

## TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS

### Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

### Definitions

"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: August 14, 1996  
Revised: July 29, 1999  
Adopted: March 28, 2001  
Adopted: July 19, 2002  
Adopted: April 23, 2003  
Adopted: March 26, 2008  
Adopted: May 27, 2009  
Revised: June 25, 2014  
Revised: June 26, 2019

---

---

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	JFC-R	Standards of Student Conduct
	JFCH/KGC	Tobacco Products and Nicotine Vapor Products
	KG	Community Use of School Facilities
	KGB	Public Conduct on School Property

TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS REGULATIONS

The use of tobacco products or nicotine vapor products by staff, students, and visitors is prohibited on school property.

In addition, students are prohibited from possessing or distributing any tobacco products or vapor products on school property.

For purposes of this regulation

1. "School property" means:
  - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;
  - c. All vehicles used by the division for transporting students, staff, visitors or other persons.
  - d. All school grounds and property – including athletic fields and parking lots – owned, leased, rented or contracted by the Dickenson County School Board.
  - e. All school-sponsored or school-related events on-campus or off-campus.
2. "Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings.
3. "Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

Students that possesses, distributes, and/or uses tobacco products or nicotine vapor products on school property will be disciplined as provided for in the *Dickenson County Public Schools Handbook of Expectations and Consequences for Students*.

Staff that uses tobacco products or nicotine vapor products on school property will be subject to appropriate discipline, up to and including termination.

Visitors that use tobacco products or nicotine vapor products on school property may be asked to immediately leave school grounds and/or may be banned from school grounds for a period of time.

Adopted: June 26, 2019