



ENFORCEMENT OF THE *SMOKE-FREE* *ONTARIO ACT*

Responsibility:	Superintendent, Student Achievement & Well-Being
Legal References:	<i>Smoke-Free Ontario Act, 2017, S.O. 2017, c. 26, Sched. 3</i>
Related References:	<i>PPM 128 – The Provincial Code of Conduct and School Board Codes of Conduct;</i> <i>Board Policy 6000 – Safe Schools;</i> <i>Board Policy 6001 – Code of Conduct;</i> <i>Administrative Procedure 1225 – Smudging for Indigenous Staff and Students & Guideline;</i> <i>Administrative Procedure 1260 – Student Discipline Procedure;</i> <i>Administrative Procedure 1330 – Safe Schools Incident Reporting and Record-Keeping;</i> <i>Administrative Procedure 4157 – Appropriate Handling and Disposal of Surrendered Items;</i> <i>SFOA Public Health Letter, 1st Violation;</i> <i>SFOA Public Health Letter, 2nd Violation;</i> <i>SFOA Public Health Letter, 3rd or Subsequent Violation</i>
Effective:	September 2026
Revisions:	
Reviewed:	

1. Preamble

- 1.1 The *Smoke-Free Ontario Act* prohibits smoking or holding lighted tobacco, smoking or holding lighted cannabis, and the use of electronic cigarettes (vaping) at schools and on school grounds, with the exception of smoking or holding lighted tobacco for traditional Indigenous cultural or spiritual purposes.
- 1.2 For information regarding smudging at Waterloo Region District School Board schools and on school grounds, refer to [Administrative Procedure 1225 – Smudging for Indigenous Staff and Students & Guideline](#).

2. Communication

- 2.1 A statement that “members of the school community will not use, share or sell vape, nicotine and/or tobacco products” will be included in the Code of Conduct and communicated to all members of the school community.
- 2.2 “No Smoking” signage will be posted inside and on the exterior of school buildings.

3. Consequences

- 3.1 If a staff member witnesses a student smoking or vaping in the school building or on school grounds, the staff member will:
- 3.1.1 Instruct the student to go see the principal immediately, unless intervening would create an unsafe situation.
 - 3.1.2 Report the incident to the principal as required by [Administrative Procedure 1330 – Safe Schools Incident Reporting and Record-Keeping](#).
- 3.2 For a first offence, the principal will consider the particular student and circumstances, including considering the **mitigating and other factors** (see [Administrative Procedure 1260 – Student Discipline Procedure](#)), and, if appropriate:
- 3.2.1 Instruct the student to surrender their tobacco, cannabis or electronic cigarette(s).
 - The principal will handle and dispose of the surrendered items in accordance with [Administrative Procedure 4157 – Appropriate Handling and Disposal of Surrendered Items](#).
 - The principal will consider suspending the student if the student refuses to surrender their tobacco, cannabis or electronic cigarette(s).
 - 3.2.2 Report the occurrence to Region of Waterloo Tobacco Enforcement using the “[Student No Smoking Or Vaping Violation Form](#)”.
 - 3.2.3 If the student is not an adult student:
 - Notify the student’s parent/guardian; and
 - Provide the student’s parent/guardian with [SFOA Public Health Letter, 1st Violation](#).
- 3.3 For a second offence, the principal will consider the particular student and circumstances, including considering the **mitigating and other factors** (see [Administrative Procedure 1260 – Student Discipline Procedure](#)), and, if appropriate:
- 3.3.1 Instruct the student to surrender their tobacco, cannabis or electronic cigarette(s).
 - The principal will handle and dispose of the surrendered items in accordance with [Administrative Procedure 4157 – Appropriate Handling and Disposal of Surrendered Items](#).
 - The principal will consider suspending the student if the student refuses to surrender their tobacco, cannabis or electronic cigarette(s).
 - 3.3.2 Report the occurrence to Region of Waterloo Tobacco Enforcement using the “[Student No Smoking Or Vaping Violation Form](#)”.
 - 3.3.3 If the student is not an adult student:
 - Notify the student’s parent/guardian; and
 - Provide the student’s parent/guardian with [SFOA Public Health Letter, 2nd Violation](#).

- 3.3.4 Withdraw the student from class to complete the "[Clearing the Air](#)" youth education program.
- 3.4 For a third or subsequent offence, the principal will consider the particular student and circumstances, including considering the **mitigating and other factors** (see [Administrative Procedure 1260 – Student Discipline Procedure](#)), and, if appropriate:
- 3.4.1 Instruct the student to surrender their tobacco, cannabis or electronic cigarette(s).
- The principal will handle and dispose of the surrendered items in accordance with [Administrative Procedure 4157 – Appropriate Handling and Disposal of Surrendered Items](#).
- 3.4.2 Suspend the student.
- 3.4.3 Report the occurrence to Region of Waterloo Tobacco Enforcement using the "[Student No Smoking Or Vaping Violation Form](#)".
- 3.4.4 If the student is not an adult student:
- Notify the student's parent/guardian; and
 - Provide the student's parent/guardian with [SFOA Public Health Letter, 3rd or Subsequent Violation](#).
4. **Tobacco Enforcement Officers ([Powers under Smoke-Free Ontario Act](#))**
- 4.1 Tobacco Enforcement Officers are permitted to enter and inspect schools at any time and without notice. They are not required to sign in at the office or be accompanied by a staff member.
- 4.2 Tobacco Enforcement Officers are required to provide identification upon request.
- 4.3 Tobacco Enforcement Officers are permitted to question a person on any matter that is or may be relevant to an inspection. This includes questioning a person separate and apart from others.
- 4.4 Staff members must comply with a Tobacco Enforcement Officer's written demand to produce a record or other thing that may be relevant to the Tobacco Enforcement Officer's inspection.
- 4.5 Staff members cannot refuse to answer a Tobacco Enforcement Officer's questions on any matter that is or may be relevant to the Tobacco Enforcement Officer's inspection.