



E-Cigarette Laws & My Community: Digital Lesson Educator Guide

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Background Info

Why is an understanding of tobacco laws and regulations important in vaping prevention?

Over the past fifty years, the number of American young people who smoke cigarettes has declined drastically. Whereas 28.8% of high school seniors smoked cigarettes in 1976, only 3.6% of seniors smoked as of 2018.¹ A significant portion of this decline occurred following the 1998 Master Settlement Agreement (MSA), a settlement that—among other outcomes—limited billboard and transit marketing, prohibited print advertising directed toward youth, and funded a public education program specifically designed to reduce underage tobacco use and educate the public about tobacco’s health risks. Slowly but surely, youth began saying “no” to cigarettes as their legality decreased while their known health risks increased.

However, as tobacco use became less prevalent among American youth, e-cigarettes entered the U.S. market in the early to mid 2000s. Suddenly, the cycle began again. A combination of little knowledge on e-cigarettes’ health effects combined with a lack of regulation led to a sharp incline in usage among both youth and adults. From 2017 to 2019, there was a 135% increase in high-school e-cigarette use and a 218% increase in middle-school e-cigarette use.⁶ The story has shifted slightly in 2020—19.6% of high school students and 4.6% of middle school students report using e-cigarettes within the past 30 days.⁵ The results reflect over 2.5 million middle and high schoolers using the product in the past 30 days. Even more concerning, 38.9% of current high school e-cigarette users and 20% of current middle school e-cigarette users were frequent or daily users, a strong indication of addiction. The U.S. Surgeon General deemed the situation an epidemic and urged Americans to “take action now to protect the health of our nation’s young people.”⁴

Just as it took time for research to prove the long-term health effects of cigarettes, the same holds true for e-cigarettes. They have not been around long enough for research to indicate the full scope of their effects throughout a person’s life; however, the increasing instances of lung disease associated with vaping has led the CDC to recommend that “e-cigarette, or vaping, products should never be used by youths [or] young adults.”⁵ Doctors do know, however, that nicotine is highly addictive and negatively impacts developing brains, affecting everything from learning and attention to impulse control. E-cigarettes can also possess other harmful substances. For example, e-cigarette liquid (also known as e-liquid or e-juice) may contain flavor ingredients that have been deemed healthy to ingest but not inhale, heavy metals, and cancer-causing chemicals.

In a trajectory similar to cigarettes, it has taken time for e-cigarette laws to catch up. It only became illegal to sell e-cigarettes to minors in 2016. E-cigarettes could be sold without any kind of nicotine warning label until 2018, and there are still no laws regulating e-cigarette marketing and promotion. In addition, while cigarette flavors other than menthol and tobacco are now illegal, there are no regulations surrounding e-cigarettes’ youth-friendly flavors like cotton candy, donuts, and strawberry milk.

This guide has therefore been created to give educators a collection of social studies and humanity-based resources specifically designed to educate students not only on the risks associated with vaping, but also on the progression of tobacco

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- 1 <https://www.hhs.gov/ash/oah/adolescent-development/substance-use/drugs/tobacco/trends/index.html>
 - 2 <https://www.fda.gov/tobacco-products/youth-and-tobacco/youth-tobacco-use-results-national-youth-tobacco-survey>
 - 3 https://www.cdc.gov/mmwr/volumes/68/ss/ss6812a1.htm?s_cid=ss6812a1_w
 - 4 <https://e-cigarettes.surgeongeneral.gov/documents/surgeon-generals-advisory-on-e-cigarette-use-among-youth-2018.pdf>
 - 5 https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html#what-cdc-recommends

laws—and why vaping laws currently stand as they do. By comparing the evolution of cigarette laws with the introduction of e-cigarette regulations, students will consider why vaping legality is where it is, and they will take a stand on whether they believe the public should push for the continued development of e-cigarette laws in order to protect the American public.

How will my students learn about vaping?

In these four sessions, students will investigate the health effects and laws surrounding cigarettes and e-cigarettes in order to form their own opinion regarding the legality of vaping. Through a series of activities, students will investigate the evolution of cigarette regulation and examine its effect on smoking. They will compare and contrast cigarette and e-cigarette legality, and they will consider the influence that these laws, as well as public health awareness, have on society's perspective. Students will ultimately apply what they have learned as they develop a claim statement about whether vaping should be allowed in their community's public spaces. After evaluating their peers' reasoning and evidence, they will participate in a mock vote in which they determine the legality of vaping in their community.

How do the sessions work?

Instructional Sequence: The [E-]Cigarette Laws & My Community Educator Guide provides details to help educators facilitate a series of four sessions of approximately 45 minutes designed to be taught in sequence and used with fifth grade students. This guide was created to give educators ideas and strategies for presenting the content in the digital sessions. It provides slide-by-slide details for educators to be prepared to engage with students as they explain, discuss, and effectively facilitate the content in each of the sessions.

In addition to the Educator Guide, an accompanying presentation was created with PowerPoint so that it can be used in a variety of classroom settings.

If you are using a laptop with a projector, simply progress through the PowerPoint by clicking to advance. All of the interactive aspects of the presentation are set to occur on click. The corresponding videos link to the slides. Click on the images to play the videos. If you are using an interactive whiteboard, tap on each slide with your finger or stylus to activate the interactive aspects of the presentation. It doesn't matter where you tap, but you can make it appear as if you are making certain things happen by tapping them. Teacher notes are included for each slide with information on how to proceed.

Session Structure

The [E-]Cigarette Laws & My Community sessions provide the following information to guide the teacher through its implementation and teach the necessary skills and content:

- **Learning Objectives:** Each session includes its overall goals as well as specific learning objectives for students.
- **Materials:** Any materials necessary for the session are clearly outlined and included when possible to facilitate easy implementation of the session.
- **Key Terms:** Any words that can be used as vocabulary words will be defined for the teachers.
- **Key Talking Points:** To help the teacher guide discussion and reinforce key concepts, key points are listed next to the corresponding slides.
- **Anticipated Student Responses:** Where relevant, anticipated student responses for activities and questions are provided next to corresponding slides.
- **Wrap Up:** A learning summary is provided at the end of the first two sessions for the teacher to provide reinforcement of the key concepts and objectives of each session.

Session 1

Learning Objectives

Students will be able to:

- **Investigate** the history and evolution of cigarette laws.
- **Analyze** the correlation between cigarette laws, public health awareness, and smoking.

