



## Tobacco, Cannabis and Smoke-Free Environment

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**Memo To:** All Staff  
**From:** Director of Education

### ACCESSIBILITY:

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### PURPOSE:

The Waterloo Catholic District School Board (WCDSB) is committed to ensuring the health and well-being of its students, staff, and visitors, as well as the Catholic School community which it serves.

The WCDSB supports a comprehensive school-based approach to health promotion. To provide a more healthy, comfortable, and productive work environment for employees and students, in all schools, workplaces, property, and vehicles the consumption of cannabis, tobacco products or use or inhale electronic cigarettes, vapour emitting smoking products, all electronic nicotine delivery systems or hold lighted cannabis, tobacco, or tobacco products are prohibited.

### REFERENCES:

- [Smoke Free Ontario Act 2017](#)
- [Education Act, RSO 1990 - Subsection 1. \(1\) - Interpretation, other General Matters – School](#)
- [Making Healthier Choices Act 2015](#)
- Related Policies:
- [APF002: Use of School Facilities](#)
- [APC018: Code of Conduct](#)
- [APC 012: Suspensions and Expulsions](#)

### FORMS:

- [Student No Smoking or Vaping Violation Form \(Region of Waterloo Public Health\)](#)

### REPORTS:

- N/A.

### APPENDICES:

- Appendix A: [Recommended Enforcement Protocol](#)

### COMMENTS AND GUIDELINES:

The Waterloo Catholic District School Board recognizes that the use of tobacco, cannabis, and vaping products is a health hazard. Schools have the responsibility to provide supportive, healthy places for living, learning, and working



that promote the mental, physical, social, and spiritual well-being of their students, staff members, and the community.

The Smoke Free Ontario Act (SFOA) always prohibits smoking at all schools and school property, plus public areas within 20 metres of any point on the perimeter of a school or school property, including vehicles. This applies to students, staff, and visitors, including sporting groups and community groups using school buildings or property outside of school hours.

In these areas no person shall:

1. Smoke or hold lighted tobacco
2. Smoke or hold lighted cannabis
3. Use an electronic cigarette
4. Consume a prescribed product or substance

Further, no person shall sell or supply any of the following to a person who is less than 19 years old:

1. A tobacco product
2. A vapour product
3. A prescribed product or substance

This includes any exchange that occurs between students, or peer to peer.

In compliance with the SFOA, WCDSB further prohibits the consumption/use of all tobacco and cannabis products, including smokeless tobacco and smokeless cannabis products, and all other imitation smoking and vapour products and accessories on board property always.

Smoking electronic cigarettes anywhere on WCDSB school property has always been prohibited. Passage of the Making Healthier Choices Act (see Schedule 3 -- Electronic Cigarettes Act) in May 2015 made smoking electronic cigarettes anywhere on WCDSB school property illegal.

Electronic products such as electronic cigarettes, cigars, and pipes as well as cartridges of nicotine solutions and related products are prohibited in a school or on any and all Board properties or during school or Board sanctioned activities or events.

Electronic smoking products consisting of a battery-powered delivery system that produces a vapour which resembles smoke and/or a vapour that delivers a liquid chemical mixture which may be composed of various amounts of nicotine, propylene glycol, and/or other chemicals are prohibited in a school or on any and all WCDSB properties or during school or Board sanctioned activities or events. Hookah, including waterpipes and any associated products and devices which are used to produce fumes, smoke and/or vapour from the burning of material including, but not limited to, cannabis, shisha, tobacco, or other plant matter is prohibited in a school, in vehicles and on any and all WCDSB properties or during school or Board sanctioned activities or events.

In accordance with the SFOA, exceptions are made for the traditional use of tobacco. Therefore, if an Indigenous person requests to use tobacco for traditional Indigenous cultural or spiritual purposes, every effort will be made to accommodate the individual in an appropriately designated space.

## **ROLE OF THE SCHOOL**

It is recommended that a procedure and protocol for dealing with students and staff found smoking on school property be established in every school. Please see [Recommended Enforcement Protocol](#) (APS028-AX: Appendix A) for details on the recommended enforcement protocol of Waterloo Region schools from Public Health's Enforcement unit.

Administration shall use the online reporting tool [Student No Smoking Or Vaping Violation Form](#) to document student infractions. An email confirmation submission will serve as WCDSB documentation.

