



## **Smoke and Vape-Free Environment**

### **#400.XX**

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<b>Adopted:</b>	December 1, 2023
<b>Last Reviewed/Revised:</b>	N/A
<b>Responsibility:</b>	Superintendent of Business
<b>Next Scheduled Review:</b>	2027-28

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#### **POLICY STATEMENT:**

The Brant Haldimand Norfolk Catholic District School Board ("the Board") is committed to providing a healthy and safe working and learning environment for its students, staff, community users and visitors to our schools and administrative sites. Smoking and the use of tobacco products, emerging tobacco industry products, tobacco-related products including e-cigarettes and vapourizers, cannabis and cannabis-related products and any smoking paraphernalia on school board property (including in personal vehicles) and when at off property locations during school board and school related events (e.g., field trips) is strictly prohibited.

#### **APPLICATION AND SCOPE:**

This Policy and Administrative Procedure is primarily governed by the Smoke Free Ontario Act (SFOA), which prohibits smoking or the holding of lit tobacco products and smoking or the holding of lit cannabis products on all school premises and places of work and applies to all members of the Board community including but not limited to students, employees, Trustees, guests, visitors, volunteers, contractors, invited officials, and designates representing the Board.

In accordance with the SFOA, this Policy and Administrative Procedure is not intended to limit the use of tobacco products for traditional or spiritual ceremonies.

#### **REFERENCES:**

- [Smoke-Free Ontario Act \(2017\)](#)
- [Electronic Cigarettes Act \(2015\)](#)
- [Making Healthier Choices Act \(2015\)](#)
- [OPS 400.05.P – Community Use of Schools](#)
- [STU 200.09.P – Student Behaviour, Discipline, and Safety](#)
- Smoke-Free Schools Guidelines (staff only)

#### **FORMS:**

- N/A

#### **APPENDICES:**

- N/A

#### **DEFINITIONS:**

**Cannabis Product:** is defined as any product containing, made or derived from cannabis that is intended for human consumption whether smoked, heated, inhaled, dissolved, or ingested by any other means, or any component part, or accessory of the cannabis product. Common types of cannabis products include dried cannabis (e.g., joints, spliffs, blunts), concentrated cannabis products (e.g., hash, hash oil, shatter, wax), and edible cannabis concentrates (food or drink products containing cannabis).



**Imitation Smoking and Vapour Products:** include any product that resembles any tobacco or electronic smoking or vaped product, and/ or is marketed or intended to be used as an alternative to tobacco use, that is not an approved smoking cessation device. Prohibited imitation smoking and vapour products can include electronic cigarettes, cigars, and pipes as well as the cartridges, and solutions, whether they contain nicotine or not. They produce a vapour that resembles smoke. They consist of a battery-powered delivery system that vaporizes and delivers a liquid chemical mixture that may be composed of various amounts of nicotine, propylene glycol, and/or other chemicals. This does not include any product that is approved by Health Canada as a quit smoking aid (e.g., nicotine patches, mist, inhalers, gum, and lozenges), or is prescribed as a medicine for lung ailments (e.g. Ventolin or steroid inhaler).

**School or Board Property:** any property owned or occupied by the Board, including administrative and non-administrative buildings, schools (and their surrounding property), and board owned or leased vehicles and machinery. Temporary structures erected on board property are also considered Board property. Property that is used for school purposes that falls under a shared land use agreement also meets the definition of Board Property.

**Smoking:** inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs (waterpipe) and cannabis (medical and/or recreation), whether natural or synthetic, in any manner or in any form. Smoking also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device.

**Tobacco Products:** is defined as any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, heated, absorbed, dissolved, inhaled, sniffed, or ingested by any other means, or any component part, or accessory of the tobacco product. Common types of tobacco products include but are not limited to cigarettes, cigarillos, cigars, chewing tobacco, plug, snus, snuff, blunt wraps, beedies, and shisha (tobacco or herbal).

## **ADMINISTRATIVE PROCEDURES:**

All School and Board properties (and within 20 metres from the property perimeter) and Board vehicles are always designated as smoke-free. This includes all Board-sponsored and school-sponsored events, board business, school buses, on leased or rented property, or during any part of a school field trip, including team trips and school excursions.

Those smoking or using tobacco products in areas surrounding any School and Board property are expected to avoid littering, and to respect municipal by-laws and provincial legislation. They are asked to be considerate of neighbouring residents, businesses, and institutions.