Overview

After engaging students by probing them to consider their immediate reaction to cigarettes and e-cigarettes, students will be guided through a series of activities in which they investigate the evolution of cigarette legality and examine its effect on smoking before drawing conclusions on the effects a similar evolution in e-cigarette laws might have.

Content Areas

Social Studies, Health Education, and English Language Arts

Target Grade Level

Grade 5

Materials

- **Smoking Laws**, cut into strips
- **Smoking News** student handout, one per group
- **The Effects of Smoking Laws** student handout, one per student

Educator Prep

Before the session begins:

- Draw a T-chart on the board. Label one side “Image 1” and the other “Image 2.”
- Look up your state laws and add the relevant information to Slide 6. Suggested resources include the [State Tobacco Activities Tracking and Evaluation \(STATE\) System](#) and [Public Health Law Center](#).

Key Terms

- **Cigarette:** A thin roll of tobacco, nicotine, tar, and other substances wrapped in paper which is meant to be smoked.
- **E-Cigarette:** A battery-powered device that heats a liquid (usually containing nicotine, flavorings, and other chemicals) to make an aerosol that is inhaled. Also considered a noncombustible tobacco product or Electronic Nicotine Delivery System (ENDS).
- **JUULing:** A common term for vaping or using an e-cigarette.
- **Vaping:** The act of using an e-cigarette.
- **Nicotine:** A highly addictive drug found in tobacco.
- **Tobacco:** A preparation of the nicotine-rich leaves of an American plant, which are cured by a process of drying and fermentation for smoking or chewing.
- **Law:** A system of rules created and enforced by government agencies.
- **Regulation:** A rule or standard passed by administrative agencies or the process of being regulated or controlled.

Slide 3 | Engage

- Encourage students to observe the image on the slide.
- Click once to reveal the text, and encourage students to discuss the questions with a partner:
 - **How does this image make you feel?**
 - **What questions do you have?**
- Ask 3 or 4 volunteers to share their responses and record them in the T-chart column labeled “Image 1.”
- Click a second time to replace Image 1 with Image 2. Ask students to observe this new image and discuss the same questions with their partner.
- Again, ask for 3 or 4 volunteers to share their responses and record them in the T-chart column labeled “Image 2.”

Slide 4 | Engage, Cont.

- Display the two images side-by-side. Cross off the original column labels on your T-chart, and re-label them “Cigarettes” and “E-Cigarettes,” respectively.
 - **Note:** Some students may be unfamiliar with the terms “e-cigarettes” or “vaping.” These are often associated with the brand name “JUUL,” and students might be more familiar with the term “JUULing.” If necessary, clarify that JUUL is only a brand name of an e-cigarette company, and reinforce the terms “e-cigarettes” and “vaping.”

- Click once to reveal the text, and encourage students to discuss the questions with a partner:
 - **How were your reactions to each image different?**
 - **Why do you think you had different reactions to these images?**
- Invite 2 or 3 volunteers to share their thoughts.
- Explain that while our reactions might be different, both images are the same, because they both likely include an adult using a drug called nicotine. And, the child is being exposed to the potentially harmful chemicals being exhaled.

KEY TALKING POINTS

- **People’s perception of smoking tends to be more negative than their perception of vaping.⁵**
- **More is known about the negative effects of smoking than of vaping.**

⁵ Harrell, Paul T, et al. “Vaping Expectancies: A Qualitative Study among Young Adult Nonusers, Smokers, Vapers, and Dual Users.” *Substance Abuse: Research and Treatment*, vol. 13, 19 Aug. 2019, p. 117822181986621., doi:10.1177/1178221819866210.

Slide 5 | Explore

- Explain that nicotine is the addictive chemical found in tobacco plants.
- Click once to reveal the next image and tell students that nicotine from the tobacco plant is in cigarettes and most e-cigarettes.
- When young people become addicted to the nicotine in e-cigarettes, their risk of experimenting with tobacco and becoming exposed to harmful chemicals increases.
- Click again to show that these harmful chemicals have been linked to many forms of cancer, to lung diseases like emphysema, and to heart disease.⁶
- Click a third time to reveal the last image. Explain to students that since 2014, e-cigarettes are the most commonly used tobacco product among youth in the United States. However, it is important for them to realize that while vaping might be the most prevalent form of tobacco use among youth, *most* young people are *not* vaping. Only 10.5% of middle school students report having recently used an e-cigarette.⁷
- Ask students to guess the answer to the following question by standing up for “yes” and staying seated for “no”:
 - **Do you think there have always been laws around nicotine and tobacco use?**
- Invite standing students to sit down. Explain On December 20, 2019, the President signed legislation to amend the Federal Food, Drug, and Cosmetic Act, and raise the federal minimum age of sale of tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product—including cigarettes, cigars and e-cigarettes—to anyone under 21.⁸

- Explain to students that although the first automated cigarette machine was developed in the 1880s, the first cigarette law wasn’t passed until almost a hundred years later. And, at that time, e-cigarettes didn’t even exist yet!

KEY TALKING POINTS

- **Nicotine is an addictive chemical found in tobacco plants and used in cigarettes and e-cigarette liquid.**
- **When young people become addicted to the nicotine in e-cigarettes, it increases their risk of experimenting with tobacco and becoming exposed to harmful chemicals linked to many forms of cancer, lung illnesses, and heart disease.**
- **Since 2014, e-cigarettes are the most commonly used tobacco product by youth in the United States; however, most young people do not vape.**
- **Laws surrounding cigarettes are much more comprehensive than laws governing e-cigarettes.**

6 <https://www.drugabuse.gov/drug-topics/trends-statistics/infographics/teens-e-cigarettes>

7 <https://www.fda.gov/media/132299/download>

8 <https://www.fda.gov/tobacco-products/retail-sales-tobacco-products/selling-tobacco-products-retail-stores>

Slide 6 | Explore, Cont.

- Prepare students to investigate the evolution of cigarette laws by having the students count off by 11 to divide the class into 11 even groups. Explain that they will be writing newspaper articles about smoking laws throughout history and organizing them into a living timeline.
- Distribute one **Smoking Laws** strip and one **Smoking News** handout to each group.
- Click once to show a screen shot of the handout. Review the directions and answer any questions.
- Instruct groups to begin working. While they are working, circulate around the room to assist students while also distributing one **The Effects of Smoking Laws** handout to each student.
- Invite groups to present their smoking news in chronological order. As groups share, add their headline to the slide’s timeline, and instruct students to do the same on their **The Effects of Smoking Laws** handout.

Slide 7 | Explore, Cont.

