

Considerations for School Administration

Please find below expectations for schools based on the changes to Tobacco/Cannabis legislation (*Bill C45 The Cannabis Act and Bill 36 amending the Education Act, Smoke-Free Ontario Act, 2017, (SFOA), Highway Traffic Act, and others.*)

- The possession and use of cannabis continues to be illegal after October 17th, 2018 for those under the age of 19 years. Those under the age of 19 years with a medical prescription will be exempt from possession and ingestion in compliance with their prescription but not exempt from the SFOA
- Smoking/vaping of tobacco or cannabis within 20 m of school property by anyone, regardless of age, will be illegal and in violation of the School Code of Conduct. This includes the smoking and vaping of medical cannabis, subject to enforcement activities conducted by Durham Region Health Department
- After October 17th cannabis infused edibles and drinks will continue to be illegal for everyone
- The existing Durham District School Board Policies, Regulations and Procedures referencing the use of tobacco and intoxicants (5145 - *Prohibiting Smoking and Associated Devices*, and 5149 - *Substance Abuse: Students*), and the expectations outlined in the Code of Conduct (5500 - *Code of Conduct and Discipline for Students*) are to be followed by students, staff, parents and the community.

The following are excerpts from the DDSB Policies, Regulations and Procedures that are relevant to the implementation of the cannabis legislation:

- Policy/Procedure 5145 - *Prohibiting Smoking and Associated Devices* – It is a violation of the School Code of Conduct to smoke or vape (regardless of the substance) on school property or while attending school. Updated Notice of Offence forms are located in the Appendices of Procedure 5145
- Policy/Regulation 5149 - *Substance Abuse: Students* – It is a violation of the School Code of Conduct to be under the influence of any intoxicant while on school property or while attending school
- Regulation 5500 - *Code of Conduct and Discipline for Students* – This Regulation includes a list of Mandatory and Discretionary Suspensions
- Procedure 3041 - *Police/School Board Protocol* – This Protocol provides direction for Administration when the Police are involved in an investigation

Attached are documents from the Canadian Centre for Substance Use and Addiction (CCSA), and below are links to resources that will support you in discussions with your school community.

- A cannabis fact-sheet for parents developed in collaboration with the Centre for Addiction and Mental Health (CAMH) and School Mental Health ASSIST

- A resource for youth that provides factual information developed in collaboration with *Kids Help Phone*
- Durham Region: <https://www.durham.ca/en/health-and-wellness/drugs.aspx>
- Ontario: *A fact-sheet for educators that highlights changes to the Education Act and to the Ontario Code of Conduct, which includes Questions and Answers* - <http://www.edu.gov.on.ca/eng/healthyschools/educators-resources.html> and <http://www.edu.gov.on.ca/eng/healthyschools/parents-resources.html>
- Canada: <https://www.canada.ca/en/services/health/campaigns/cannabis.html>
- Ontario.ca/cannabis
- Ontario.ca/smoke-free ontario act
- Canada.ca/cannabis

The following are recommendations for meeting the expectations for the legislation while maintaining a positive school climate that includes student and staff safety. The recommendations that are applicable to students, staff, parents and community members should be incorporated into your School Code of Conduct, and communicated fully e.g. posted on your website, newsletters, and displayed at entrance/exits to the school:

Student Safety

- Students should be informed that they are not to smoke/vape tobacco or any other substance within 20 m of the school property i.e., 3.5 car lengths from school property. Depending on the location of your school, you might want to specify a possible example. Although you are responsible for student and staff behaviour during the school day, it will be extremely challenging to enforce the 20 m limit. As a result, be careful about specifying one location because there will then be an inherent expectation that you will supervise that location and that students/staff will be safe
- Remind students and staff about the following safety tips that were created by DDSB in collaboration with DRPS. Note: If you wish to add site specific examples, please confer with your AO/Communications.

The following guidelines should be reviewed by staff in an age appropriate manner in all classes:

1. Never walk alone
2. If you need to cross a road, look for traffic and cross at designated areas e.g. crosswalks
3. Respect other people and their property
4. Do not talk to strangers
5. Inform the school if there is an issue with a stranger
6. Do not congregate in a manner that disrupts traffic, including pedestrian traffic, or blocks the entrance/exit to local businesses
7. Avoid fields and parks
8. Be aware of your surroundings when wearing earphones

Monitoring and Enforcing

- Although you are responsible for student and staff behaviour and safety during the school day, remember that your primary responsibility is supervising those within the school building and property
- Inform students, staff, parents and community members that you will refer incidents to the Tobacco Enforcement Officer and/or DRPS (refer to Policy/Regulation 5149 - Substance Abuse: Students, and Procedure 3041 - *Police/School Board Protocol*)
- For medical cannabis, confer with your Administrative Officer and/or the Inclusive Student Services Officer to ensure that the medical documentation is in place, and that you have created a reasonable plan for storage/use
- If staff claim that they need medical cannabis then contact Human Resources for support

Search and Seizure of Cannabis

- Ensure that you follow the expectations, especially the safety precautions, for an investigation and searches outlined in Policy and Procedure 4255 – *Safety and Security*, and the expectations in Procedure 3041 - *Police/School Board Protocol*
- If you seize cannabis, call DRPS (preferably your Liaison Officer) for advice. Even if the student is 19 years of age, and has legal cannabis call for advice. In addition, contact your AO/SO
- If a student smells of cannabis but is not showing signs of intoxication, and is not in possession of cannabis, parents should be contacted and the student may be sent home (not necessarily a formal suspension) or if that isn't possible, placed in a separate area to work to ensure a positive learning environment. A strong smell that suggests intoxication can impact the learning environment of the school

