

**Administrative Procedures for Tobacco Product, Alternative Nicotine Product, and Vapor
Product Use by Students**
(Attachment for Policy No. 222)

Purpose:

The School District of Philadelphia (“District”) recognizes that tobacco products present a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the schools.

Definitions:

The following words and phrases, when used in these procedures, shall have the meaning given to them in this section:

Administrator: Any person who has disciplinary and managerial authority to enforce school policies and penalties in the District, including but not limited to, principals, vice-principals, or office personnel.

Alternative nicotine product: A product, not consisting of or containing tobacco, that provides for the ingestion into the body of nicotine, whether by chewing, absorbing, dissolving, inhaling, snorting or sniffing, or by any other means. The term does not include a tobacco product, vapor product, or a product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.)

Any time: During normal school and non-school hours, 24 hours a day, seven days a week, 365 days a year.

Imitation tobacco product: Any non-tobacco product designed to resemble a tobacco product including any edible or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include, but are not limited to: candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, shredded beef jerky in containers resembling snuff tins, plastic cigars, and puff cigarettes.

Lighter: A mechanical or electrical device typically used for lighting tobacco products.

Nicotine product: A product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or any other means.

Off-campus, District-sponsored event: Any event sponsored by the school or District that is not on District property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances, or theatrical productions.

Parent/Guardian: Any person that has legal guardian status over a student enrolled in the District.

Tobacco product:

- (i) any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, a cigar, a little cigar, chewing tobacco, pipe tobacco, snuff and snus;
- (ii) any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah;
- (iii) any product containing, made or derived from either.
 - (a) tobacco, whether in its natural or synthetic form; or
 - (b) nicotine, whether in its natural or synthetic form, which is regulated by the united states food and drug administration as a deemed tobacco product;and
- (iv) any component, part or accessory of the product or electronic device under subparagraphs (i), (ii) and (iii), whether or not sold separately.

Vapor product: A 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. The term includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and a vapor 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. The term does not include a product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.[\[1\]](#)

Visitor: A parent/guardian, educator, official or other individual who is not a school employee or independent contractor, and who visits a school or attends or participates in an event or activity at a school.

Procedures:

If a student is thought to be in possession of tobacco products, alternative nicotine products and vapor products an Administrator may authorize a search of the student's belongings. [\[1\]](#) If the student is found to be in possession of tobacco products, alternative nicotine products, and vapor products or related paraphernalia, the item(s) will be confiscated and photographed by a School Police Officer or Administrator and the guardian will be notified.

An appropriate referral for support and education and/or consequence should be implemented that, according to the current Code of Student Conduct, is limited to an “in-school” intervention. If a student is in possession of a lighter or matches, please refer to the Policy 218.1 - Weapons, which ~~policy that~~ addresses incendiary devices. [2]

The Administrator or designee may report incidents of possession, use or sale of tobacco products, alternative nicotine products, or vapor products by students on school property, at any off-campus, District-sponsored event, or on a conveyance providing transportation to and from a school or off-campus, District-sponsored event to the local police department in accordance with the Memorandum of Understanding. [3]

Maintenance Schedule:

This procedure should be reviewed with each revision of the Code of Student Conduct.

Related Procedures:

Administrators can utilize the Guidelines for Discipline for the proper protocol relating to the discipline process. The guidelines are available on the District’s website at <https://www.philasd.org/studentrights/programsservices/discipline-office/>

Legal References:

1. [Policy 226](#) - Student Searches
2. [Policy 218.1](#) - Weapons
3. [Policy 805.1](#) - Relations with Law Enforcement