



YORK REGION DISTRICT SCHOOL BOARD

Policy and Procedure #461.0, Tobacco and Smoke-Free Environment

Executive Summary

The Tobacco and Smoke-Free Environment policy is in alignment with the Smoke-Free Ontario Act (SFOA) and any other appropriate legislation. As such, the Board provides a working and learning environment which is free from the harmful effects of smoke and tobacco industry related products. This policy encourages students and staff to make healthful choices that support their health and well-being.

Who has responsibilities?

- Board of Trustees
- Director of Education
- Superintendents, Principals, Managers and Supervisors
- All Staff
- Students
- Contractors
- Parents
- Volunteers
- Permit holders

Relationship to Board Priorities

Fostering Well-Being and Mental Health

This policy and procedure supports the Board's commitment to student and staff well-being by providing a safe and healthy working and learning environment.

Equity and Inclusivity

This policy and procedure aligns with the Board's [Equity and Inclusivity](#) policy and related procedures and supports the development of knowledge, skills and attitudes to remove barriers and create safe spaces in support of all learners, staff and community members.

Department

Education and Community Services

Legislative Context

[Cannabis Act, 2017](#)

[Education Act](#)

[Smoke-Free Ontario Act, 2017](#)

Related Documents

[Caring and Safe Schools](#)

[Equity and Inclusivity](#)

[Healthy Schools and Workplaces](#)

[Professional Misconduct and Progressive Discipline](#)

[Student Health Supports](#)

[Standards of Conduct](#)

[Ministry of Education Memorandum: Legalization of Cannabis – Supports for Schools](#)

It is the expectation of the York Region District School Board that all employees, students and persons invited to or visiting Board property; or partaking/volunteering in Board or school-sponsored events and activities will respect the policies and procedures of the Board. The term “parents” refers to both biological/adoptive parents and guardians in all Board policies and procedures.



Board Policy #461.0 Tobacco and Smoke-Free Environment

1. Policy Statement

The York Region District School Board believes that all students and staff have the right to a safe and healthy learning and working environment. Through its [mission, vision and values](#) and in accordance with the [Smoke-Free Ontario Act \(SFOA\)](#) and any other appropriate legislation, the Board provides a working and learning environment which is free from the harmful effects of smoke and tobacco industry related products.

2. Application

Smoking and/or holding lighted or heated tobacco or cannabis products, consuming any other tobacco products, or using electronic cigarette devices (vaping) is therefore prohibited on and within 20 metres of Board property or in personal vehicles parked on Board property.

The SFOA also prohibits the smoking and vaping of medical cannabis on and within 20 metres of school grounds.

The use of any substance for medicinal purposes, including but not limited to cannabis, must adhere to the [Student Health Supports](#) policy and related Administration of Medication to Students procedure.

This policy applies to all students, staff, trustees, contractors, parents, volunteers, permit holders, community partners and individuals who are invited to, or who work and learn on Board property or in personal vehicles parked on Board property.

In accordance with the Smoke-Free Ontario Act (SFOA), exceptions are made for the traditional use of tobacco that form part of Indigenous culture and spirituality.

3. Responsibilities

3.1 The Board of Trustees is responsible for:

- a) reviewing the Tobacco and Smoke-Free Environment policy in accordance with the priorities in the [Multi-Year Strategic Plan](#) and the approved policy review cycle; and understanding and communicating with members of the community about the Tobacco and Smoke-Free Environment policy, as required.

3.2 The Director of Education is responsible for:

- a) implementing and operationalizing the Tobacco and Smoke-Free Environment policy.

4. Definitions

4.1 Cannabis Product

Any product containing, made or derived from cannabis that is intended for human consumption whether smoked, heated, inhaled or dissolved. Common types of cannabis products include dried cannabis (e.g., joints, spliffs, blunts) and concentrated cannabis products (e.g., hash, hash oil, shatter, wax).

4.2 Board Property

All administrative and non-administrative Board-operated buildings or lands owned or occupied by the Board including schools. Board-owned vehicles and machinery is also considered to be Board property.

4.3 Tobacco Product

Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. Common types of tobacco products include, but are not limited to, cigarettes, cigars, cigarillos, blunt wraps, beedies, shisha, chew, plug, snuff and snus.

4.4 Electronic Cigarette Device¹

A vapourizer or inhalant-type device, whether called an electronic cigarette or by any other name, that contains a power source and heating element and produces vapour intended to be inhaled.

4.5 Vaping²

The act of inhaling and exhaling an aerosol produced by a vaping product, such as an electronic cigarette.

