

December 10, 2019
Special Business Meeting
Jefferson County Board of Education

Resolution Authorizing Litigation Against JUUL and other
Manufacturers, Distributors and Sellers
of Electronic Cigarettes and Vaping Products

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Whereas, there has been a significant increase in the number of Jefferson County Public School (JCPS) students who use electronic cigarettes or vaping products;

Whereas, youth vaping is at epidemic levels locally and nationally;

Whereas, the Centers for Disease Control and the U.S. Department of Health and Human Services, Office of Surgeon General has found that vaping products are unsafe for kids and teens;

Whereas, nicotine use by school-aged people likely increases the risk of nicotine addiction when they become adults;

Whereas, the marketing practices of JUUL and similar companies have targeted kids and teens;

Whereas, on September 9, 2019, the U.S. Food and Drug Administration sent JUUL a warning letter alleging improper marketing practices;

Whereas, JCPS and its employees spend a significant amount of time and resources disciplining students for possession and use of vaping products;

Whereas, JCPS and its employees spend a significant amount of time and resources providing counseling and educational services to students related to the use of vaping products;

Whereas, the use and possession of vaping products by students causes a significant interruption of the educational process;

Whereas, JCPS believes it is entitled to compensation for its efforts and resources expended to combat vaping by its students;

Whereas, JCPS believes it is entitled to compensation for the interruption of the educational process caused by vaping manufactures and distributors;

Whereas, JCPS desires to reduce the number of its students who use vaping products;


Whereas, JCPS desires to stop JUUL and similar companies from marketing vaping products to its students;

Whereas, JCPS has undertaken significant efforts to combat the rise in student vaping, including the launch of an anti-vaping campaign involving health curricula, partnerships with Metro Louisville and the Foundation for a Healthy Kentucky, school signage, website development, and various educational and awareness events; and

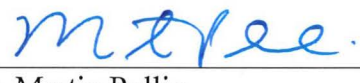
Whereas, the Jefferson County Board of Education (JCBE) has determined that JCPS has the responsibility to protect its students and take legal action against manufactures, distributors and sellers of electronic cigarettes and vaping products.

NOW, therefore, be it resolved by the JCBE that it authorizes attorney Ronald Johnson, and his law firm, Hendy Johnson Vaughn & Emery of Louisville, Kentucky to file a civil action against any appropriate parties to compensate JCPS for damages suffered by JCPS, and its students, as a result of the manufacture, marketing, sale and use of electronic cigarettes and/or vaping products, and to seek any other appropriate relief; including injunctive relief, to protect JCPS students from vaping manufacturers and distributors. The JCBE further authorizes the superintendent to sign all necessary contracts and other related documents on behalf of JCPS in the pursuit of any civil action.

Adopted on December 10, 2019 by the Jefferson County Board of Education.



Diane Porter
Board Chair



Dr. Martin Pollio
Superintendent