts in King County were identified through the Office of Superintendent of Public Instruction (OSPI). Nineteen school districts were located primarily within King County. Model policy language proposed by the National Public Health Law Center was reviewed, along with sample tobacco policy documents and policy improvement checklists provided by the PSESD. Based on model policy review and consultation with experts on tobacco policy, we developed a set of 51 questions to guide our policy investigation and code for analysis.

Using pre-set search terms, we collected school board policies in effect in August 2013 and August 2014 from each of the 19 school district websites. When tobacco policies were not clear on sanction language, we collected other procedure documents. We test-coded a sample of policies to confirm that question language was appropriate, made necessary revisions, and proceeded to code the remainder of the policies. Inter-rater reliability testing was conducted, with a resulting score of 80% agreement. Divergences were discussed and addressed by again revising questions for clarity, and the agreed-upon

codes were entered into the LawAtlasSM system. The resulting LawAtlasSM webpage displays a subset of the 51 questions, chosen on a perceived level of stakeholder interest, and allows a user to manipulate a map of King County using a set of queries. The entire dataset (coding for all 51 questions), codebook, protocol and summary of K-12 tobacco-related policies is available at www.kingcounty.gov/health/PolicyTracker.

We used May 2014 school enrollment numbers from OSPI to calculate the reach of various policies.

Conclusions

Districts in King County follow minimum state law requirements in most areas, and cover both smoked and smokeless tobacco. However, with the evolution of new products with nicotine, almost 30% of districts have not yet caught up to the market in explicitly prohibiting electronic smoking devices (“e-cigarettes”) on and off campus and in district vehicles. The variety of definitions of e-cigarettes may be due to the fact that state law lacks both a uniform definition of these products and a clear requirement about what school boards must address. For districts without direct references to e-cigarettes in their policies, we do not know if e-cigarettes are treated the same as other tobacco products in policy implementation. Similarly, additional research would be necessary to understand if smokeless products are treated the same as smoked products for districts where policies do not cover smokeless tobacco.

Districts do appear to be addressing student tobacco use as an addictive behavior by requiring tobacco prevention education for all students and allowing for alternatives to suspension as a way to support students’ efforts to quit, with nearly all districts having such a policy. However, policy language is often vague; only a third of districts explicitly

articulate in policy the types of programmatic approaches to help students quit or have policy language requiring students to follow the course of action. Suspensions are still widely allowed, but this policy review did not reveal the degree to which suspension is actually used for tobacco violations.

Many districts appeared to modify or adopt the WSSDA model policy in its entirety, pointing to the importance of working with and through state or regional associations to support school district policy development efforts. Districts do not always have sufficient legal drafting expertise to develop policies to comply with state or Federal Law and rely on professional associations for support. WSSDA’s policy mirrors state law requirements, and very few districts have gone beyond state law with more explicit language covering off-campus areas or non-district vehicles on campus.

We do not know what kinds of evaluation are underway in the eight districts with policies requiring evaluation, or whether regular evaluation is occurring in other districts that do not include language around required evaluation.

In summary, language in tobacco/nicotine policy, sanctioning for policy violation, and specificity of prohibited places varies considerably across King County. Some policies are fairly simple; others are more exhaustive with policy contained in multiple types of policies and procedures. Recognizing that implementation may differ from policy language (and that only one district requires equitable implementation), qualitative assessment would be needed to discover a) how policies are implemented in individual districts and schools, b) how uniformly policies are applied among student populations, and c) how effective ATS policy is as a vehicle for decreasing King County student tobacco use.

