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## PROCEDURE PR.522.SCO

**TITLE: USE OF SUBSTANCES ON BOARD PREMISES**

**Date issued: 15 May 1998**

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### COMMITMENT TO INDIGENOUS RIGHTS, HUMAN RIGHTS, AND EQUITY

The District recognizes its responsibility to ensure that the development of this policy and the associated work promotes and protects Indigenous rights, human rights, and equity. The District will strive to address and eliminate discrimination and structural and systemic barriers for students, staff, and community.

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#### 1.0 RATIONALE

To provide procedures and consequences for possessing, using, providing, or trafficking in prohibited Substances, including tobacco and vape products, in accordance with certain provisions of the laws of Canada.

#### 2.0 DEFINITIONS

Please refer to Appendix A for a list of definitions of terms used in this procedure.

#### 3.0 RESPONSIBILITY

- 3.1 School principals are responsible for ensuring all members of the school community are made aware of the procedures for Substance use on school premises and enforcing the restrictions and consequences of this procedure and all related policies and procedures.
- 3.2 All school staff will model healthy lifestyles by refraining from using Substances on Board premises and refraining from public promotion of Substance use.
- 3.3 Parents/guardians and students will collaborate with the school in enforcing the procedure for Substance use on school premises and modeling healthy lifestyles for their children.

#### 4.0 PROCEDURE

## Scope and Application

- 4.1 While on District premises, during the school day, and during District-held activities such as field trips, or athletic events, including school buses, all members of the school community must not:
- a) be in possession of alcohol, cannabis, and illegal substances;
    - (i) for students, this includes the possession of electronic cigarettes, tobacco, and nicotine products;
  - b) use, or be under the influence of alcohol, cannabis, illegal substances, or related products; and
  - c) provide others (including minors) with alcohol, cannabis, tobacco, electronic cigarettes, illegal substances, or related products.
- 4.2 Exceptions to this procedure may be made for the use of tobacco in connection with culturally significant practices formally conducted by Indigenous persons or the Indigenous community, or by special approval of the Director of Education or designate.
- 4.3 In accordance with the duty under the *Human Rights Code*, the District will accommodate persons who require the use of cannabis for medical reasons or have an alcohol, drug (including cannabis) or tobacco addiction short of undue hardship based on significant health and safety risks.
- a) The person seeking the accommodation will need to provide Employee Wellness medical or other information to support a disability-related need, subject to protection of privacy requirements.
- 4.4 Students and staff who voluntarily seek assistance or accommodation regarding Substance use and/or addictions remain obligated to abide by the other sections of this procedure.
- 4.5 Any permitted staff or student smoking and vaping must occur 20 meters off of school premises, in accordance with the provincial [Smoke Free Ontario Act, 2017](#).

## Communication and Education

- 4.6 All schools will ensure that students receive education on Substance Use, as per the curriculum, and staff are encouraged to seek assistance in educating students from additional appropriate community resources and organizations.
- 4.7 All schools will send an annual notification to parents/guardians as a reminder of the procedure for Substance use, possession, and provision on District premises, the consequences, and available supports.
- 4.8 All schools will ensure that students who voluntarily seek assistance in solving Substance addiction will receive positive help from staff in connecting them with addiction services.
- 4.9 All staff will:
- a) maintain the confidentiality of referrals to community partners; and

- b) participate in any training sessions regarding this procedure and the rules of Procedure PR.534.SCO Search and Seizure (Students).
- 4.10 Information on Substance use, possession, and provision will be clearly marked at all entrances to Board premises and property.