The Board prohibits the promotion, advertising, or sale of any tobacco products or related paraphernalia on Board-owned, rented, or leased property. In addition, and in accordance with the federal Tobacco Act, corporate tobacco sponsorship of Board events or groups is prohibited.

## **Traditional or Spiritual Ceremonies**

Burning traditional and sacred products such as tobacco, sweet grass, or incense, for traditional or spiritual ceremonies are exempt from this Policy and Administrative Procedure. Requests to hold traditional or spiritual ceremonies where burning such products is involved, can be made in writing to the Director of Education, or designate. Approval for these requests will be granted in writing no later than five (5) days after the request is received.

## **Medicinal Cannabis**

Under the following controlled conditions, medicinal cannabis may be smoked on Board property:

- There must be a personal prescription (signed by a physician or nurse practitioner) specifically for medical cannabis. A copy of the prescription will be kept on file in Human Resource Services.
- There must be a specific dosage prescribed.
- The physician must indicate that the medical cannabis must be administered during the school/workday.
- The physician must indicate the form in which the medical cannabis will be used. Smoke free options are preferred; however, if smoking is the only option, then it must occur off-site and commercial devices that restrict the amount of second-hand smoke should be used.
- Proof of a personal license to use cannabis must be presented to the Administrator/Supervisor. A copy of the license will be kept on file.



- Proof of an authorized cannabis supplier must be provided. A copy of this documentation will be kept on file.

### **Responsibilities of School Administrators/Supervisors**

School Administrators and Supervisors will:

- inform students, parents, employees, volunteers, visitors and community users of this Policy and Administrative Procedure.
- support the maintenance of a smoke-free and vape-free environment to students through provision of information based on the Ontario Curriculum documents (Health and Physical Education) and other useful resources, e.g., OPHEA, Brant Country Health Unit (BCHU), Haldimand-Norfolk Health Unit (HNU).
- provide information about smoking cessation programs to students and employees, through the board's Wellness Program and resources of BCHU or HNU and other local programs.
- ensure that staff and volunteers are informed that they are not to smoke or vape in the presence of students while on field trips or at school or board-sponsored events.
- ensure "No Smoking or Vaping" signs are posted.
- exercise due diligence in ensuring staff cooperate with BCHU or HNU's Tobacco Enforcement Program under the Smoke-Free Ontario Act.

### **Violations**

#### Students

For all incidents where a student is found to be in possession of tobacco, e-cigarettes or recreational cannabis, smoking tobacco or recreational cannabis on school property, or selling or supplying tobacco, e-cigarettes or recreational cannabis to a person under 19 years of age, the School Administrator shall:

- inform the student of the laws pertaining to tobacco, e-cigarette and recreational cannabis possession and use on school property and the sale or supply of tobacco, e-cigarettes and recreational cannabis.
- inform the student of the smoke-free and vape-free environment policy and procedures of the Board.
- warn the student of the consequences of repeated behaviour.
- document the incident or infraction.

Parents or guardians of elementary students must be notified of the incident or infraction.

Parents or guardians of secondary students under the age of 18 may be notified of the incident or infraction.

Tobacco, e-cigarette or recreational cannabis confiscated from elementary students must be turned over to a parent or guardian or disposed of with a witness.

Students in grades 4-12 found to be in possession of tobacco, e-cigarettes or recreational cannabis may result in a suspension.

Students in grades 4-12 found smoking or vaping on school property may result in a suspension.

Subsequent offences will result in progressive disciplinary action as detailed in the STU 200.09.P – Student Behaviour, Discipline, and Safety.

Subsequent offences may also result in the submission of a Tobacco Enforcement Report to BCHU or HNU.

School administrators must consider mitigating and other factors, as detailed in STU 200.09.P – Student Behaviour, Discipline, and Safety.



Volunteers, Visitors, and Community Users

Volunteers and visitors to school property who violate this policy will be advised by staff of the smoke-free and vape-free environment policy and procedures.

Additional violations of the policy may result in:

- the individuals being asked to vacate the premises.
- the invoking of board Policy 104 Access to School and Board Premises.
- submission of a Tobacco Enforcement Report to the BCHU or HNHU.

Community users will be dealt with under Board Policy OPS 400.05.P – Community Use of Schools.

Board Employees

Employees who violate this policy will be informed of the policy and procedures. Employees will be reported to their principal or supervisor and, as appropriate, referred to the human resources wellness program for information and advice about smoking cessation programs.