5. History

Approved: 1996

Reviewed 2002

Working Document: June 2012, July 2018

Revised 2007, March 2013, November 2019

¹ Electronic Cigarettes Act, 2015, S.O. 2015, c. 7, Sched. 3. (2017, December 12). Retrieved January 11, 2018, from <https://www.ontario.ca/laws/statute/15e07>

² Government of Canada. (2019) Retrieved from September 20, 2019 from <https://www.canada.ca/en/health-canada/services/smoking-tobacco/vaping.html>



Board Procedure #461.0 Tobacco and Smoke-Free Environment

1. Procedure Statement

This procedure supports the Tobacco and Smoke-Free Environment policy and outlines how the Board will respond to individuals who are not in compliance with the policy and/or the Smoke-Free Ontario Act (SFOA) and any other appropriate legislation.

2. Application

2.1 Traditional Use of Tobacco by Indigenous Persons

The traditional use of tobacco forms part of the Indigenous culture and spirituality. A person may give tobacco to an Indigenous person who is or appears to be less than 19 years of age if the gift is made for traditional Indigenous cultural or spiritual purposes. An Indigenous person/non-Indigenous person may smoke tobacco or hold lighted tobacco if the activity is carried out with an Indigenous person and for traditional Indigenous cultural or spiritual purposes.

2.2 First Time Offenders

The following actions will be taken for individuals who violate the Tobacco and Smoke-Free Environment policy and/or the Smoke-Free Ontario Act (SFOA) the first time.

1. Notify the offender of the violation.
2. Give a warning.
3. Document the incident.
4. Review consequences of violation of the Tobacco and Smoke-Free Environment policy, [Caring and Safe Schools](#) policy and the SFOA.
5. Issue a letter to the offender.
6. Have the offender acknowledge receipt of the letter.

2.3 Second Time Offenders

The following actions will be taken for individuals who violate the Tobacco and Smoke-Free Environment policy and/or the Smoke-Free Ontario Act (SFOA) the second time.

Notify the offender of the violation.

Document the incident.

1. Review consequences of violation of the Tobacco and Smoke-Free Environment policy, [Caring and Safe Schools](#) policy and the SFOA.
2. In instances of smoking and/or holding lighted or heated tobacco or an electronic cigarette device, contact and report the incident to [York Region Community and Health Services](#), Health Protection Division.

2.4 Repeat Offenders

Individuals who repeatedly violate the Tobacco and Smoke-Free Environment policy and/or the Smoke-Free Ontario Act (SFOA) will be subject to the actions outlined for second-time offenders. In instances that involved Board staff, the superintendent will be consulted to discuss appropriate actions as outlined with the Progressive Discipline policy and procedure.

3. Responsibilities

3.1 The Director of Education shall:

- a) allocate staff and resources to support the Tobacco and Smoke-Free Environment procedure.

3.2 Superintendents, Principals, Managers and Supervisors shall:

- a) provide leadership to ensure the effective implementation of the Tobacco and Smoke-Free Environment policy and procedure by ensuring that all individuals who are invited to, or who work and learn on Board property are made aware of and are in compliance with the Tobacco and Smoke-Free Environment policy and procedure; notify the Permit Department of any violations by permit holders to the Tobacco and Smoke-Free Environment policy; and
- b) take appropriate actions, for first, second and repeat offenders.

3.3 All students, staff, trustees, contractors, parents, volunteers, permit holders and individuals shall:

- a) not smoke and/or hold a lighted or heated tobacco or cannabis product, consume any other tobacco product, or use an electronic cigarette device (vape) on or within 20 metres of Board property, or in personal vehicles parked on Board property; and

- b) acknowledge the traditional use of tobacco that forms part of Indigenous culture and spirituality.

3.4 All Board staff shall:

- a) understand that violation of the Tobacco and Smoke-Free Environment policy could result in disciplinary action(s) as outlined in the Progressive Discipline policy and procedure.

3.5 All Board staff may shall:

- a) report violations of the SFOA to York Region Community and Health Services; and
- b) be summoned as a witness if the matters go to trial.

3.6 York Region Community and Health Services, Tobacco and Electronic Cigarette Control Officers shall:

- a) enforce the Smoke-Free Ontario Act (SFOA), including issuing tickets or laying charges and issuing summonses to those individuals who are found to be in violation of this act while on Board property;
- b) ensure that the Board is in compliance with the SFOA;
- c) notify the school principal or site manager of offences that occur on Board property beyond the school and/or work day; and
- d) for students who violate the SFOA a second time;
 - consider issuing a summons to the individual(s) and parent(s), for those who are less than 16 years of age, and
 - consider issuing a provincial offences ticket for those individuals who are 16 years of age and older.

3.7 Community members shall:

- a) inform an appropriate staff member that they have a disability and require accommodations to access Board services;
- b) participate in discussions with Board staff about the development of appropriate accommodations; and
- c) identify and report any barriers that may prevent a person with a disability from fully accessing services, facilities or opportunities offered in the Board.

4. History

Approved: 1996

Working Document: June 5, 2012, July 2018

Revised: 2007, March 2013, November 2019