

JAMES BAY LOWLANDS SECONDARY SCHOOL BOARD
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ADMINISTRATIVE PROCEDURE GENERAL ADMINISTRATION: NO. 111	
Effective	August 21, 2019
Last Revised	June 30, 2023

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SMOKING ON BOARD PROPERTY: TOBACCO, VAPING, CANNABIS

PURPOSE

The James Bay Lowlands Secondary School Board recognizes its responsibility to maintain a healthy and safe learning and working environment. The Board also recognizes that the use of tobacco, vaping products, or cannabis at the school, at school-sponsored activities, or on the Board's property, negatively influences the environment by impairing physical health, achievement, well-being, and an individual's readiness to learn and work.

This administrative procedure has been developed by system and school administrators of the James Bay Lowlands Secondary School Board to support Board policies related to staff and student conduct, student transportation, and the use of Board facilities by outside groups.

DEFINITIONS

Accessory: An accessory is an item that can be used for, or represents, the consumption of tobacco or cannabis, such as: rolling papers, holders, pipes, bongs, and vaporizers.

Cannabis: Cannabis is also known as: marijuana, kush, pot, weed, Mary J/MJ, grass, ganja. Cannabis is used today for medicinal and/or non-medical purposes. It comes in the form of dried plant buds, hashish (dried resin from plant leaves) or oil (boiled resin). There are many ways that cannabis can be consumed. These include:

- smoking, such as a "joint", in a pipe or bong;
- ingesting as an edible or drink; and/or
- consuming through vaping.

Electronic Cigarette: An electronic cigarette is defined as 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.

Smoking: Smoking is inhaling, exhaling, or holding lighted tobacco or cannabis.

Tobacco: Tobacco is defined as any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, 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, snuff, blunt wraps, beedies, and shisha (tobacco or herbal).

Vaping: Vaping is inhaling or exhaling vapour from an electronic cigarette or holding an activated e-cigarette, whether or not the vapour contains nicotine.

PROCEDURES

1. Board Expectations

1.1. In accordance with the *Smoke Free Ontario Act, 2017* and Ontario Regulation 268/18 made under the *Act*, no person shall do any of the following on school property:

- smoke or hold lighted tobacco smoke or hold lighted cannabis
- use an electronic cigarette
- consume a tobacco, vape, or cannabis product or substance

1.2. In addition to those actions prohibited by the *Smoke Free Ontario Act, 2017*, the James Bay Lowlands Secondary School Board prohibits any person from:

- possessing and/or using tobacco, vaping, cannabis and/or drug related accessories
- selling, supplying, or serving any of the prohibited substances indicated in this procedure.

1.3. The use of tobacco, vaping products, or cannabis is prohibited in and on all Board buildings and property. This restriction applies to all persons entering on Board premises (staff, students, trustees, visitors, parents, and any users of the facilities).

1.4. In accordance with the *Smoke Free Ontario Act, 2017*, exceptions will be made for the traditional use of tobacco for cultural or spiritual purposes, and every effort will be made to accommodate the individual or group in an appropriately-designed space.

2. Enforcement

2.1. Students are subject to the school's Code of Conduct and to Board policies and administrative procedures relating to safe schools and progressive discipline.

2.2. Disciplinary action for Board employees will be administered, when deemed necessary, in accordance with federal and provincial laws and regulations, and consistent with the Board policies and administrative procedures listed in the "References" section below.

2.3. Other persons who have violated the prohibitions noted in this procedure will either be removed from, or will be refused access to, Board facilities or premises.

3. First Time Offenders

The following actions will be taken for individuals who violate the *Smoke-Free Ontario Act* 2017 or the terms of this administrative procedure the first time:

- Notify the offender of the violation.
- Give a warning.
- Document the incident.
- Review consequences of violation of the legislation and Board procedures.

4. **Second Time Offenders**

The following actions will be taken for individuals who violate the legislation and Board procedures the second time.

- Notify the offender of the violation.
- Review consequences of the violation.
- Issue a letter to the offender.
- Have the offender acknowledge receipt of the letter.
- In instances of smoking and/or holding lighted or heated tobacco or an electronic cigarette device, contact and report the incident to the local health authorities.

5. **Repeat Offenders**

- 5.1. Individuals who repeatedly violate the Board's administrative procedure and/or the *Smoke-Free Ontario Act* will be subject to the actions outlined for second-time offenders—as well as further action.
- 5.2. In instances that involve Board staff, the finance and human resources administrator or designate will be consulted to discuss appropriate actions as outlined in the Board's progressive discipline procedures.
- 5.3. Enforcement procedures for Board staff may include disciplinary actions such as suspensions of varying length without pay, and may include termination of employment with the Board.

NOTE:

Nothing in this section shall prevent the Board from suspending these actions while the staff member voluntarily seeks assistance in ceasing to smoke or use any of the products outlined in this procedure.

The Board shall consider the discipline provisions of any collective agreement in force in carrying out any of the above actions.

- 5.4. Where non-employees are using the Board's facilities, the responsibility for enforcing this procedure rests with those employees designated as follows:
 - School: principal, principal designate, facilities manager;
 - Board Office: finance and human resources administrator;
 - Maintenance Buildings: facilities manager or designate.

6. Communications

6.1. The public and staff shall be advised of this administrative procedure in the following manner:

- a) Parents shall be advised by the principal, through email communications and the posting of appropriate signs supplied by the Board.
- b) Staff shall be advised of the administrative procedure by the finance and human resources administrator.
- c) "No Smoking" signs shall be posted in each Board building.
- d) Contractors shall be advised of this administrative procedure by the finance and human resources administrator as part of the tendering process.

REFERENCE DOCUMENTS

Legal:

Education Act, Section 169.1 (1) Board Duties and Powers: Promote Student Well-Being

Education Act: Section 265 Duties of Principal: Attention to the Health of Pupils

Education Act, Part XIII Behaviour, Discipline and Safety of Pupils

Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils: Mitigating Factors

Ontario Regulation 474/00 Access to School Premises

The Provincial Code of Conduct and School Board Codes of Conduct

Occupational Health and Safety Act

Smoke Free Ontario Act, 2017

Ontario Regulation 268/18 made under the *Smoke Free Ontario Act*

Cannabis Act, 2017

Cannabis Act, S.C. 2018, c. 16

Controlled Drugs and Substances Act

Board:

Board Policy GOV-01 Values, Vision, and Mission

Board Policy GOV-20 Safe School Environment

Board Policy GOV-21 Appeals and Hearings Regarding Student Discipline

Board Policy GOV-22 Police-School Board Protocol

Board Policy GOV-35 Student Transportation

Administrative Procedure 225 Student Drug Education

Administrative Procedure 379 Progressive Discipline: Students

Administrative Procedure 381 Student Suspension

Administrative Procedure 382 Student Expulsion

Administrative Procedure 480 Progressive Discipline: Employees

Administrative Procedure 531 Public Use of School Building and Facilities

Resource:

Ontario Ministry of Education. (November, 2018) *Cannabis Information for Schools and School Boards*. www.edu.gov.on.ca/eng/healthyschools/cannabis-fact-sheet-en.pdf