Minimizing the Impact of Students While Off Property and in the Community

- Remind students, staff and parents of the safety recommendations, including that they need to respect other people and their property, and not disrupt local businesses e.g. posted on your website, newsletters, and displayed at entrance/exits to the school

Minimizing Hazards, e.g. the necessity to cross a busy road

- Schools that will have potential problems with their sites e.g., no or few sidewalks will be asked to attend a meeting during which possible solutions will be discussed

Issues with Staff, Parents or Community Members

- If a parent or community member is smoking or vaping, including cannabis, within 20 m of the school, contact the Tobacco Enforcement Officer (Refer to Policy/Regulation 5149 - *Substance Abuse: Students*)
- Information and resources should be made available to all community members on the School/Board Website e.g., from Public Health
- Consider an information night for SCC, parents and community members

- If a staff member seems to be under the influence, contact Human Resources for direction. This is especially important if the staff member supervises activities during which safety is a major consideration e.g., Science and Technology
- If a staff member or a parent seems to be under the influence and could pose a safety hazard to themselves or others, including students then contact your AO. DRPS and CAS may have to be involved

Example Communication

It is important that the following is fully communicated to students, staff, parents and the school community e.g., on your website, newsletters and at entrances/exits of the school. Prior to sending communication, please contact your AO/Communications. This is especially important if you wish to include information specific to your site.

Information about the Legislation:

Expectations for schools based on the changes to Tobacco/Cannabis legislation (*Bill C45 The Cannabis Act and Bill 36 amending the Education Act, Smoke-Free Ontario Act, 2017, Highway Traffic Act*, and others) include:

- The possession and use of cannabis continues to be illegal after October 17th, 2018 for those under the age of 19 years. Those under the age of 19 years with a medical prescription will be exempt from possession and ingestion in compliance with their prescription but not exempt from the SFOA
- Smoking/vaping of tobacco or cannabis within 20 m of school property by anyone, regardless of age, will be illegal and in violation of the School Code of Conduct. This includes the smoking and vaping of medical cannabis, subject to enforcement activities conducted by Durham Region Health Department
- After October 17th cannabis infused edibles and drinks will continue to be illegal for everyone
- Policies, Regulations and Procedures, the existing Durham District School Board Policies, Regulations and Procedures referencing the use of tobacco and intoxicants (5145 - *Prohibiting Smoking and Associated Devices*, and 5149 - *Substance Abuse: Students*), and the expectations outlined in the Code of Conduct (5500 - *Code of Conduct and Discipline for Students*) are to be followed by students, staff, parents and the community

The following are excerpts from the DDSB Policies, Regulations and Procedures that are relevant to the implementation of the cannabis legislation:

- Policy/Procedure 5145 - *Prohibiting Smoking and Associated Devices* – It is a violation of the School Code of Conduct to smoke or vape (regardless of the substance) on school property or while attending school. Updated Notice of Offence forms are located in the Appendices of Procedure 5145

- Policy/Regulation 5149 - *Substance Abuse: Students* – It is a violation of the School Code of Conduct to be under the influence of any intoxicant while on school property or while attending school
- Regulation 5500 - *Code of Conduct and Discipline for Students* – This Regulation includes a list of Mandatory and Discretionary Suspensions
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Information about Cannabis

Attached are documents from the Canadian Centre for Substance Use and Addiction (CCSA), and below are links to resources that will support you in discussions with your school community

- A cannabis fact-sheet for parents developed in collaboration with the Centre for Addiction and Mental Health (CAMH) and School Mental Health ASSIST
- A resource for youth that provides factual information developed in collaboration with Kids Help Phone
- Durham Region: <https://www.durham.ca/en/health-and-wellness/drugs.aspx>
- Ontario: *A fact-sheet for educators that highlights changes to the Education Act and to the Ontario Code of Conduct, which includes Questions and Answers* - <http://www.edu.gov.on.ca/eng/healthyschools/educators-resources.html> and <http://www.edu.gov.on.ca/eng/healthyschools/parents-resources.html>
- Canada: <https://www.canada.ca/en/services/health/campaigns/cannabis.html>
- Ontario.ca/cannabis
- Ontario.ca/smoke-free ontario act
- Canada.ca/cannabis

Expectations

Safety Tips

- Students, staff, parents and community members are not to smoke/vape tobacco or any other substance within 20 m of the school property
- The following safety tips that were created by DDSB in collaboration with DRPS should be followed:
 1. Never walk alone
 2. If you need to cross a road, look for traffic and cross at designated areas e.g. crosswalks
 3. Respect other people and their property
 4. Do not talk to strangers
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Monitoring and Enforcing

- Inform students, staff, parents and community members that you will refer incidents to the Tobacco Enforcement Officer, CAS and/or DRPS
- If a student smells of cannabis but is not showing signs of intoxication, and is not in possession of cannabis, parents should be contacted and the student may be sent home (not necessarily a formal suspension) or if that isn't possible, placed in a separate area to work to ensure a positive learning environment. A strong smell that suggests intoxication can impact the learning environment of the school

Minimizing the Impact of Students While Off Property and in the Community

- Remind students to respect other people and their property, and not disrupt local businesses e.g. posted on your website, newsletters, and displayed at entrance/exits to the school

Minimizing Hazards

- Remind students and staff about the safety tips, if necessary include site specific examples by consulting with your AO/Communications