

Lauderdale County Board of Education

Vaping Policy

Jerry Hill

Superintendent of Education

The Lauderdale County Board of Education considers the health and safety of our students a top priority of our system. The ever-increasing existence and use of e-cigarette/vaping devices have become a serious concern among our student populations. We have previously and are currently taking proactive steps to increase knowledge related to the use of e-cigarette/vaping devices.

We are asking for all stakeholders in the Lauderdale County School system to become more aware and educated on the issues related to these devices.

The Lauderdale County Board of Education will also be implementing a new set of policies and procedures related to the use of and distribution of e-cigarette/vaping devices while on school grounds or involved in school activities.

We encourage you to speak with your children regarding the use of any type of e-cigarette/vaping device. The information below can be used to begin a conversation with your children.

Online Resources:

<https://drugfree.org/article/what-parents-need-to-know-about-vaping/>

<https://www.scholastic.com/youthvapingrisks/index.html>

<https://teen.smokefree.gov/>

<https://www.alabamapublichealth.gov/tobacco/youth-prevention.html>

<https://www.facebook.com/AlabamaYouChoose>

<https://www.lung.org/quit-smoking/helping-teens-quit/talk-about-vaping>

LAUDERDALE COUNTY BOARD OF EDUCATION

Vaping Policy

Effective August 1, 2022

1st Offense

Possession- 5 days of In-School Suspension

Distribution- 5 Days of Out of School Suspension

Students will receive a "0" for any grades taken during the five days Out-of-School suspension time period.

*The student will not be allowed to participate in any extracurricular activities during the time of any type of suspension for violating the LCSS Vaping Policy.

2nd Offense

Early Warning Vaping Program- The parent/guardian and the student will be required to attend the program with a representative of the Lauderdale County District Attorney's office present.

Possession- 2 Days of Out of School Suspension and 5 days of In-School Suspension.

Students will receive a "0" for any grades taken during the out-of-school suspension time period.

Distribution- Alternative School Placement for a minimum of 15 Days

*The student will not be allowed to participate in any extracurricular activities during the time of any type of suspension for violating the LCSS Vaping Policy.

3rd Offense

10 days of Out of School Suspension pending Board hearing.

Students will receive a "0" for any grades taken during the out-of-school suspension time period.

The student case file will be turned over to the Assistant District Attorney's office.

*The student will not be allowed to participate in any extracurricular activities during the time of any type of suspension for violating the LCSS Vaping Policy.

All violations of the LCSS Vaping Policy will be considered cumulative for individual students in grades 7-12. Grades 4th through 6th will also be considered cumulative and Pre-K through 3rd graded handled on a case by case basis.

Example: A student receives their first vaping offense in 7th grade. In 9th grade the student violates the policy again, this would result in the student having two violations.

A 6th grader receiving a vaping violation will be cleared upon entering the 7th grade.

Section 28-11-13

Unlawful for minors to purchase, use, possess, or transport tobacco, tobacco product, electronic nicotine delivery system, or alternative nicotine product.

THIS SECTION WAS AMENDED BY ACT 2021-453 IN THE 2021 REGULAR SESSION, EFFECTIVE AUGUST 1, 2021. THIS IS NOT IN THE CURRENT CODE SUPPLEMENT.

(a) It is unlawful for any individual under the age of 21 years to purchase, use, possess, or transport tobacco, a tobacco product, an electronic nicotine delivery system, or an alternative nicotine product within this state. It shall not be unlawful for an individual under the age of 21 years who is an employee of a tobacco, tobacco product, electronic nicotine delivery system, or alternative nicotine product permit holder to handle, transport, or sell tobacco, a tobacco product, an electronic nicotine delivery system, or an alternative tobacco product if the employee is acting within the line and scope of employment and the permit holder, or an employee of the permit holder who is 21 years of age or older, is present.

(b) It is unlawful for any individual under the age of 21 years to present or offer to another person proof of identification which is false, fraudulent, or not actually his or her own proof of identification in order to buy, receive, or otherwise obtain, or attempt to buy, receive, or otherwise obtain, any tobacco, tobacco product, electronic nicotine delivery system, or alternative nicotine product.

(c) If a minor is cited for any violation under this section, the citing agency shall notify a parent, legal guardian, or legal custodian of the minor unless the minor has been emancipated by court order or operation of law.

(Acts 1997, No. 97-423, p. 721, §13; Act 2009-578, p. 1697, §1; Act 2013-383, p. 1438, §1; Act 2019-233, §2; Act 2021-453, §5.)