



<b>ID CODE</b>
<b>POL16-163</b>

**TITLE: TOBACCO USE POLICY**

<b>EFFECTIVE DATE</b>	<b>APPROVAL REQUIRED</b>	<b>RESPONSIBILITY FOR FOLLOW-UP</b>
November 17, 2016	Administrator	Secretary General

#### **ROADMAP**

	<b>DATE</b>	<b>APPROVAL</b>
<b>ADOPTION</b>	November 17, 2016	Ordinance 16-163

## Table of Contents

1. Preamble.....	6
2. Subject .....	6
3. Legal framework.....	6
4. Objectives .....	6
5. Scope .....	6
6. Prohibitions .....	6
7. Signs.....	7
8. Application method.....	7
9. Sanctions.....	7
10. Adoption and effective date.....	7
APPENDIX 1 .....	8
APPENDIX 2 .....	9

## 1. Preamble

In June 1998, the Québec government adopted the *Tobacco Act* (hereafter the “Act”) to regulate tobacco use in public places in Québec. Under the Act, new statutory responsibilities were devolved to school boards, which have been called upon to support all their institutions in complying with the Act. In November 2015, *An Act to bolster tobacco control* came into effect. This Act amends the *Tobacco Act*, expanding its scope to include electronic cigarettes by considering them tobacco, and further restricting tobacco use in certain spaces, including educational institutions.

The Commission scolaire du Littoral (hereafter the “School Board”) is adopting this policy in the interest of preserving and promoting the health of its students and employees, and to provide smoke-free learning and working environments.

## 2. Subject

The purpose of this policy is to apply the *Tobacco Control Act* in buildings and on grounds under the School Board’s jurisdiction.

## 3. Legal framework

This policy has been established in accordance with the *Tobacco Control Act* (2015, c. 28).

## 4. Objectives

- Prevent students from developing a smoking habit;
- Protect the health of non-smokers from tobacco smoke in educational institutions and workplaces;
- Promote and support smoking stoppage.

## 5. Scope

For the purposes of applying this policy, the term “tobacco” includes any product containing tobacco, electronic cigarettes and any other devices of that nature that are put to one’s mouth to inhale any substance that may or may not contain nicotine, including their components and accessories, as well as any other product or class of product considered to be tobacco under a government regulation.

This policy shall apply to students, School Board employees, committee members, suppliers, visitors and any other users (organization or individual) present in the School Board's buildings or on its grounds.

## 6. Prohibitions

- 6.1 Smoking is prohibited, at all times, on the School Board grounds or within its premises and buildings (schools, professional training centres, adult education centres, administrative centres, points of service, workshops, etc.).
- 6.2 Smoking is prohibited, at all times, on sports fields and playgrounds, including areas reserved for spectators, that are used by minors and open to the public.
- 6.3 Smoking is prohibited inside vehicles used in conjunction with School Board functions. This prohibition shall not apply when employees use their personal vehicles for work. However, employees may not smoke inside their vehicle if there is a minor under 16 years of age present.
- 6.4 Smoking is prohibited in bus shelters, in tents, under big tops and in other similar facilities that are put up temporarily or permanently and are open to the public.
- 6.5 It is prohibited to set up a smoking shelter on School Board grounds.
- 6.6 It is prohibited to sell or supply tobacco to a minor on School Board grounds or in its buildings.

**6.7** Any direct or indirect sponsorship or the display of advertising that is associated in any manner whatsoever with the promotion of tobacco is prohibited.

**6.8** No person may remove or deface a no smoking sign.

## **7. Signs**

No smoking signs shall be posted in plain view of the people who use School Board buildings and grounds.

## **8. Application method**

To apply the Act, the School Board and management of each institution (school and centre) shall be considered an “operator of a place.”

As such, the principal of the institution shall take the necessary provisions and measures to comply with this policy, particularly the prohibitions set out in Section 6. The same applies to those responsible for other School Board premises and buildings.

## **9. Sanctions**

**9.1** Sanctions shall be taken against any members of personnel who violate this policy in the order that follows:

- Verbal or written warning (Appendix 1);
- Disciplinary measures set out in collective agreements.

**9.2** The sanctions for students (youth and adults) who violate this policy shall be the ones set out in the code of conduct and the safety measures adopted by the governing board. Students may also receive a written warning (Appendix 1) and/or receive consequences and remediation (Appendix 2).

**9.3** Sanctions shall be taken against all other persons (e.g. visitors, parents) who violate this policy in the following order:

- Verbal or written warning (Appendix 1);
- Banned access.

**9.4** Notwithstanding the preceding paragraphs, any violation shall also be liable for a fine under the Act.

**9.5** Operators who fail at their responsibilities regarding tobacco use shall potentially face fines under the Act.

## **10. Adoption and effective date**

This policy comes into force on the date of its adoption by ordinance.

## APPENDIX 1

### WRITTEN WARNING

**Written warning  
(front)**

\_\_\_\_\_  
Institution name

WARNING PURSUANT TO:

**The *Tobacco Control Act*  
and the *Tobacco Use Policy***

- A. For violating the established standards prohibiting smoking.
- B. For violating the established standards that prohibit supplying tobacco to a minor.

-----  
VIOLATOR'S LAST AND FIRST NAME:

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Place: \_\_\_\_\_

\_\_\_\_\_  
Principal's name

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

-----  
To be completed after issuing the warning

Home called Initials: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**(back)**

**Let's give ourselves good air quality!**

The ***Tobacco Control Act*** stipulates that smoking inside School Board buildings is prohibited.

The Act provides for fining anyone who is found guilty of smoking in a prohibited area, and fines are even higher for repeat offences.

The Act also provides for fining anyone who supplies tobacco to a minor on School Board grounds or in its buildings.

The School Board's policy provides for sanctions for members of personnel, students and any other person who violates the policy.

## APPENDIX 2

### Examples of Consequences and Remediation for Students

Rank of violation	Examples of consequences	Examples of remediation
1	<ul style="list-style-type: none"> <li>• Warning to the student and parents</li> <li>• Tobacco confiscated</li> <li>• Loss of privileges</li> <li>• Meeting with the principal and school staff member or someone else.</li> </ul>	<ul style="list-style-type: none"> <li>• Formal reflection or process in relation to the violation</li> <li>• Community service</li> </ul>
2	<ul style="list-style-type: none"> <li>• Tobacco is confiscated and given to the parents</li> <li>• Letter to the student or parents</li> <li>• Meeting with the parents</li> <li>• Meeting with the principal and school nurse or other worker</li> </ul>	<ul style="list-style-type: none"> <li>• Formal reflection or process in relation to the violation</li> <li>• Community service</li> </ul>
3	<ul style="list-style-type: none"> <li>• Ticket</li> </ul>	<ul style="list-style-type: none"> <li>• Community service</li> <li>• Fine payment</li> </ul>