



POLICY – 407

Smoke, ~~and~~ Tobacco, ~~and~~ Vape Free Environment

Area: Operations

Source: Superintendent of Business, Finance and Facilities Services

Approved: January 5, 1998

Revised: February 10, 2014 (I); November 10, 2014; November 5, 2018 (I); May 6, 2019

1. Introduction

The Durham Catholic District School Board (the “Board”) supports a comprehensive school-based and board level approach to health promotion and the prevention of the use of tobacco and cannabis products by students, staff, ~~parents,~~ visitors, ~~and~~ children/adults, parents/guardians/~~caregivers,~~ ~~spectators and staff associated with a Community Use of Schools permit.~~ ~~In order to provide a healthy, comfortable and productive environment, all board owned schools, workplaces, property and vehicles shall be smoke-free.~~ The Smoke Free Ontario Act (SFOA) makes it illegal to use, sell or supply tobacco or cannabis to another person while on school property. No person shall smoke or hold lighted tobacco, cannabis or e-cigarettes at school or on school property at any time ~~24 hours per day, 7 days per week,~~ in accordance with the SFOA and the Board’s Smoke, Tobacco, and Vape Free Environment Administrative Procedure (AP407-1).

2. Definitions

Electronic Cigarette (e-cigarette) (*Smoke-Free Ontario Act, 2017*) – a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine.

~~**Flavoured tobacco products** – is a tobacco product that:~~

- ~~• has an aroma or taste other than tobacco that is apparent either before or during use, or both, and includes a tobacco product that has an aroma or taste resulting from one or more additives, including but not limited to, candy, chocolate, fruit, spice, herb, alcohol or vanilla additives;~~

- that is, by its packaging, labelling, advertising or otherwise, represented as being flavoured, or
- that is designated in the regulations as a flavoured tobacco product.

Flavoured Tobacco Product (*Smoke-Free Ontario Act, 2017*) — includes a tobacco product that is represented as being flavoured, that contains a flavouring agent or that is presented by its packaging, by advertisement or otherwise as being flavoured.

Medical Cannabis — cannabis that is obtained for medical purposes in accordance with applicable federal law or as provided for in the regulations.

Medical Cannabis User — an individual who is authorized to possess cannabis for the individual's own medical purposes in accordance with applicable federal law or as provided for in the regulations.

Tobacco products — products that contain, or are made from tobacco and include but are not limited to:

- Cigarettes
- Cigars
- Cigarillos (small thin cigars)
- Pipe tobacco
- Beedi/Bidis (a thin cigarette)
- Loose tobacco (sold in pouches)
- Snuff (dry or moist tobacco)
- Snus (smokeless tobacco)
- Any flavoured tobacco product

Tobacco Product (*Smoke-Free Ontario Act, 2017*) - any product that contains tobacco, and includes the package in which tobacco is sold.

Smokeless Tobacco is also called spit tobacco, chewing tobacco, chew, dip and plug. Smokeless tobacco is sold in four forms as follows:

- **chew:** a leafy form sold in pouches offered in several flavours.
- **plug:** is a chew tobacco that has been pressed into a small brick shape.
- **snuff:** is a powdered, moist form of tobacco sold in tins.
- **snus:** is a form of moist snuff which may be packaged in small bags like tea bags.

School as defined in the (Education Act, RSO 1990, Chapter E.2.) is:

- the body of elementary school pupils or secondary school pupils that is organized as a unit for educational purposes under the jurisdiction of the appropriate board, or
- the body of pupils enrolled in any of the elementary or secondary school courses of study in an educational institution operated by the Government of Ontario and includes the teachers and other staff members associated with the unit or institution and the lands and premises used in connection with the unit or institution.

