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EFFECTIVE OCTOBER 14, 2019

Regulation JCDA-R : Student Code of Conduct Offense Number 29: VAPING

The use of vapes, vaporizers, e-cigarettes, or other devices used to inhale vapor by means of an electronic or similar device ("vaping") is harmful to the health of students and the good order of the School District and is a violation of this behavior code. In addition to the health risks, it is illegal for students under the age of eighteen to use or purchase vaping devices or to purchase vaping paraphernalia. Vaping involves the use of a purpose-made or homemade device ("vaping device") that vaporizes liquids, oils or gels that may contain flavoring, nicotine, Cannabidiol ("CBD") oil of varying concentrations, tetrahydrocannabinol ("THC") oil of varying concentrations, or other substances that may or may not be legal to possess ("vape juice"). A vaping device is generally composed of a vaporizer, battery, reservoir for smoking oil, and a battery charger. By way of example and not as a limitation, vaping devices may be called vapes, Juuls, e-cigarettes, e-cigs, dab pens or other brand names. Vape juice is a slang term for the liquid, oil, or gel used by the vaporizer to create vapor. Vape juice may contain flavored juice, nicotine, CBD oil, or THC oil. The possession, use, distribution, or attempted distribution of a vaping device or vape juice on school property, on school buses, at school sponsored events, or while under school jurisdiction is prohibited.

Consequence: **SECONDARY 6-12**

1. 1st Violation –out of school suspension for up to 2 days and 3 days in-school suspension
2. 2nd Violation – out of school suspension for up to 5 days and up to 5 days in-school suspension
3. 3rd Violation – out of school suspension for 10 days with recommendation for assignment to the Transitional Academy
4. 4th and subsequent Violations – long-term suspension or expulsion

Consequence: **ELEMENTARY PK-5**

1. Discretion of the building principal. Penalty may include long or short term suspension or assignment to the Transitional Academy, based on the circumstances and age of the student.

Any student who violates this Offense Number 29 while on assignment to the Transitional Academy (for violation of this offense or any other offense in the student behavior code), shall be subject to immediate out-of-school suspension or expulsion, regardless of whether it is the student's 1st, 2nd, or 3rd violation of this offense.

If the offense occurs on a bus or at a bus stop, in addition to the consequences outlined above, the student may be suspended from bus transportation.

Vaping devices will be confiscated and retained by the School District for a period of ten days. A parent or legal guardian must come to the School to pick-up the vaping device within such ten day period. Any vaping devices which are not recovered by a parent or legal guardian within ten days will be deemed abandoned and disposed of by the School District.

Absent clear and convincing evidence to the contrary, the use, possession, distribution or attempted distribution of any vaping device or vape juice that the School District reasonably believes (by a preponderance of the evidence) contains THC oil, shall be governed by Offense Numbers 2 and 3 of this Behavior Code respectively.