

Cherokee County School District

ANTI-VAPING CODE

The Cherokee County School District is committed to the health, safety, and welfare of its students. The District has determined that the use of vapes, vaporizers, e-cigarettes, or other devices used to inhale vapor by means of an electronic device (“vaping”) is harmful to the health of students and the good order of the School District. Vaping requires the use of a purpose-made or homemade device that vaporizes oil 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”). 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.

It will be a violation of the Cherokee County Discipline Code to possess, use or transfer a vape as provided below.

For purposes of this section, the following definitions will apply:

- Cannabis. Tetrahydrocannabinol (THC) and cannabidiol (CBD) are the two primary cannabinoids that occur naturally in the cannabis sativa plant.
- CBD Oil. CBD oil is derived from a cannabis plant called hemp. Hemp contains a very high concentration of CBD and less than .3% by volume of THC.
- Low-THC Oil. Low-THC oil is derived from the cannabis plant that produces marijuana. Low-THC oil contains no more than 5% by volume of THC and may only be possessed or used under a doctor’s supervision with a prescription. Possession of Low-THC oil without a valid prescription is a felony.
- THC Oil. THC oil is derived from the cannabis plant and contains more than 5% by volume of THC. Some THC oil may contain up to 98% by volume of THC (3 - 5 times stronger than typical marijuana). Possession of THC oil is a felony.
- Vape. A vape is a purpose-made or homemade device that electronically vaporizes liquid to allow a user to inhale the vapor created in the lungs (i.e. vapes, juuls, e-cigarette, e-cig, dab pen, vape sticks, etc.) Vape will include individually or together vape battery(ies), reservoir(s), vaporizer(s), and/or vape charger(s).
- Vape Juice. Vape juice is a slang term for the liquid used by the vaporizer to create vapor. Vape juice may contain flavored juice, CBD oil, Low THC oil or THC oil. 25

At present, there is no proven technology to quickly, easily and accurately test vape juice to identify its composition as flavored juice, nicotine juice, CBD oil, Low-THC oil or THC oil. Because of the documented, extreme health effects associated with high concentration THC oil this code creates a rebuttable presumption that vapes and vape juice contain THC oil. Absent clear and convincing evidence to the contrary the possession and/or use of vape juice will be treated as a 05E.3 violation of this code.

.1 THE USE, ATTEMPT TO POSSESS, OR THE POSSESSION INDIVIDUALLY OR IN CONNECTION WITH OTHERS OF A VAPE OR FLAVORED VAPE JUICE IN OR OUT OF A VAPE

Disposition:

- Punishment will generally be at the discretion of the Principal. Circumstances will determine which one or more of the following alternatives will be considered:
 - Counseling with student, parents, and teachers; and/or
 - In-school suspension; and/or
 - After school detention; and/or
 - Removal from class for a period of time; and/or
 - Assignment to alternative school or suspension from school for one to nine school days.
 - If the offense occurs on a bus or at a bus stop, in addition to the school disposition, the student may be suspended from bus transportation.

REPORTING None

.2 THE USE, ATTEMPT TO POSSESS, OR THE POSSESSION INDIVIDUALLY OR IN CONNECTION WITH OTHERS OF VAPE JUICE CONTAINING NICOTINE OR CBD OIL IN OR OUT OF A VAPE. THE SECOND OR SUBSEQUENT USE, OR ATTEMPT TO POSSESS OR POSSESSION OF A VAPE IN ANY GIVEN SCHOOL YEAR.

Disposition:

- An immediate external suspension for nine days from school; and because of serious nature of the infraction, a Tribunal **may** be scheduled with a recommendation for long-term assignment to alternative school or expulsion.
- If the offense occurs on a bus or at a bus stop, in addition to the school disposition, the student may be suspended from bus transportation.

REPORTING None

.3 THE USE, ATTEMPT TO POSSESS, OR THE POSSESSION INDIVIDUALLY OR IN CONNECTION WITH OTHERS OR THE DISTRIBUTION OF VAPE JUICE CONTAINING LOW-THC OIL OR THC OIL IN OR OUT OF A VAPE.

Disposition:

- An immediate external suspension for nine days from school; and because of the serious nature of the infraction, a Tribunal will be scheduled with a recommendation for long-term assignment to alternative school or expulsion.
- If the offense occurs on a bus or at a bus stop, in addition to the school disposition, the student will be suspended from bus transportation.
- In the case of distribution consideration of a recommendation for a multi-year expulsion.

REPORTING CCSD Police