

School Compliance Information

Tobacco and Vapour Products Control Act

This document advises schools, both public and private, of their responsibilities for showing reasonable care and diligence with the *Tobacco and Vapour Products Control Act* and Regulation.

A Board and its Superintendent should have a policy or regulation in place that communicates their position on smoking and vaping on school property. This policy or regulation should be communicated to Principals and staff members at schools.

Principals and staff members should communicate the policy or regulation to:

- 1. Students:** A code of conduct signed by students is used in many schools. The code of conduct should include a statement prohibiting smoking and vaping on school property.
- 2. Parents:** Written letters and/or newsletters sent home (emailed) to parents with clear consistent messaging.
- 3. User groups:** Lease or user agreements with community groups or sporting groups should reference the *Tobacco and Vapour Products Control Act*.
- 4. Visitors:** Visitors to the school should see signs at each entrance to school property including entrances to playing fields and parking lots. Signage should also be posted at all entrances to buildings on school property.

Signage

Samples of recommended signage are included at the end of this document. There are no specific size requirements.

Wording suggestions include (also see graphics at the end of the document):

- This is a smoke and vapour free property,
- Thank you for not smoking or vaping, and
- Use symbols for no smoking and no vaping as shown in the graphics, and
- Include *Tobacco and Vapour Products Control Act* British Columbia (in small print at sign bottom),
- Include your logo or name if you wish.

Shared Property

Many private schools join other buildings or properties that are used for purposes other than education. An example might be a private school attached to a church. Consider including the whole property as smoke and vapour free and asking people to smoke or vape off property. Move existing butt receptacles away from windows, doors and air intakes.

Smoking and Vaping in Vehicles

It is a violation of the *Motor Vehicle Act* to smoke or vape in any vehicle when a child under 16 is present.

Enforcement Process

The fine for an individual smoking or vaping on school property is \$58.00. If the school does not exercise due diligence (signage and education), the administration of the school may be held responsible. The *Tobacco and Vapour Products Control Act* states that anyone who contravenes section 2 to 2.4 (schools are in 2.2) is liable:

- a) for a first offence to a fine of not more than \$2500 or to imprisonment for a term not exceeding 3 months, or both, and
- b) for a subsequent offence to a fine of not more than \$5000 or to imprisonment for a term not exceeding 6 months, or both.

Enforcement Officers (EOs)

Interior Health Enforcement Officers (EOs) follow a progressive enforcement model. This model includes awareness, education activities, and verbal and written warnings. Violation tickets and fines are considered the last option. School Administrators who experience persistent non-compliance by students, staff or others in the school community may contact an EO for consultation on progressive enforcement measures.

Resources

Tobacco Vapour Products and Control Act pertaining to School Property

http://www.bclaws.ca/civix/document/id/complete/statreg/96451_01

Vapour Products In and on School Properties

<http://healthyschoolsbc.ca/program/resources/138/en/92886/HP-TE-9010-Vapour-Products-in-and-On-School-Property-Final.pdf>

Motor Vehicle Act (Section 231.1)

http://www.bclaws.ca/civix/document/id/complete/statreg/96318_00

For more information or to contact your local Interior Health Enforcement Officer, call

1-855-744-6328 (prompt 5) or email tobacco@interiorhealth.ca

Signage Examples



Tobacco Vapour Products Control Act, sec 2.2

States:

"No tobacco or vapour product use on school property."

(a) for a first offence to a fine of not more than \$2 500 or to imprisonment for a term not exceeding 3 months, or to both the fine and imprisonment"

Photo credit: New Jersey Department of Health



Photo credit: http://www.ct.gov/dph/lib/dph/hems/tobacco/pdf/all_signs_smoke_free.pdf