- Bring students’ attention to the timeline *before* you instruct them to begin working on their **Smoking News Sheet**:
 - Explain the information provided by each axis.
 - **Ask a clarifying question to ensure understanding, such as, “Did smoking become more or less popular during the first half of the 1900s?”** (*Answer: more popular*) or **“In about what year did smoking start to decline?”** (*Answer: 1964*).
 - Point out the blank lines to demonstrate where the groups’ headlines will go when they complete their **Smoking News** handouts.

KEY TALKING POINTS

- **Smoking cigarettes became more popular in the first half of the 1900s due to the fluctuating economic state, positive perception, aggressive advertising, and the increased advertisements praising military service and availability of cigarettes to military members during the United States’ participation in the World Wars.**⁹
- **Smoking cigarettes started to decline when the Surgeon General released its findings and recommendations regarding the health risks of smoking in 1964.**⁹
- **In 2017, 14% of American adults smoked cigarettes; this was down from about 42% of American adults in 1965.**¹⁰

⁹ Cummings, K. M., and R. N. Proctor. “The Changing Public Image of Smoking in the United States: 1964-2014.” *Cancer Epidemiology Biomarkers & Prevention*, vol. 23, no. 1, 1 Jan. 2014, pp. 32-36., doi:10.1158/1055-9965.epi-13-0798.

¹⁰ <https://www.cdc.gov/media/releases/2018/p1108-cigarette-smoking-adults.html>

Slide 8 | Explore, Cont.

Explain that On December 20, 2019, the President signed legislation to amend the Federal Food, Drug, and Cosmetic Act, and raise the federal minimum age of sale of tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product—including cigarettes, cigars and e-cigarettes—to anyone under 21.

- Display and review the statistics about youth smokers and the state laws in your state.
- Invite students to reference the timeline they completed on their **The Effects of Smoking Laws** handout as you facilitate a discussion using one or more of the following questions:
 - **What connections can you make between cigarette laws and smoking?**
 - **Why do you think smoking rates began to fall?**
 - **Do you think laws affect the number of youths who smoke? Why or why not?**

KEY TALKING POINTS

- **It is illegal for any retailer to sell any tobacco products, including e-cigarettes, to anyone under the age of 21.**
- **With the exception of the FDA's Tobacco Control Act that regulates the manufacture, distribution, and marketing of tobacco products,¹¹ states are in charge of enacting their own smoking laws, so each state is different.**
- **With each additional law and regulation, cigarette use continued to decline. However, correlation does not always equal causation; the efforts were multi-tiered, including new laws, public education campaigns, and actively promoting cessation.**
- **The more the public knows about the risks associated with smoking cigarettes, the less popular smoking becomes.**

¹¹ <https://www.fda.gov/tobacco-products/rules-regulations-and-guidance/family-smoking-prevention-and-tobacco-control-act-overview>

Slide 9 | Explore, Cont.

- Display the graph and explain the information provided by each axis.
- Challenge students to compare the timelines they just created on their **The Effects of Smoking Laws** handouts to the drop in smoking they see in this graph. Point out that this graph spans only the past 40 years, so ensure that students are focusing on the correct segment of their timelines.
- Ask for 2 or 3 volunteers to answer the question:
 - **Based on the cigarette law timeline you just created, are you surprised by this drop in youth smoking? Why or why not?**

KEY TALKING POINTS

- **Youth cigarette use has consistently declined over the past 40 years.**¹²
- **With each new law enacted, cigarette use continues to decline. Whether the laws caused the decline, or the laws were in response to a shifting public opinion due to increased public education campaigns and cessation promotion, is unclear.**¹²

Slide 10 | Explore

- Click through the five advertisements/ photographs. Tell the class that these illustrate what daily life and “normal” advertisements looked like before research proved tobacco’s effects and tobacco regulations were enacted.
- Allow time for students to share their reactions.

Slide 11 | Wrap Up

- Reinforce students’ learning by reviewing the following points:
 - Nicotine is an addictive chemical found in tobacco plants and is in cigarettes and most e-cigarettes.
 - When young people become addicted to the nicotine in e-cigarettes, their risk of experimenting with other tobacco products, other drugs, and becoming exposed to harmful chemicals linked to many forms of cancer, lung illnesses, and heart disease increases.
 - Smoking became less popular with adults after laws limited advertising and people became more aware of the health risks.
 - Smoking became less popular with youth after the Tobacco Control Act¹³ banned sales of tobacco products to minors and limited marketing to youth and as young people became more aware of the health risks.

¹² <https://www.hhs.gov/ash/oah/adolescent-development/substance-use/drugs/tobacco/trends/index.html>

¹³ <https://www.fda.gov/tobacco-products/rules-regulations-and-guidance/family-smoking-prevention-and-tobacco-control-act-overview#modifiedrisk>

Session 2

Learning Objectives

Students will be able to:

- **Investigate** the history and evolution of e-cigarette laws and vaping.
- **Compare** and contrast known health effects of smoking cigarettes and smoking laws with known health effects of using e-cigarettes and vaping laws.

Overview

After learning more about vaping, students will compare and contrast the health effects and laws related to cigarettes and e-cigarettes. They will then apply this analysis as they consider why society has determined that smoking cigarettes is not acceptable, as well as how society currently views e-cigarettes and why.

Content Areas

Social Studies, Health Education, and English Language Arts

Target Grade Level

Grade 5

Materials

- **E-cigarette Laws** student handout, one per student
- **Compare & Contrast: Laws and Regulations** student handout, one per student
- Completed handouts from the previous session

Educator Prep

Before the session begins:

- Look up your [local e-cigarette laws](#) and add the relevant information to Slide 10.

Key Terms

- **JUULing:** A common term for vaping or using a JUUL brand e-cigarette.
- **Vaping:** The act of using an e-cigarette.
- **E-cigarette aerosol:** The tiny particles or droplets that are inhaled and exhaled by an e-cigarette user after the flavored e-liquid is heated.
- **Second-hand smoke:** Smoke that someone inhales involuntarily from tobacco being smoked by someone else.
- **Second-hand aerosol:** Aerosol that someone inhales involuntarily from nicotine liquid being vaped by someone else.