Acknowledgements

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References

- ¹ National Survey on Drug Use and Health, 2011, <http://www.icpsr.umich.edu/icpsrweb/SAMHDA/>.
- ² Healthy Youth Survey, Washington State Department of Health, 2012, grades 8, 10, 12.
- ³ The Office of Superintendent of Public Instruction's (Washington State's department of education) regional arm.
- ⁴ Electronic smoking devices come in a variety of styles and names that include e-cigarettes, e-hookah, vape pens, and personal vaporizers. Most of these products resemble cigarettes, cigars, or pipes. These devices operate by vaporizing a solution containing nicotine, flavors and other chemicals that is inhaled by the user. Many of these products allow the user to refill the spent cartridge with liquid nicotine, otherwise known as e-liquid or e-juice. E-cigarettes are currently unregulated as of this report, though the Food and Drug Administration is in the process of seeking authority to regulate. There are multiple concerns about use of e-cigarettes in both adults and youth; for youth, concerns include negative effects of nicotine on brain development in adolescence and aggressive marketing and placement near candy in convenience stores, as well as flavorings that appeal to youth. King County Tobacco Prevention Program, <http://www.kingcounty.gov/healthservices/health/tobacco/facts/ecigs.aspx>, accessed 10/2014.
- ⁵ Seattle and Tukwila restrict use but do not specify timeframe.
- ⁶ Auburn, Bellevue, Enumclaw, Kent, Mercer Island, Renton, Tahoma, Tukwila, Vashon Island.
- ⁷ No sanction data was available for Skykomish School District.
- ⁸ South King County Districts are: Auburn, Enumclaw, Federal Way, Highline, Kent, Renton, Tahoma and Tukwila.
- ⁹ Reclaiming Students: The Cost of Exclusionary Discipline in WA State http://media.wix.com/ugd/4569ed_e44ccb42cff21777ea479f4125d347df.pdf, last checked 11/2014.
- ¹⁰ District population is the number of students enrolled in the district as of May 2014. www.ospi.k12.wa.gov/reportcard, last checked 10/1/2014.
- ¹¹ Racial Equity and Data: Creating Opportunities for All Students to be Successful; <http://121psed.org/2014/09/15/racial-equity-and-data-creating-opportunities-for-all-students-to-be-successful/>, last checked 11/2014.
- ¹² Personnel policies were inconsistently available and were therefore not evaluated.

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◆ Appendix A ◆ Policies on Tobacco in School Districts ◆ King County, WA ◆ 2015

Actual language	Auburn	Bellevue	Enumclaw	Federal Way	Highline	Issaquah	Kent	Lake Washington	Mercer Island	Northshore	Renton	Riverview	Seattle	Shoreline	Skykomish	Snoqualmie	Tahoma	Tukwila	Vashon Island
"any other lighted smoking equipment or material"								x											
"any other smoking equipment, device, material or innovation"			x		x								x					x	
"any other tobacco innovation"	x	x				x				x	x	x					x		
"any other tobacco-related products or paraphernalia"								x											
"devices that produce same flavor or physical effect of nicotine substances"	x	x	x		x	x				x	x	x	x					x	
"includes/not limited to"	x	x	x		x	x					x		x				x	x	
"lit or unlit"									x										
"non-prescribed inhalers"			x		x													x	
"vapor pens"			x		x													x	
bidi									x										
blunt									x										
chemicals	x	x				x				x	x	x	x				x		
chew									x										
chewing								x											
cigarettes	x	x	x		x	x		x	x	x	x	x	x				x	x	
cigars	x	x	x		x	x		x		x	x	x	x				x	x	
clove cigarette									x										
delivery devices																		x	
dip									x										
e-cigarettes				x															
electronic smoking devices													x						
electronic smoking/vapor devices			x		x													x	
lighted pipe								x											
nicotine	x	x	x		x	x				x	x	x	x				x	x	
nicotine delivering/y devices	x	x	x			x				x	x	x					x		
nicotine replacement therapy allowed		x	x		x												x		
pipe									x										
smokeless tobacco	x	x	x		x	x			x	x	x	x	x				x	x	
smoking							x												
smoking tobacco	x	x	x		x	x				x	x	x	x				x	x	
sniffing								x											
snuff	x	x	x			x			x	x	x	x	x				x	x	
spit tobacco									z										
tobacco	x	x		x		x		x		x	x	x					x		
tobacco products			x	x	x		x		x	x			x	x	x	x		x	x
unapproved nicotine delivery devices													x					x	