



POLICY SECTION: BUILDINGS/PLANT/GROUNDS
 SUB-SECTION: BUILDINGS
 POLICY NAME: SMOKE & VAPOUR FREE SPACE
 POLICY NO: B.B.04

Date Approved: January 2, 1987	Date of Next Review: February 2024	Dates of Amendments: January 16, 1995 July 18, 1991 May 19, 2016-Board
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Cross References:

Smoke-Free Ontario Act, 2017

Federal Cannabis Act

Ontario Cannabis Control Act, 2017

Ontario Human Rights Code

Ontario Occupational Health and Safety Act

~~Ontario Regulation 48/06~~

~~Electronic Cigarettes Act~~

City of Toronto Municipal Code Chapter 709, Smoking (smoking bylaw)

~~Education Act, Section 302(1)~~

TCDSB Code of Conduct

Purpose:

The Toronto Catholic District School Board (**the “Board”**) recognizes the benefits of a smoke, vapour, **cannabis** and tobacco free environment for learning, playing and working. This is achieved by prohibiting the smoking, vaping or usage of tobacco **and cannabis** products anywhere on Board **premises, in accordance with the Regulations outlined below.** ~~property, in Board premises and all locations where Board or School sanctioned activities take place.~~



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Scope and Responsibility:

This policy applies to all ~~employees of the Toronto Catholic District School Board~~ and individuals who use **on Board premises, including all students, employees and Trustees of the Board.** ~~buildings, facilities or Board-owned property.~~ The Director is responsible for this policy.

Alignment with MYSP:

Strengthening Public Confidence

Fostering Student Achievement and Well-Being

Policy:

The Toronto Catholic District School Board is committed to the provision of a smoke, vapour, **cannabis** and tobacco free environment **on** ~~in~~ all **Board** premises.

Regulations:

1. **This policy is subject to human rights law and will be applied in accordance with the Ontario *Human Rights Code*. The Board is committed to providing accommodation in accordance with applicable human rights law.**
2. **Subject to exceptions provided for at law, no person shall do any of the following on Board premises or in any public area within 20 metres of Board premises:**
 - (1) **smoke or hold lighted tobacco;**
 - (2) **smoke or hold lighted cannabis;**
 - (3) **use an electronic cigarette;**



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(4) consume a prescribed product or substance, in a prescribed manner as set out in the *Smoke-Free Ontario Act, 2017*.

3. **In accordance with the *Ontario Cannabis Control Act, 2017*, youth under the age of 19 are prohibited from buying, possessing, cultivating, consuming or sharing recreational cannabis on Board premises.**
4. ~~The Board bans the sale and promotion of tobacco products on Board property.~~
5. The sale and use of tobacco products, **vapour products and cannabis products** is legally prohibited **on** all Board **premises**. ~~owned and/or operated school facilities and the Board owned and/or operated outdoor areas surrounding them. This includes while on educational excursions, in board vehicles or in personal vehicles parked on board property.~~
6. **All employees of the Board have a duty to report to their supervisor the existence of any hazard of which he or she knows in accordance with the *Ontario Occupational Health and Safety Act*, including when another employee may be impaired. Impairment or being under the influence which comprises safety and ability to perform duties is unacceptable and will be dealt with accordingly.**
7. ~~It is against the law to smoke within 9 metres of an entrance or exit of any building that is used by the public.~~
8. ~~Failure of students, employees, visitors and those who use board facilities to comply with the requirements of the *Smoke-Free Ontario Act, 2017* or other relevant legislation,~~ **Breach of this policy** may result in legal action (i.e. being charged and/or fined). **Employees who breach this policy may be subject to discipline up to and including termination. Students who breach this**



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policy may be subject to discipline in accordance with the *Education Act* and Board policies S.S.01 and S.S.03.

9. “No smoking/**No vaping**” signage shall be placed at each entrance and exit of **an** the enclosed workplace, place or area **on Board premises over which the Board exercises control. These signs will be posted** in appropriate locations and in sufficient numbers to ensure that employees, **students, Trustees** and the public are aware that ~~no smoking~~ **and the use of electronic cigarettes is prohibited in these areas** ~~or vaping is permitted in the enclosed workplace, place or area.~~
10. In accordance with the *Smoke-Free Ontario Act*, **2017** exceptions are made for the traditional use of tobacco that forms part of ~~Aboriginal~~ **Indigenous** culture and spirituality, when used for such purposes.

Definitions

Board Premises and Property

Includes all administrative buildings of the Board, Board operated buildings including schools, and **any land, premises, location or thing at, in or near where a student learns or a Board employee works.** ~~all locations where Board or School sanctioned educational activities are taking place.~~ **Incudes** Board-owned, **leased or rented** vehicles and machinery **and personal vehicles located on Board premises.** ~~are also considered to be Board property.~~

Cannabis

Has the same meaning as in subsection 2 (1) of the *Cannabis Act*.



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Cannabis Product

Any product that contains cannabis, and includes the package in which cannabis is sold.

Electronic Cigarette means ~~any of the following:~~

- ~~1. 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.~~
- ~~2. A component of a device described in paragraph 1.~~
- ~~3. Any other prescribed device or product; (“cigarette électronique”)~~

E-substance

A substance that is manufactured or sold to be used in an electronic cigarette.

~~Individuals on Board Premises~~

~~Includes students, staff, trustees, contractors, parents/guardians, volunteers, permit holders and all others who are invited to or who work on Board property and in Board-operated buildings.~~

Medical Cannabis User

An individual who is authorized to possess cannabis for the individual’s own medical purposes in accordance with the *Education Act* or other applicable legislation.



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Smoke, & Vapour, Cannabis and Tobacco Free Environment

An environment that is free of smoke caused by smoking or lit tobacco product, **cannabis product or vapour product.**

Tobacco product

Any product that contains tobacco, and includes the package in which tobacco is sold

Vapour Product

An electronic cigarette, an e-substance, or any component of an electronic cigarette and includes the package in which the electronic cigarette, e-substance or component is sold.

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

A report will be brought to Board by staff on an annual basis detailing compliance and infractions of this policy.