3. Purpose

The purpose of this policy is to comply with the Smoke Free Ontario Act (SFOA) as enacted on October 17, 2017, which is part of a provincial, comprehensive strategy to prevent young people from:

- the initiation and increased use of tobacco and vapour products;
- protect people from second-hand exposure to smoke and vapour;
- motivate and support people to successfully quit using tobacco; and
- identify and reduce disparities in tobacco use and related harms. ~~The policy shall provide the framework for the creation of an administrative procedure and protocol to be used at all board owned sites and property when dealing with smoking, tobacco and cannabis use.~~

The ultimate goal of this **policy and its attendant** administrative procedure is to prevent and reduce smoking/**vaping**, tobacco and cannabis use among students, staff, parents/**guardians/caregivers** and visitors.

4. Application / Scope

This policy applies to all board owned property and locations accessed by students, staff, parents/**guardians/caregivers** and visitors.

5. Principles

The Board believes that:

- 5.1.1 community partnerships such as with the Durham Region Health Department with respect to the enforcement of the Smoke-Free Ontario Act 2017, are valuable regarding promoting healthy work, **learning and community** environments; ~~and assisting schools with educating the public about the ill effects of tobacco, e-cigarette or cannabis use.~~
- 5.1.2 **it is a priority to ensure the Board's** ~~the health and safety of our students and employees is a priority in making our~~ **working and learning** environments ~~comfortable and productive~~ **are healthy and safe;**
- 5.1.3 reducing smoking/**vaping**, tobacco and cannabis use among our youth is a priority;
- 5.1.4 **the inclusion of Indigenous cultures and practices in schools plays a powerful role in supporting and engaging Indigenous staff, students and their families. Indigenous students and staff may request to engage in smudging on board property.**

6. Requirements

- 6.1 The Director of Education, or designate, shall issue administrative procedure(s) to support this policy, and amended them thereafter as the need may arise.
- 6.2 The use of all tobacco and cannabis products is prohibited on all Board premises.
- 6.3 There will be no designated smoking or vaping areas provided on any Board premises. Employees and visitors who choose to smoke or vape must do so off Board premises and in accordance with local By-Laws.

~~6.4 The Director of Education shall:~~

- 6.3 ~~Ensure~~ Signs indicating that Board buildings are smoke and vape free will be posted in and around all buildings.
- 6.4 ~~Ensure~~ The application form for Community Use of Schools shall indicate that buildings and property are smoke and vape free.
- 6.5 All employees and visitors are required to adhere to this policy and its attendant administrative procedure.
- 6.6 Supervisors and managers are responsible for enforcing this policy and ensuring employees are aware of the policy and procedure requirements.
- 6.7 Employees should report any violations of this policy and its attendant procedure to their supervisor.
- 6.8 Employees are encouraged to access the Board's Employee Assistance Program (EAP) for information on available cessation resources.
- 6.1.3 ~~Ensure all applicants for positions with the Board will be advised of the "smoke free" environment policy.~~
- 6.1.4 ~~Issue administrative procedures to support this policy and to amend it thereafter as the need may arise.~~
- 6.1.5 ~~Ensure that the Smoke-Free Schools Enforcement Protocol established in partnership with the Durham Region Health Department is disseminated to all staff.~~

7. Sources

- 7.1 Smoke Free Ontario Act, 2017
- 7.2 Education Act
- 7.3 Municipal Freedom of Information and Protection of Privacy Act
- 7.4 Youth Criminal Justice Act
- 7.5 Smoke-Free Schools Enforcement Protocol

- 7.6 Policy/Program Memorandum 128: The Provincial Code of Conduct and School Board Codes of Conduct
- 7.7 Policy/Program Memorandum 145: Progressive Discipline and Promoting Positive Student Behaviour
- 7.8 Truth and Reconciliation Commission of Canada Calls to Action

8. Related Policies and Administrative Procedures

- 8.1 Smoke, **and** Tobacco **and Vape** Free Environment Administrative Procedure (AP407-1)
- 8.2 Student Discipline Policy (PO611)
- 8.3 Student Discipline Administrative Procedure (AP611-1)
- 8.4 Code of Conduct Policy (PO610)
- 8.5 Code of Conduct Administrative Procedure (AP610-1)