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Schools Start Treating e-Cigarettes as Drug Paraphernalia

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RICHMOND, Va. — Some schools are getting tougher on e-cigarettes, even punishing possession of the devices more harshly than regular cigarettes.

The devices, which heat a nicotine solution to create a vapor instead of burning tobacco, have passed traditional smokes in popularity among teenagers. Schools are clamping down because e-cigarettes, sometimes also known as vaporizers, can also be used for illegal substances like marijuana.

Most schools have folded e-cigarettes into their anti-tobacco policies, which typically punish students with detention, a letter home and sometimes a tobacco education class.

But other schools in states including North Carolina, New Jersey, Washington and Connecticut, are grouping the devices in with bongos and pipes, meaning students could face long suspensions and required drug tests and have possession of drug paraphernalia marked on their school record.

"Our goal is to reduce access and discourage use on campus," said Sarah D'Annolfo, dean of students at The Taft School in Watertown, Connecticut. The co-ed boarding school amended its policy this school year to have e-cigarettes fall under its drug and alcohol policy. A disciplinary committee made up of faculty and students evaluate violations case-by-case, but they could result in a weeklong suspension and a mark on their record rather than a chat with the dean and school doctor and parental notification.

"It definitely sparks conversation within the school community about e-cigarette use and the possible dangers and the possible benefits," D'Annolfo said. "That conversation alone is a hugely important learning opportunity."

According to an annual government survey of more than 41,000 students, e-cigarettes have surpassed traditional smoking in popularity among teens.

Some 16 percent of 10th-graders had tried an e-cigarette in the past month, and 17 percent of high school seniors. Regular smoking continued inching down, to 7 percent of 10th-graders and 14 percent of 12th-graders. However, the survey didn't ask about repeat use, or whether teens were just experimenting with something new.

Most agree it should be illegal to sell e-cigarettes to kids, and most states have banned such sales. But health and public policy experts can't say for certain

whether the electronic devices are a good thing or a bad thing overall, whether they help smokers kick the habit or are a gateway to ordinary paper-and-tobacco cigarettes.

Nevertheless, companies vying for a stake in the e-cigarette business have revived marketing tactics that helped hook generations of Americans on regular smokes. The TV commercials, race-car sponsorships and candy-flavored nicotine liquid all raise fears that makers are targeting young people to take up an addictive habit.

Last April, the Food and Drug Administration for the first time proposed regulations for e-cigarettes. They would include banning sales to minors and requiring health warning labels. The rules wouldn't immediately ban the wide array of flavors or styles of e-cigarettes or curb marketing.

Gregory Conley, president of the e-cigarette advocacy group American Vaping Association, said minors shouldn't have or use e-cigarettes but it's "pure over-reaction" to punish students caught with them more than students who have regular cigarettes.

Still, the array of possible uses of e-cigarettes has spurred caution among school officials.

"We don't know if it's vapor or some kind of hashish oil or if it's some kind of illegal substance," said Anne Garrett, superintendent of Haywood County Schools in western North Carolina, where the policies were changed this month to treat the devices as drug paraphernalia.

Some parents think such measures are too harsh. In Parsippany, New Jersey, Kathleen Leone refused to let school officials drug test her 16-year-old daughter after she was caught with her older brother's e-cigarette in her pocketbook, leading to a four-day suspension.

"I'm not going to sit here and tell you that she should have it, but you know, she's 16, and 16-year-olds do stupid things," said Leone, who's also a teacher. "In her record it says she was suspended for refusal to take (a drug test), and that's something that could affect her chances getting into a university."

But the concerns raised by school districts may not be too far-fetched.

Devices that look exactly like e-cigarettes but have a compartment that can be filled with substances like concentrated forms of marijuana are sold online and in stores across the country. In states like Colorado and Washington state, where marijuana is legal for adults over 21, stores not only sell the hash oil itself but sell it in pre-filled cartridges.

Traditional e-cigarettes also are being modified by users for use with the oil, illegal in most of the country.

Much like using an e-cigarette with liquid nicotine, the vapor — along with any

odor — produced dissipates quickly. Still, some argue most people could smell the difference.

The National Association of State Boards of Education doesn't have an official policy on e-cigarettes, but Executive Director Kristen Amundson said she believes the group would recommend that the devices be treated as tobacco products. But if a school district thinks they have a particular problem with the devices, then sending a really clear message may be a good idea, she said.

"But it is always better if school administrators use good judgment and discretion," said Amundson, a former Virginia legislator and teacher who also served on the school board of northern Virginia's Fairfax County. "That's how we end up not having to hear a case of a kindergartner who brought a little paring knife to school suddenly being recommended for expulsion for bringing a weapon to school."

Michael Felberbaum can be reached at <http://www.twitter.com/MLFelberbaum>.

<http://www.nytimes.com/aponline/2015/02/15/us/ap-us-electronic-cigarettes-schools.html? r=0>