



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

Date Approved: January 2, 1987	Date of Next Review: March 2024 2029	Dates of Amendments: January 16, 1995 July 18, 1991 May 19, 2016 March, 2019 June, 2024
<p>Responsible Department: Facilities</p> <p>Cross References:</p> <p>Legislation</p> <ul style="list-style-type: none"> • <i>Smoke-Free Ontario Act, 2017</i> • <i>Federal Cannabis Act</i> • <i>Ontario Cannabis Control Act, 2017</i> • <i>Ontario Human Rights Code</i> • <i>Ontario Occupational Health and Safety Act</i> • City of Toronto Municipal Code Chapter 709, Smoking (smoking bylaw) • <i>Education Act</i> <p>Ministry of Education Policy/Program Memorandum</p> <ul style="list-style-type: none"> • Policy/Program Memorandum 128, 2024, The Provincial Code of Conduct and School Board Codes of Conduct <p>TCDSB Policy /Procedure</p> <ul style="list-style-type: none"> • Code of Conduct • Alcohol, Cannabis and Other Drugs 		

Purpose:

Policy:

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

The TCDSB 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.

The policy is in alignment with the TCDSB’s Multi-Year Strategic Plan (MYSP) and reflects Catholic values rooted in the love of Christ.

Scope and Responsibility:

This policy applies to all individuals on Board premises, including all students, employees, **parents/guardians, visitors, volunteers,** and Trustees of the Board. The Director is responsible for this policy.

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;
 - (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 sale and use of tobacco products, vapour products and cannabis products is prohibited on Board premises.
5. 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.
6. Breach of this policy may result in legal action. Employees who breach this policy may be subject to discipline up to and including termination. Students who breach this policy may be subject to discipline in accordance with the *Education Act*, **Ministry Policy Program Memoranda** and Board policies.
7. “No smoking/No vaping” signage shall be placed at each entrance and exit of an 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.
8. In accordance with the *Smoke-Free Ontario Act, 2017* exceptions are made for the traditional use of tobacco that forms part of Indigenous culture and spirituality, when used for such purposes.

Definitions

Board Premises

~~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. Includes Board owned, leased or rented vehicles and machinery and personal vehicles located on Board premises.~~

Cannabis

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

Cannabis Product

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

Electronic Cigarette

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.

E-substance

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

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.

~~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:~~

1. **The policy will be reviewed every five years.**
2. A report will be brought to Board by staff on an annual basis detailing compliance and infractions of this policy.