



STATE OF HAWAII
DEPARTMENT OF EDUCATION
WAIANAЕ INTERMEDIATE SCHOOL
85-626 Farrington Highway
Waianae, HI 96792

December 2015

Re: Prohibited Use of Electronic Smoking Devices

Dear Parents/Legal Guardians

Effective January 1, 2016, any possession and/or use of electronic cigarettes (e-cigarettes) will be considered as a Class C offense under Hawaii Administrative Rules (HAR) Title 8 Chapter 19 Student Misconduct, Discipline, School Searches and Seizures, Reporting Offenses, Police Interviews and Arrests, and Restitution for Vandalism.

Currently, HAR Chapter 19 considers the possession, sale and/or use of e-cigarettes as contraband under Class D offenses.

This change in the enforcement of HAR Title 8 Chapter 19 is pursuant to:

Act 19, Session Laws of Hawaii, 2015 (Hawaii Revised Statutes Chapter 328J)

- This law expands current statute to include the definition of an “electronic smoking device” and a “tobacco product” and prohibits the use of electronic smoking devices in all areas where smoking is prohibited.

Act 122, Session Laws of Hawaii, 2015 (Hawaii Revised Statutes Chapter 321)

- This law increases the minimum age to purchase tobacco products from 18 to 21, making it unlawful to sell or furnish tobacco products to any person less than 21 years of age. Act 122 also includes electronic smoking devices in the definition of a tobacco product.

Kindly share and discuss this change in law with your child/children. Should you have any further questions, please contact your school administrator(s) for assistance.

Thank you for your continued cooperation and efforts to improve the safety and well-being of all students.

Very truly yours,

Raechelle Fabrao
Principal