

6.26 *Vape Awareness, Education, and Prevention*

Alabama Act 2025-403 requires policy relating to vaping, tobacco products, and alternative nicotine products. The purpose of this policy is to establish a vape awareness, education, and prevention program to prohibit the possession and use of prohibited tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products by students in public K-12 schools.

6.26.1 Prohibition - The possession or use of tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products is prohibited by any student at a public K-12 school, on a school bus, or at any school sponsored function.

6.26.2 Violation - Any student who violates the prohibition contained within this policy shall be subject to graduated consequences which may include:

- a. Notification of the student's parent or legal guardian shall be made regarding the violation.
- b. Required participation in the Alabama State Board of Education approved vaping awareness, education, and prevention class.
- c. In-school suspension, out-of-school suspension, or placement in an alternative school.
- d. Referral of the matter to the juvenile court for disposition.
- e. Or, any combination of the foregoing.

6.26.3 Complaint procedure - When a complaint is lodged against a student for violating the prohibition, the complaint must be memorialized using the model complaint form (attached). An anonymous report may not be used as the sole basis for imposition of formal disciplinary action. Once a complaint is made against a student for a violation, the complaint form is then to be forwarded to the principal, assistant principal, or school resource officer for investigation. The complaint form must include all of the following information:

- a. Name of student who has violated the policy.
- b. Date, time, and location of violation.
- c. Description of conduct that violates the policy.
- d. Name(s) of witness(es) to violation of the policy.
- e. Any other pertinent information.

6.26.4 Investigation Procedure - Once a principal, assistant principal, or school resource officer receives a complaint of a serious violation, they must then promptly investigate the violation. The principal, assistant principal, or school resource officer must be the individual responsible for the investigation.

6.26.5 Response Procedure If the student has violated the prohibition, the student shall immediately, and without delay, be subject to the graduated consequences. Any and all

consequences shall conform with applicable disability, antidiscrimination, education laws, and school discipline policies. Additionally, a copy of the complaint form and the disposition shall be placed in the student's permanent record.

6.26.6 Notice Requirement - The policy adopted by a local school board shall be included in the code of conduct policy of the local board of education and included in the student handbook so as to give adequate notice to students and parents of prohibited behaviors occurring on school property, school buses, and at school sponsored events and the punishments attached thereto.

6.26.7 Applicability to Employees The use of tobacco, tobacco products, electronic nicotine delivery systems, e-liquids, and alternative nicotine products by any teacher, administrator, or other school employee on the campus of any public K-12 school is prohibited. Nothing in this policy shall be construed to infringe on any right provided to a student pursuant to the Individuals with Disabilities Education Act (IDEA), the Family Educational Rights and Privacy Act (FERPA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990, provided that student information related to this policy shall be included as necessary into any and all Individualized Education Plans (IEPs), behavioral intervention plans, and other similar documents.