

DAVID Y. IGE  
GOVERNOR



KATHRYN MATAYOSHI  
SUPERINTENDENT

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COMPLEX AREA

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KOHALA MIDDLE SCHOOL  
P.O. BOX 777  
53-4155 AKONI PULE HIGHWAY  
KAPAAU, HAWAII 96755  
PHONE: (808) 889-7119 FAX: (808) 889-7121

December 14, 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, Social 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,

A handwritten signature in blue ink, appearing to read "Alan Brown".

Alan Brown, Principal

**AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER**

Kohala Middle School does not discriminate on the basis of race, color, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups-ESE only.

The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Alan Brown, Principal, PO Box 777 Kapaau, HI 96755  
Telephone: (808) 889-7119 x224 Email: alan\_brown@notes.k12.hi.us