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**Testimony of Dr. Cheryl Champ, Superintendent of Schools of the Pelham Union Free
School District**

Good afternoon, Senator Thomas, Senator Rivera, and Senator Mayer. Thank you for the opportunity to speak today and for taking up this important topic that impacts our youth so significantly. My name is Dr. Cheryl Champ and I am Superintendent of the Pelham Union Free School District, a high achieving district of 2,900 students K-12 in Westchester, just outside the Bronx border.

Knowing the tremendous amount of testimony that preceded me today, I wondered what additional information I could offer to you as you contemplate how to combat this crisis. I would like to provide a glimpse into the dilemmas that I, and many other superintendents face as we struggle to deal with vaping and the impact it has had on our schools.

The devastating health effects vaping has on our youth has been well documented, so the first question we as school leaders face is 'how do we prevent vapes from penetrating our schools and the school day?' What we have found is that the vast majority of vaping incidents in our schools occurs in the bathrooms. Many schools have invested in new technologies that detect vaping to assist in the battle. While technology offers several pros, it also presents a number of challenges that conflict with our values. We try to create an environment of dignity, trust, responsibility, and independence for our high school students. So, we have to ask ourselves: Do we now want to invasively police the last place where students have any modicum of privacy? Do we want to risk over-disciplining by grouping students who are simply using the bathroom for the biological purpose for which it was intended with those that are found to be vaping simply because we don't have cameras or personnel in the bathrooms to determine who was actually doing the selling, distributing, or vaping? Do we want to turn those innocent bystanders into pariahs that tattle on their peers? This is a dilemma.

The technology also presents fiscal challenges that districts are ill-equipped to deal with. In a financial environment where we are subject to a restrictive tax cap, where we are asking principals to cut supply budgets, and where we decline to fill vacant positions when teachers retire so that we can close our budget gap, we struggle with the idea of spending a thousand dollars per unit per bathroom for sensors that do nothing to improve academic outcomes.

Sensors alert us to a problem and may serve as a deterrent, but in my 18 years as an administrator working with secondary students I know the real outcome of deterrents like this is that they don't stop the problem; they just push it somewhere else. They push students away from the bathroom to the locker room, to the stairwell, and then off of our campuses, which may seem like a victory, but really isn't when it drives up student tardiness and absence rates as students seek to sate their addiction, let's call it what it is, even when they don't have a free period or permission to leave. That is a dilemma.

In Pelham, we have chosen a three-pronged approach to the problem - education, clear expectations with consequences, and counseling. We are fortunate to have a student assistance counselor, who specializes in substance use and abuse prevention. She supports the 1,700 students on our shared middle school/ high school campus. She works with student clubs to proactively educate students on the dangers of vaping, among other substances. She also collaborates with administration to provide follow up counselling and a cessation curriculum for any student disciplined for substance related offenses. One specialist for 1,700 students. We are working to increase our social worker staff to address the increasing mental health issues of our students, and we are fortunate she is trained in and can assist with these efforts as well, both proactively and reactively. That brings our ratio of professionals with expertise in this particular area to two clinicians to support 1,700 students. This is a dilemma.

As educators and parents, we know that children need clear boundaries in order to develop self-discipline, self-monitoring behavior, responsibility, and character. Boundaries mean nothing if there are no consequences, so, we provided very clear expectations to our students and increased consequences for students involved in any aspect of vaping as it is illegal for our students who are largely 18 or younger. I am thankful that Westchester county was a leader in raising the age for purchase of e-cigarettes to 21. That was helpful, but it is not a solution. When I was in high school, the legal drinking age changed from 18 to 21. And let's be honest. There was underage drinking then and there is underage drinking now. It likely decreased, but it did not disappear. The same will apply to vaping. As long as there are fake IDs, older siblings, unethical businesses, and parents that choose to allow underage children to consume illegal substances in their homes because it's safer there than somewhere else, it will merely remain an additional barrier, but not a solution. This is a dilemma.

We work in partnership with our community coalition, Pelham Together, and have successfully reduced alcohol use among Pelham youth by 45%, binge drinking by 43%, and marijuana use by 30% over the past 10 years, according to survey data. Smoking of traditional cigarettes is at an all-time low of 1.9%. But within the past four years alone we have seen a twenty-fold increase in the number of students disciplined for vaping related infractions. We are already positioned to double that number based on discipline rates this year. Thirty percent of our seniors report vaping in the past 30 days and 24% report vaping marijuana in that same time period. And just last week we had a student disciplined for smoking a traditional cigarette in the bathroom for the first time in over 10 years. While we would love to employ more restorative practices as alternatives, addressing this issue with the two trained specialists in this area, is just not feasible. This is a dilemma.

When students are in possession of, distributing, selling, or under the influence of illegal substances in our schools they are suspended out of school by the principal and sent to me for a disciplinary hearing to be considered for long term suspension. We can all agree that suspension generally is not productive for the student, but it is one of the only tools we have when students cross the major bright line boundaries set by our codes of conduct. What should be done for the student that is sitting in front of me at a hearing who stepped out of class for a few minutes to meet his buddy in the bathroom. Both from good families, both strong academically, both athletes and involved in a variety of extracurricular activities. After talking, he takes a few hits of a vape containing THC. He returns to Biology class and within ten minutes is being held up by two classmates, since he can no longer stand on his own, as he vomits his guts out in front of the class while they wait for an ambulance to come. What regulation will get him to stop vaping? What about the student with academic disabilities who is charming, outgoing, and has

every asset needed to live a very productive life after high school. But who is also very easily led and eager to be accepted, who is talked into buying vapes in the bathroom, as he is now addicted to nicotine thanks to his home situation where mom is gone, dad has to work most nights, and his older brother spends hours smoking pot and playing video games with his friends. What penalty will get him to stop vaping? This is a dilemma.

These are my dilemmas, I recognize that you, as legislators face your own dilemmas. As you grapple with these, I humbly offer my opinion on various approaches:

Higher age limits help, but are not a solution. Better policing of businesses and closing internet loopholes help, but are not a solution. Banning flavored ecigarettes may help those that are not yet using the products, but that largely underestimates the sophistication of our children - they are not duped that easily. They know what they are doing. And it does not address the almost 30% of our youths that are now nicotine addicts. It helps but it's not a solution. Preventative education and cessation counselling help but are not funded at a level that can feasibly manage the need - nor are they a solution.

I personally believe that banning these devices is the only real solution. I recognize that is not politically popular and likely not politically viable. I grew up being taught that the love of money is the root of all evil. And all of us have learned the history lessons about how absolute power corrupts absolutely. I would contend that in America today, those with the deepest pockets wield the greatest power. And again, some of the biggest pockets in history, big tobacco, are using the same playbook to drive profits to the detriment of the current and next generation for financial gain. They have recently changed their advertising and efforts to rewrite the narrative that vapes were meant as a replacement to get smokers off of carcinogenic tobacco. If that's the case, then ban them for general consumption and provide regulation through medical documentation of need and doctor's prescription.

As you consider the dilemmas vapes present to all of us, I implore you to consider the more than 1,000 people who have been sickened and the 35 people that have died from them in just the past year - some of them as young as 12. This is more than a fiscal or policy decision. This is a public health crisis that is damaging our children. They depend on us to set boundaries to protect them from danger. As superintendents we have to take difficult stands each and every day. Please have the courage to do the same. In doing so you will face significant challenges and resistance, but you will save a generation of children. Thank you.