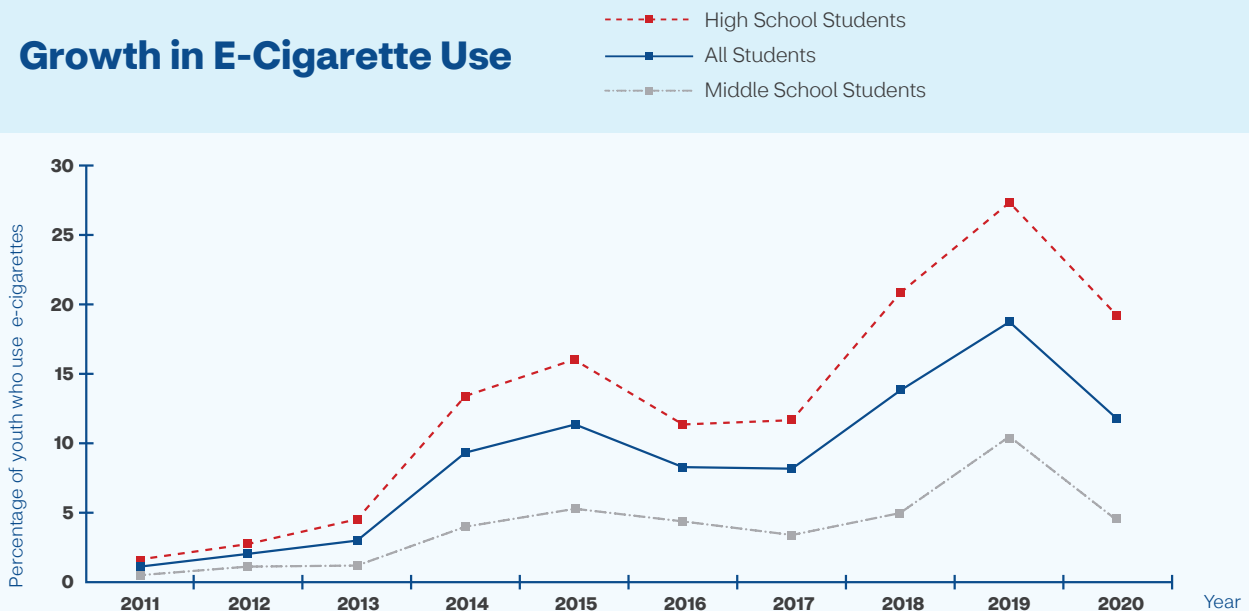
Slide 13 | Explain

- Distribute one **E-cigarette Laws** handout to each student. Ask 2 or 3 volunteers to answer one or more of the following questions:
 - **What differences do you notice between this e-cigarette graph and the cigarette chart from last session?**
 - **Why do you think these differences may exist?**
- Explain that laws governing e-cigarettes have only recently been enacted, because e-cigarette sales only started in 2004. Between 2009 and 2016, health experts began issuing warnings about the risks of vaping and of the nicotine in e-cigarettes' effects on the brain.
- Click once to show that as of August 8, 2016, the FDA made it illegal to sell e-cigarettes,

allow access to vending machines, or provide vaping samples to youth under the age of 18.¹⁴ Give time for students to take notes.

- Click again to show that in 2018, it became required for e-cigarettes to have a label reading "*WARNING: This product contains nicotine. Nicotine is an addictive chemical.*" Give time for students to take notes.
- Click a third time to show that in 2019, with the exception of the rules that all must follow that have been passed by the FDA and are listed in the Tobacco Control Act, it is up to each state to pass their own smoke-free laws.
- It is illegal for people under the age of 21 to purchase tobacco products including e-cigarettes.

Growth in E-Cigarette Use



Source: National Youth Tobacco Survey 2011–2018

Notes: In 2014, changes were made to the e-cigarette measure to enhance its accuracy.

¹⁴ <https://www.fda.gov/news-events/fda-voices-perspectives-fda-leadership-and-experts/how-fda-regulating-e-cigarettes>

KEY TALKING POINTS

- E-cigarettes sales started in 2004, and the first laws governing their sales weren't enacted until 2016.
- Information about the health risks associated with e-cigarettes did not start becoming available until 2009, when health experts warned about the risks of vaping and nicotine's effects on the brain.
- In 2018, all products were required to display a warning about the addictive nature of nicotine in e-cigarettes.
- With the exception of the rules outlined in the Tobacco Control Act, each state is responsible for enacting its own smoke-free laws regarding the usage of e-cigarettes, specifically *where* they can be used.

Slide 14 | Explain, Cont.

- Click once to display and review the state laws governing e-cigarettes in your state.
- Instruct students to take notes about your state laws on the bottom of their **E-Cigarette Laws** handout.

Slide 15 | Explain, Cont.

- Distribute one **Compare & Contrast: Laws and Regulations** handout to each student.
- Prompt students to think-pair-share as they compare and contrast the laws that govern cigarette and e-cigarette use. They should use their **The Effects of Smoking Laws** handout and **E-Cigarette Laws** handout to help them.
- Once students have recorded ideas, ask 2 or 3 volunteers to respond to the following questions:
 - **What similarities do you notice among the laws?**
 - *Depending on your state, anticipated responses might include: all packages must contain health warnings, neither can be purchased by youth under 21, neither can be used inside a school, etc.*
 - **What differences did you notice among the laws?**
 - *Depending on your state, anticipated responses might include: no marketing laws exist for e-cigarette advertising but do for cigarettes, flavors are banned in cigarettes but still allowed in e-cigarettes, etc.*
- As students share, record responses on the slide's Venn Diagram. Encourage them to add to their notes on their own handout.

Slide 15 | Explain, Cont.

- Review why the laws surrounding tobacco products have changed over the years.

Slide 16 | Explain, Cont.

- Display the health statistic related to tobacco use. Explain that it wasn't until the 1950s and '60s that people knew that smoking was addictive, caused lung cancer, and harmed people's health in many other ways.
- Click once to show how smoking can affect one's health.
- Click again to show how second-hand smoke, or smoke that someone inhales involuntarily from tobacco being smoked by someone else, can affect one's health.
- Conclude by stating that while cigarette companies have been blamed for *not* sharing this information, the federal government began passing laws and regulations to protect people's health once their effects were known, including laws about advertising.

KEY TALKING POINTS

- **Over 16 million Americans are living with a disease caused by smoking.**¹⁵
- **Second-hand smoke and second-hand aerosol are involuntarily inhaled by someone standing near the smoking person and can negatively affect one's health.**¹⁵
- **In the 1950s and '60s, medical warnings started being released about how nicotine is addictive and can have negative health effects.**¹⁵

¹⁵ https://www.cdc.gov/tobacco/data_statistics/fact_sheets/fast_facts/index.htm

Slide 17 | Explain, Cont.