- Students and staff are informed of school policy and of the SFOA by the school.
- Administrators will address infractions to this policy in accordance with APC018: Code of Conduct policies and the local school's Code of Conduct.
- With each offence the student's parent or guardian will receive a written notification of the infraction. On the third offence, a copy of the Student Smoking Violation Record is immediately sent to The Region of Waterloo Licensing and Regulatory Services 519-575-4042.
- If the student is 16 years or older, the Tobacco Enforcement Officer will arrange to meet with the student in the administrator's office to issue a Provincial Offence Notice. This offence carries an out-of-court fine of \$250.00 + \$55.00 victim surcharge for a total of \$305.00 dollars **or** may issue a summons.
- If the student is under 16 years of age, the Tobacco Enforcement Officer will discuss with the school administrator possible options. Since the student is underage (a minor), he or she would receive a summons rather than an offence notice. This requires a court appearance by both the youth and the witness. Other options may include community service and/or special projects in the school.

It is extremely important that good record keeping is maintained and that all information pertaining to the charge is documented especially: student's birth date, proper address, parent name(s), where the incident took place (where on the property), what time the incident took place and who witnessed the incident. If the case goes to court all this information must be well documented and will be used by the provincial prosecutor.

Please note: This protocol does not prevent an officer from issuing an offense notice or summons upon a first offense.

## **Role of the Tobacco Enforcement Officer (Region of Waterloo – Licensing and Regulatory Services)**

### **Responding to the Third Violation**

Upon receipt of a third violation notice from a school, a Tobacco Enforcement Officer will meet with the student and administrator and issue a charge if the student is 16 years of age or older, either a Notice with a set fine or a summons, prosecuted in Provincial Offences Act Court.

If the student is less than 16 years of age, the student would receive a summons rather than a charge as the student is a minor. This requires a court appearance by both the youth and the witness in Family Court, prosecuted by a Provincial Crown Attorney or designate.

### **Notification to the Ministry of Health**

If charges are laid, notification is sent to the Ministry of Health by The Region of Waterloo Public Health.

## **VAPING**

### **Measures in Place to Address Vaping or Possession of Vaping Materials at School**

- Vaping is prohibited on school property and public areas within 20 meters of any point on the perimeter of school grounds
- Vaping materials and paraphernalia are not to be possessed by students under age 19 on school property, or during school trips/events
- Students under the age of 19 who are found to be in possession of vaping materials/paraphernalia including but not limited to vapes and/or vaping juice, will have them confiscated by school officials
- If vaping materials/paraphernalia are confiscated, they will not be returned to any students under the age of 19.

- School administrators will apply the principles of progressive discipline, while considering mitigating factors, when students are found to be in possession of vaping materials/ paraphernalia, up to and including suspension
- When students are caught in the act of vaping on school property, suspension must be considered
- As with any situation, schools will conduct a thorough investigation of each occurrence before applying progressive discipline
- Students who continue to re-offend will experience further progressive discipline and may be subject to a ticketed offense and/or fine through Waterloo Region By-Law enforcement
- The safety and well-being of our students is our highest priority, and as a school board, we will continue to work with students, parents, staff, and members of our community to promote and sustain safe and healthy learning environments in our schools

## DEFINITIONS

**Board Property:** refers to 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 fall under a shared land use agreement also meet the definition of Board Property.

**Tobacco Product:** 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, chew, plug, snus, snuff, blunt wraps, beedies, and shisha (tobacco or herbal).

**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. 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)

**Tobacco, Cannabis and Smoking-Related Accessory:** means any item that is used for the consumption of a tobacco or cannabis product, including but not limited to pipes, bongs, cigarette holders, lighters, matches, rolling papers, cigarette cases, spit bottles, tins, tubs, chargers, mouth pieces, cutters, charcoal, waterpipe / hookah, grinders, and dabbers/nails. **Tobacco, Cannabis, and Smoke-Free Environment:** is an environment that is free from the harmful effects of second-hand smoke and vapour, and free from the use of any tobacco product, cannabis, imitation tobacco and smoking-related products or accessories.

For more information visit the [Making Healthier Choices Act \(Schedule 3: Electronic Cigarettes Act\)](#).

Region of Waterloo Public Health has further information about [electronic cigarettes/ vaping](#).