

**Administrative Procedures for ~~Employee~~ Tobacco Product, Alternative Nicotine Product,  
and Vapor Product Use by Employees**  
(Attachment for Policy No. 323)

**Purpose:**

The Board of Education (“Board”) recognizes that the use of tobacco products is a health, safety and environmental hazard for students, employees, visitors and School District of Philadelphia (“Philadelphia”) facilities. These administrative procedures describe the limited exceptions to the policy, disciplinary actions for violators, as well as smoking cessation opportunities.

**Definitions:**

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

**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.)

**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.

~~Tobacco: A lighted or unlighted cigarette, electronic cigarette, cigar, blunt, bidis, pipe, vapes or other smoking product or material and smokeless tobacco in any form.~~

**Tobacco product:**

The term includes:

- (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.

The term does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, so long as the product is not inhaled.

**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.

**Enforcement:**

The District will enforce this policy through appropriate disciplinary actions for violators, including, but not limited to, any one or more of the following:

**Employees:**

- Verbal reprimands
- Written notification placed in personnel file
- Suspension
- Dismissal from employment

**District contractors:**

- Verbal reprimand
- Notification to contract employer
- Removal from District property

**Visitors:**

- Asked to leave school property
- Termination from volunteer position, if applicable
- Removal from school property and forfeiture of any fee charged for admission

- Ban from future entry onto school property
- Notification of the offense to the Philadelphia Police Department

#### **Smoking Cessation Opportunities:**

There are a multitude of resources and supports for people to help them stop smoking. District employees are eligible to participate in the American Lung Association's [Freedom From Smoking](#) program. Employees who are enrolled in District medical coverage may be eligible for reimbursement. For more information about employee wellness programs, contact the Office of Employee Benefits at [employeeewellness@philasd.org](mailto:employeeewellness@philasd.org).

The Pennsylvania Department of Health offers the PA Free Quitline (1-800-Quit-Now), which is a telephone-based tobacco cessation counseling service offering free coaching. For more information, go to <https://www.health.pa.gov/topics/programs/tobacco/Pages/Quitline.aspx>.

In addition, the City of Philadelphia's Smoke Free Philly provides information about the benefits of quitting and tips to assist with quitting: <http://smokefreephilly.org/>.

#### **Maintenance Schedule:**

The Chief Talent Officer or the Chief Talent Officer's designee will revise the administrative procedures for the employee tobacco policy on an as-needed basis when there is a change in relevant operating protocols.