- Share that at one point, smoking cigarettes was seen as a cool and sophisticated thing to do, as reflected in the advertisements they just saw. Then the public started learning about the realities behind smoking.
- Click once to reveal the image that informs students that there are over 7,000 chemicals in a single puff of cigarette smoke.
- Explain that as the American public became more and more educated about the dangers of smoking, their attitudes changed. They saw smoking as a less acceptable activity and they pushed for new rules to keep themselves and their children healthy.
- Click again to reveal the second images and share with students that people's attitudes toward second-hand smoke also changed.
- Because of these changing attitudes and increased knowledge about the dangers of smoking and second-hand smoke:¹⁶
 - The majority of Americans support a ban on smoking in all public places.
 - More than half of U.S. states have banned it in all restaurants, bars, and workplaces to keep non-smokers safe from cigarette smoke.

KEY TALKING POINTS

- **A single puff of cigarette smoke includes over 7,000 chemicals, many of which are known to be toxic or cause cancer.**¹⁷
- **With an increased knowledge of the risks of smoking, the public began to see smoking as less acceptable and became active in promoting smoke-free laws.**¹⁷
- **The majority of Americans support the ban of smoking in all public places, and more than half of US states have enacted such laws.**¹⁷

¹⁶ [The Changing Public Image of Smoking in the United States: 1964–2014](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3894634/)
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3894634/>

¹⁷ <https://www.cancer.gov/about-cancer/causes-prevention/risk/tobacco/cessation-fact-sheet>

Slide 18 | Explain, Cont.

- Reinforce that while so much is known about the risks of smoking cigarettes, researchers are depending on the facts they do know to build their understanding of the risks associated with e-cigarettes.
- Click once to reveal that e-cigarette aerosol and second-hand aerosol is made up of nicotine and chemicals, many of which are known to cause cancer.
- Click again to reveal information about nicotine. Review with students that nicotine affects the developing brain of youth and can increase heart rate and blood pressure. Reinforce that it is addictive and can lead to other addictions.
- Click a third time to reveal information about vaping aerosol. Explain to students that it contains potentially toxic chemicals and that many of the flavors may not be safe to inhale.

KEY TALKING POINTS

- **E-cigarettes are the most commonly used tobacco product among U.S. youth.**¹⁸
- **In 2020, more than 3.5 million middle and high school students reported using e-cigarettes.**¹⁸
- **Many e-cigarettes contain a very high level of nicotine, but many users don't know that they contain nicotine.**¹⁸

Slide 19 | Explain, Cont.

- Facilitate a brief discussion that gives students an opportunity to synthesize their learning about smoking and vaping laws.
- Click once to reveal the discussion question:
 - **“Why do you think smoking laws are different than vaping laws?”.**
- Provide time for students to share their thoughts.
 - **Anticipated responses might include:**
We know more about the dangers of smoking, smoking has been around longer, smoking is more noticeable, etc.

Slide 20 | Wrap Up

Reinforce student learning by reviewing the following points:

- E-cigarettes and cigarettes both contain nicotine and nicotine is addictive.
- Any kind of nicotine exposure while you are still growing is dangerous.
- Both cigarette smoke and e-cigarette aerosol contain harmful chemicals.
- Second-hand smoke and second-hand aerosol both expose people involuntarily to chemicals.¹⁹
- Compared to smoking, vaping is a more recent trend. Because of this, its long-term effects are unknown and laws governing it are not as comprehensive.

¹⁸ <https://www.fda.gov/tobacco-products/youth-and-tobacco/youth-tobacco-use-results-national-youth-tobacco-survey>

¹⁹ https://www.cdc.gov/pcd/issues/2019/18_0531.htm

Session 3

Learning Objectives

Students will be able to:

- **Synthesize** their learnings in order to take a stand on vaping.
- **Write** an opinion piece supported by reasons.

Overview

Using their work and learnings from the previous two sessions, students will develop a claim statement in which they must take a stand on whether vaping should be allowed in their community's public spaces.

Content Areas

Social Studies, Health Education, and English Language Arts

Target Grade Level

Grade 5

Materials

- Completed handouts from the previous sessions
- **Write an Opinion Packet**, one per student

Key Terms

- **Opinion:** The belief or views of people about a particular thing



Slide 22 | Elaborate

- Explain to students that they are going to use everything they have learned to write an opinion piece about vaping in their community. Encourage them to use all of their handouts from the previous sessions to come up with reasons to support their opinions.
- Click once to present the problem scenario to students:
 - **“City Council is considering passing a law that allows people to vape anywhere in your community, including inside schools, restaurants, hospitals, etc. They would like to hear opinions from the public before deciding. Do you think people should be able to vape anywhere in your community?”**
- Distribute a **Write an Opinion Packet** to each student and review the directions of Step One together. Give students approximately 10 minutes to complete Step One with a partner.
- Review the directions for Step Two. Remind students that from this point forward, they will be working independently. Give students approximately 15 minutes to complete Step Two.
- Review the directions for Step Three, highlighting the required elements of an opinion piece. Explain that students will present their completed work to their peers. Provide students with the remainder of the session to complete their opinion piece.

Slide 23 | Wrap Up

Reinforce student learning by reviewing the following points:

- As community members, students have a voice in the regulations that could keep them safe.
- It is important to support your opinions with factual reasons.

Session 4

Learning Objectives

Students will be able to:

- **Defend** their opinion by sharing their claim statement.
- **Evaluate** the claims of others in order to arrive at a final decision.
- **Reflect** on their learnings and assess whether their opinions regarding e-cigarettes have evolved and why.

Overview

Students will share their opinion pieces, evaluate their peers' reasoning, and participate in a mock vote to determine the legality of vaping in their community. They will then conclude the session by reflecting on whether their opinions regarding e-cigarettes and e-cigarette laws have changed.

Content Areas

Social Studies, Health Education, and English Language Arts

Target Grade Level

Grade 5

Materials

- Completed **Write an Opinion** Packets from the previous session
- **Opinion Evaluation** student handout, one per student

Key Terms

- **Legality:** Whether something is legal or against the law

Slide 25 | Evaluate

- Distribute one **Opinion Evaluation** handout to each student. Read the directions and answer any questions.
- Provide each student with the opportunity to read their opinion to the class. As they do, their peers should record notes on their **Opinion Evaluation** handouts.
- When all students have shared, invite students to review their notes and consider whether their opinions have changed.
- Click to reveal the voting image. Explain that you are going to hold a class vote to see whether the group would pass the law or not. Read the problem scenario question again, and ask any student who wants to answer "yes" to raise his/her hand:
 - **"Do you think people should be able to vape anywhere in your community?"**
- Calculate whether the majority voted "yes" (law is passed) or "no" (law is *not* passed).