#### Responding to Student Breaches

- 4.11 Where a staff member believes, on reasonable and probable grounds, that a student is using, providing, trafficking, or in possession of nicotine, electronic cigarettes, cannabis (without a medical prescription or cultural exception), or alcohol the staff member will:
- a) ask the student to surrender the item to the staff member;
  - b) when necessary, recommend the principal or designate to direct a search of the student's locker and/or belongings as per PR.534.SCO Search and Seizure (Students);
  - c) unless the student is an adult or the notification would put the student at risk of harm, inform a parent/guardian as soon as possible of the occurrence, the consequences, and the availability of supports;
  - d) report the student breach to the principal;
  - e) when necessary, connect the student and parent/guardians with available supports and resources;
  - f) when necessary, take progressive disciplinary action up to and including suspension, in accordance with Procedure PR.515.SCO Student Suspension and Expulsion; and
  - g) in the case of trafficking alcohol, cannabis, and related Substances, seek the advice and assistance of municipal law enforcement.
- 4.12 In addition to the above, where the Substance in student possession is illegal, the principal, in accordance with Procedure PR.534.SCO Search and Seizure (Students), will:
- a) safely confiscate the Substance;
  - b) keep the Substance in a secure place, as determined by the principal; and
  - c) when necessary, deliver the Substance to Police Services for identification.
- 4.13 Where a staff member believes, on reasonable and probable grounds, that a student is under the influence of alcohol and/or an illegal Substance and/or poses a threat to themselves or others, the staff member will:
- a) unless the student is an adult, inform a parent/guardian as soon as possible of the occurrence, the consequences, and the availability of supports;
  - b) report the student breach to the principal; and

- c) where appropriate, arrange for the immediate and safe departure of the student from the premises.

4.14 The school principal will determine a system and location for the surrender of Substances on Board premises.

#### Responding to Employee Breaches

4.15 Where a staff member is found or reported, on reasonable and probable grounds, to be in breach of this procedure during the school day or while supervising students, the staff member will be:

- a) referred to available support services; and
- b) subject to disciplinary action.

## **5.0 REFERENCE DOCUMENTS**

*Trespass to Property Act*, R. S. O. 1990, c. T.21

[Education Act, 2000](#), Section 307

[The Tobacco and Vaping Products Act, 2018](#)

[Smoke Free Ontario Act, 2017](#)

OCDSB Procedure [PR.524.SCO: Access to School/Board Premises](#)

OCDSB Procedure [PR.534.SCO: Search and Seizure \(Students\)](#)

OCDSB Policy [P.032.SCO Safe Schools \(Managing Student Behaviour\)](#)

OCDSB Policy [P.029.SCO: Field Trips](#)

OCDSB Procedure [PR.515.SCO: Student Suspension and Expulsion](#)

OCDSB Procedure [PR.521.SCO: Safe Schools](#)

## APPENDIX A: PROCEDURE DEFINITIONS

In this procedure,

**Smoking** includes the act of smoking and/or the holding of lighted tobacco, cannabis, or the use of other tobacco-type products, for example, chewing tobacco.

**Vaping** means using 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 inhaling the vapor of the device directly through the mouth, whether or not the vapor contains nicotine.

**Use of drugs** is interpreted to mean the non-medical use of controlled or restricted drugs on Board property and/or Board- and school-sponsored events, and includes the following:

- a) all Substances that are listed in the *Controlled Drugs and Substances Act*;
- b) all **controlled drugs** and **restricted drugs** as defined and listed in the *Food and Drugs Act*, Schedule G (Sections 33 to 38) and Schedule H (Section 40);
- c) all non-prescribed use of prescription medication; and
- d) any other Substance when used to induce a mind- or body-altering effect (such as solvents, correction fluids, gasoline and cleaning fluids).

**Addiction** (substance abuse disorder) is the craving, loss of control of the amount or frequency of use, the compulsion to use, and/or continued substance use despite consequences.

**Alcohol** is to be interpreted as meaning all Substances defined as liquor in the *Liquor License Act* as well as low alcohol products.

**Cannabis** carries the definition used in the Cannabis Act, 2017.

**Reasonable and probable grounds** means an honest belief in the existence of a state of circumstances or facts which, assuming them to be true, would lead any ordinarily prudent and reasonable person to the same, or a similar, conclusion.

**Board property** includes all school buildings, grounds and facilities under the jurisdiction of the Board. It is also applicable, for example, on school buses, during field trips, or at school-sponsored events.

**Search of a student's locker** means a search, with a witness present, of a locker assigned to a student, exclusive of the personal belongings or person of the student.

**Substance** means tobacco, electronic cigarettes, nicotine products, recreational cannabis, alcohol, and illegal drugs.