Slide 26 | Wrap Up

- Facilitate a discussion around whether students' feelings and opinions about the legality of vaping have changed.
- Designate one side of the classroom as Yes and one side of the classroom as No. Instruct students to stand near the side that matches their opinion. Encourage students to share their thoughts with one peer who answered similarly and one peer who answered differently.
- Conclude by reassembling the class and discussing students' thoughts in a whole-group setting. Remind students of the importance of using their head and their voice when it comes to making decisions that impact their health. While laws exist to protect people, sometimes citizens first have to speak up for what is best and then the laws will follow.



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National Content Standards

C3 Framework for Social Studies Standards

- **D2.Civ.3.3-5.** Examine the origins and purposes of rules, laws, and key U.S. constitutional provisions.
- **D2.Civ.4.3-5.** Explain how groups of people make rules to create responsibilities and protect freedoms.
- **D2.Civ.12.3-5.** Explain how rules and laws change society and how people change rules and laws.
- **D2.Civ.13.3-5.** Explain how policies are developed to address public problems.

Common Core State Standards for English Language Arts & Literacy

- **CCSS.ELA-LITERACY.W.5.1.A.** Introduce a topic or text clearly, state an opinion, and create an organizational structure in which ideas are logically grouped to support the writer's purpose.
- **CCSS.ELA-LITERACY.W.5.1.B.** Provide logically ordered reasons that are supported by facts and details.

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Instructor Directions: Cut out the following strips and distribute one slip to each group.

1950s

While some doctors were worried about the effects of smoking earlier, it wasn't until the 1950s that strong scientific evidence began to tie cigarettes to lung cancer and other health risks. Cigarette companies, however, refused to say that cigarettes were harmful.

1964

The Surgeon General* published his first report about smoking and health. The report made it clear that smoking is a cause of lung cancer and also told Americans about other ways that cigarette smoking can be bad for people's health. The report included evidence from many sources.

**Did you know? The Surgeon General is chosen by the President. S/he is often called the "Nation's Doctor." It is this person's job to share scientific information that Americans need to be healthy.*

1965

The Federal Cigarette Labeling and Advertising Act was passed. This law said that every cigarette pack must have a label that said: *Caution: Cigarette smoking may be hazardous to your health.*

In 1970, this label changed to: *The Surgeon General Has Determined That Cigarette Smoking Is Dangerous to Your Health.* Over the years, the warnings became stronger and also began to include images that showed how cigarettes harm people.

1967

The Fairness Doctrine was a law passed in 1949 that said television and radio stations must always present both sides when talking about a *controversial* subject. (A *controversial* subject is one that people are likely to have strong opinions about.)

In 1967, the Fairness Doctrine said that cigarettes were *controversial* subjects. So, from 1967 to 1970, every television channel had to broadcast one antismoking public service announcement (PSA) for every three cigarette advertisements that they aired. Studies showed that the drop in smoking during this time was largely because of these PSAs.

1970

The Public Health Cigarette Smoking Act was passed by President Nixon. This federal law banned **all** cigarette advertising on television and radio. It was the first large government action to regulate tobacco.

1971

The Surgeon General* tells the public about the effects of second-hand smoke. Second-hand smoke is the smoke that non-smokers breathe in when people are smoking around them.

The Surgeon General also focused on the nonsmoker's right to clean air, especially in indoor spaces. Organizations around the country started fighting against air pollution in shared indoor spaces. Slowly, some separation between smokers and nonsmokers began—starting with a smoking and nonsmoking section on airplanes.

**Did you know? The Surgeon General is chosen by the President. S/he is often called the "Nation's Doctor." It is this person's job to share scientific information that Americans need to be healthy.*

1980s

The Surgeon General* issued another report, focusing again on second-hand smoke—which is the smoke that non-smokers inhale because people are smoking around them. He explained that studies show that second-hand smoke can cause problems and diseases in adults and children. He said that separation in the same space is not enough, and that public spaces should be smoke-free. The number of communities that passed laws about smoking in public spaces began to increase, and smoking was no longer allowed on U.S. flights.

**Did you know? The Surgeon General is chosen by the President. S/he is often called the “Nation’s Doctor,” and it is their job to share with Americans the scientific information they need to improve their health.*

1992

The Synar Amendment was passed in order to prevent young people from being able to purchase tobacco. The amendment was named after the congressman (Mike Synar from Oklahoma) who supported it. It said that all states must create their own laws to stop tobacco products from being sold or given to youth under the age of 18. It also said that states had to enforce these laws and make sure they were followed.

1998

When people were getting sick from smoking, many treatments were being paid for by the government. States thought this was unfair and filed lawsuits to try to get tobacco companies to pay for these treatments. These court cases resulted in the Master Settlement Agreement (MSA) between the four biggest cigarette manufacturers and state governments.

The MSA won money for the states and set important rules about cigarettes that affected youth:

- It raised the price of cigarettes.
- It made it illegal for cigarette companies to use cartoons and target youth in magazine and newspaper ads.
- It made it illegal for cigarette advertisements to appear on billboards, in movies or on TV, or as a sponsor for sports games or events.
- It started a large anti-smoking campaign for teens and young adults.

2009

The Family Smoking Prevention and Tobacco Control Act was passed. This Act gave the Food and Drug Administration* the power to control how tobacco products are made, distributed, and advertised. It becomes a federal law that cigarettes can't be sold to youth until 18, instead of just a state law.

The Act also said that:

- All cigarette advertising to youth is illegal.
- Cigarette flavors other than tobacco and menthol are not allowed.
- Cigarette warning labels on packs must be made larger.

In addition, the Act started the Center for Tobacco Products. This Center educated people about the dangers of smoking, made sure companies followed the laws, and performed nicotine research.

**Did you know? The Food and Drug Administration is a federal agency that is part of the United States Department of Health and Human Services. It is responsible for the public's health and makes sure that the food, drugs, and products we use are safe!*

2012

North Dakota passed a smoke-free law, which bans smoking from workplaces, restaurants, and bars. It is the 28th state to ban cigarette smoking in all of these areas. As of the fall of 2019, it is the most recent state to pass this law.

Smoking News

Directions: Pretend that you are going back in time to write a newspaper article about the information on your headline strip. Complete this handout to help you decide what should be included.



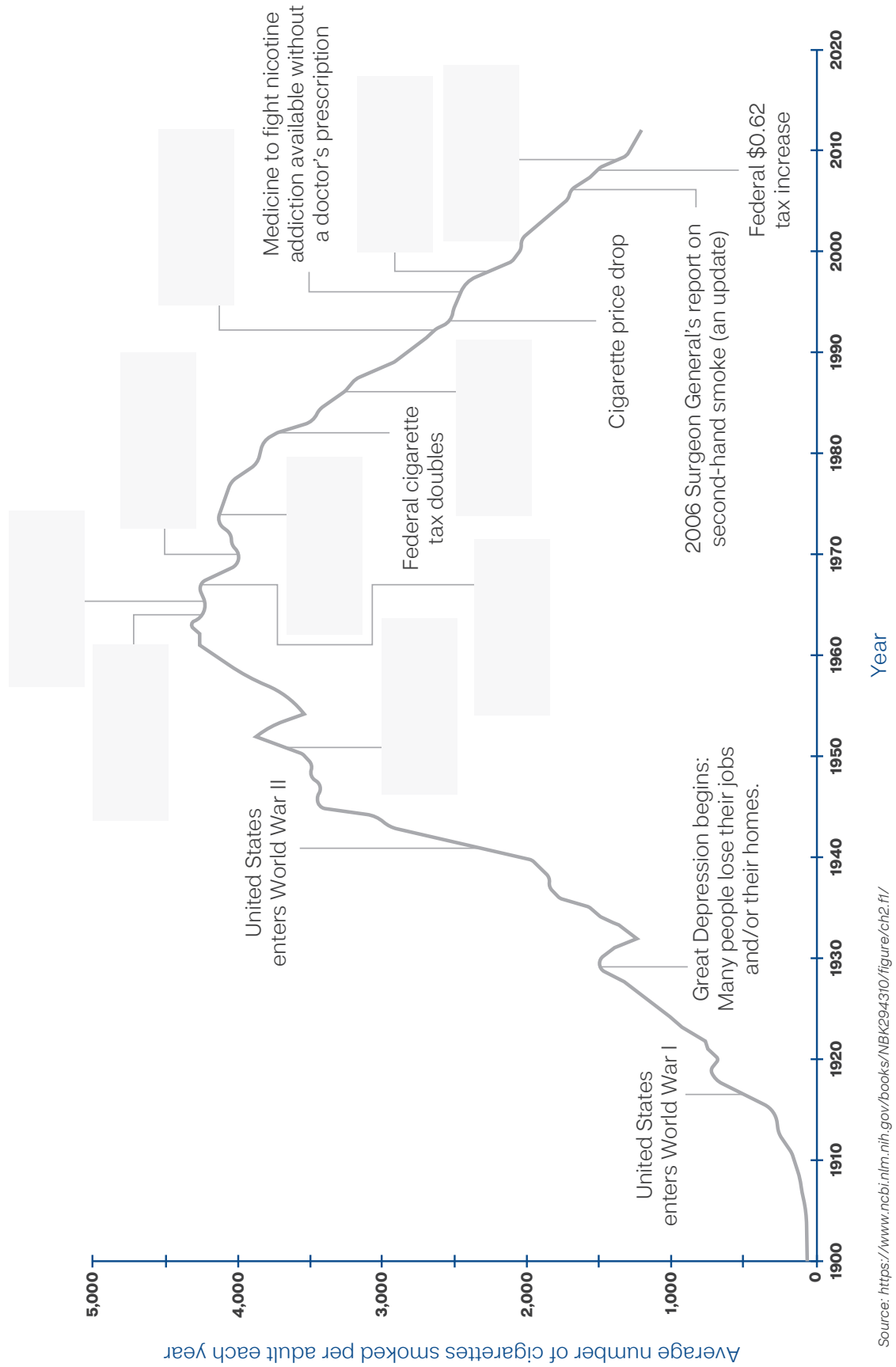
Year: _____

Headline: Remember, headlines are short and share the most important information!

Supporting Details: Select one or two important details that should be included in the article:

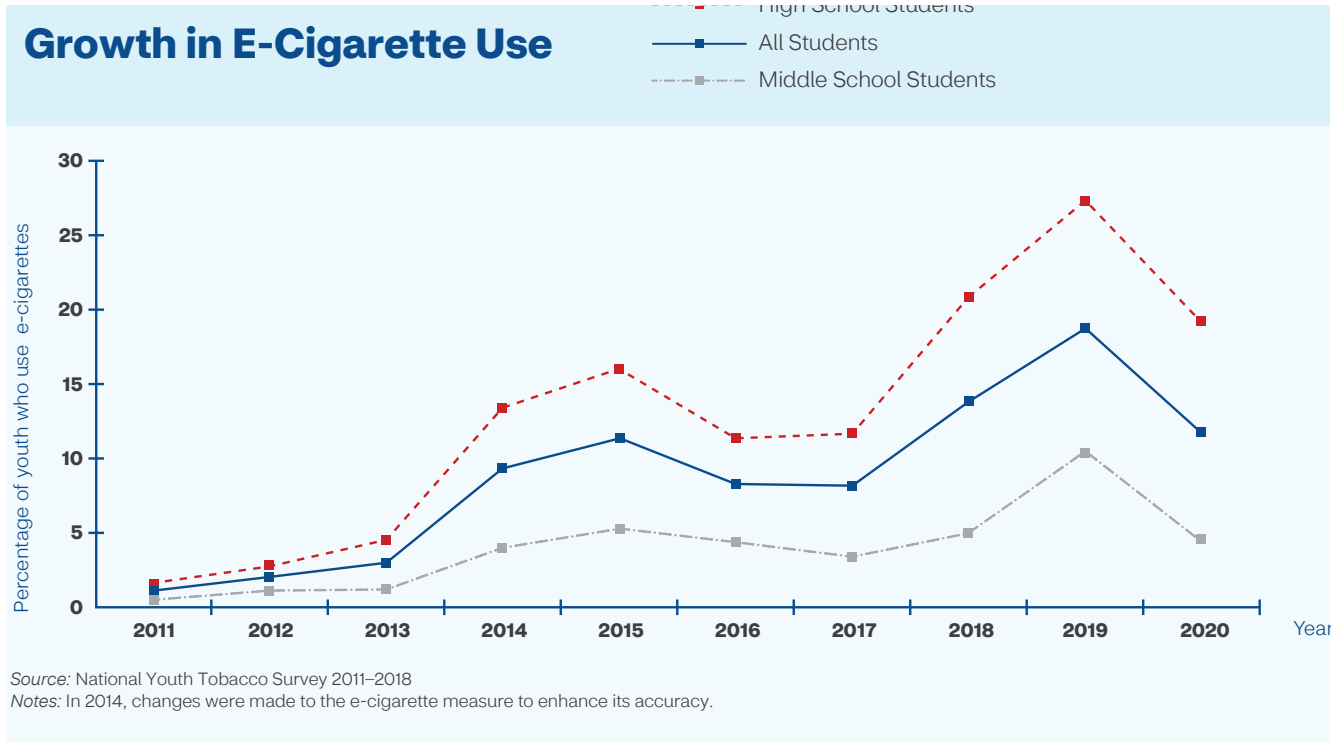
Importance: Did this event seem to affect the number of smokers? Use the graph to help you!

The Effects of Smoking Laws



E-Cigarette Laws

Directions: Record information about the laws enacted during each of the following years. Then, take notes on your own state’s e-cigarette laws.



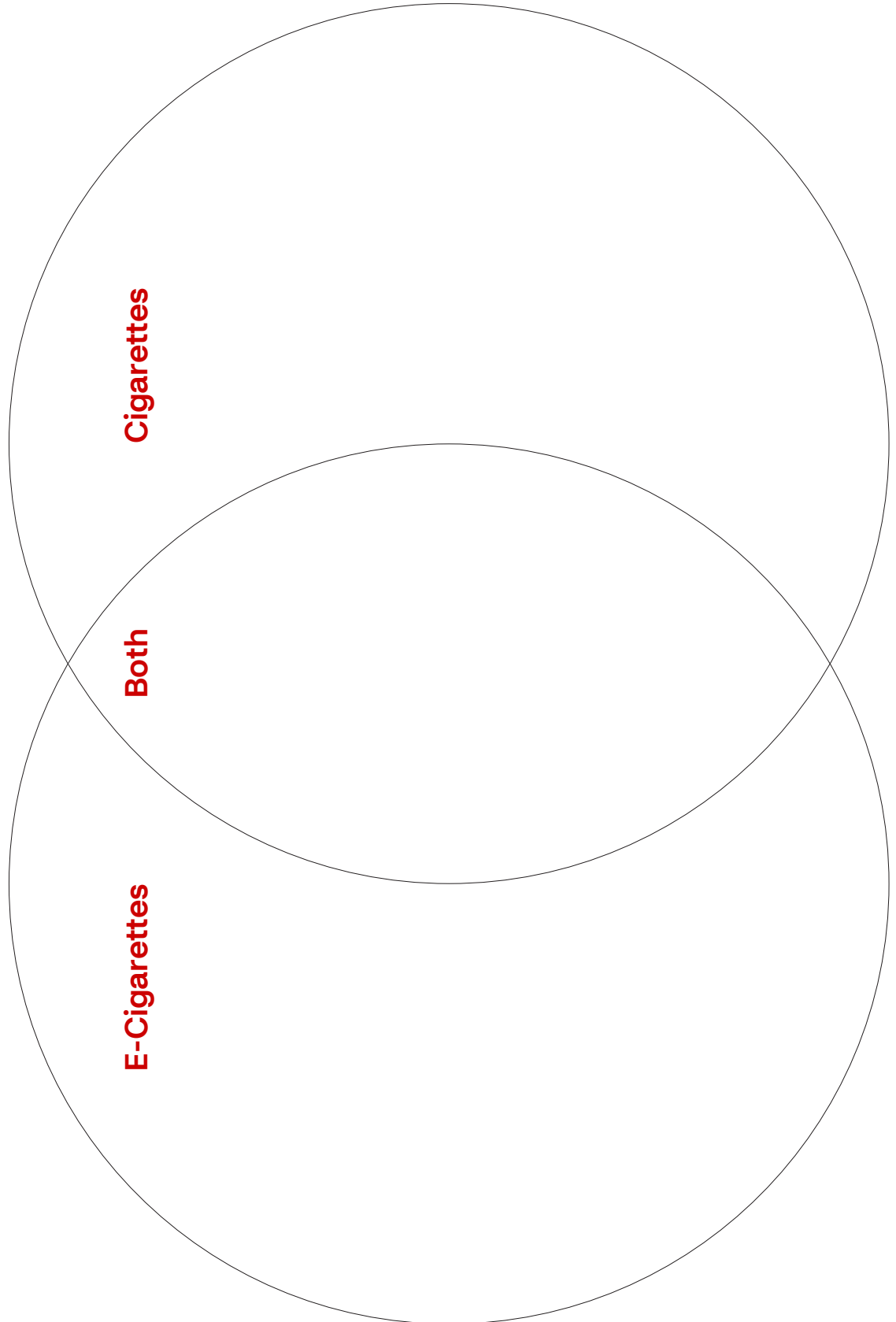
2016: It becomes illegal to _____ to _____ .
E-cigarette _____ in areas with _____ also become illegal.

2018: E-cigarettes must contain _____ that says: “ _____ : This product contains _____ . _____ is an addictive _____ .”

2019: It is up to each _____ to pass their own _____ .
The minimum age to buy tobacco products including e-cigarettes is _____ .

My state has the following e-cigarette laws:

Compare & Contrast: Laws and Regulations



Write an Opinion

City Council is considering passing a law that allows people to vape anywhere in your community, including inside schools, restaurants, hospitals, etc. They would like to hear opinions from the public before deciding.

Do you think people should be able to vape anywhere in your community?

Step One: Partner Brainstorm

- What have you learned about e-cigarettes, cigarettes, and nicotine laws that could help you decide about this new law? Record helpful facts in the chart below.

Vaping & E-Cigarettes Facts	Smoking & Cigarettes Facts	How have nicotine laws changed over the years?

- Write a (+) next to facts that could help prove that people **should** be able to vape everywhere. Write a (-) next to facts that could help prove that people **should not** be able to vape everywhere.

Step Two: Develop Your Opinion

Use your brainstorming from Step One to develop an answer and support your opinion with reasons.

Do you think people should be able to vape anywhere in your community?

Answer:

I think e-cigarettes should (or) should not be allowed in public places because...

Reason #1:

Reason #2:

Reason #3:

Opinion Evaluation

Directions: As your peers present their opinions, record notes in the boxes below. You will use these notes to help you make a final decision and cast your vote on public vaping.

Reasons that support my own opinion:

Reasons that support the opposing side:

Reasons that made me stop and think: