

POLICY 251: Cannabis

This policy is for students, staff, and all adults on school grounds or property.

1. For Students (18 years and younger):

- 1.1. The possession of cannabis and cannabis products in British Columbia is legally limited to adults 19 years or older.
- 1.2. A minor must not possess, consume, produce, supply, sell, purchase or attempt to purchase cannabis, nor market, advertise or promote cannabis.
- 1.3. In addition, minors cannot possess, make, supply, sell, purchase or attempt to purchase a cannabis accessory (equipment related to cannabis use, production, etc.).
- 1.4. A minor must not operate a vehicle, whether or not the vehicle is in motion, while there is cannabis in the vehicle.
- 1.5. If a student is found in possession of what is believed to be cannabis or a cannabis-infused product, the product will be confiscated. Further actions may also be taken against the student.

2. For Adults (19 years and older):

- 2.1. Adults cannot consume cannabis in any form on any board property.
- 2.2. Adults cannot smoke or vape cannabis in or on public spaces such as skating rinks, sports fields, swimming pools, playgrounds or skate parks.
- 2.3. Adults cannot consume cannabis while operating a vehicle or consume cannabis while in a vehicle being operated by another person.
- 2.4. An adult must not operate a vehicle if the adult knows that another person is smoking or vaping cannabis in the vehicle.

3. Public property:

- 3.1. Cannabis smoking or vaping is prohibited indoors in any public place, and in specified areas including workplaces and apartment common areas. These restrictions also apply within a six-metre distance of a doorway, window or air intake of those places. Employers are vicariously liable under the legislation for workplace contraventions.
- 3.2. Outdoor smoking or vaping is also prohibited in areas such as public skating rinks, sports fields, swimming pools, playgrounds or skate parks, public parks, outdoor areas established by local government for purposes of community recreation, health board property, bus stops, train stations, taxi stands, ferry docks, or similar places for passenger loading or unloading.
- 3.3. Cannabis consumption of any kind is also restricted for vehicles or boats for any persons while the vehicle or boat is in operation.
- 3.4. This applies to all adults and students participating in school activities in public areas. All persons attending school activities are considered to be “in school” while participating in school events.

Related Legislation: Cannabis Control and Licensing Act, Cannabis Control Regulation

Related Contract Article: Nil

Related Policy: 311: Illegal Use of Drugs and Alcohol, Policy 310: Code of Conduct, Policy 440: Extra-Curricular and Co-Curricular Activities, Procedure and Code of Conduct for Bus Students.

Adopted: December 11, 2018

Amended: April 23, 2019

4. School Property:

4.1. Consumption Prohibited:

Consumption of cannabis of any kind is prohibited on school property and on any sidewalk or boulevard that abuts school property and a road, subject only to certain exceptions under the Cannabis Control Regulation (please see below).

4.2. Medical Cannabis Exceptions: The Regulation provides for certain exceptions for consumption (but not smoking or vaping) of medical cannabis.

4.2.1. The exceptions for consumption apply only if a school employee or student has valid proof of authority to possess medical cannabis, and if the person's health care practitioner has directed daily consumption of cannabis at intervals that overlap with regular school hours or school activities or events.

4.2.2. In the case of a student who has valid proof of authority to possess medical cannabis, there are further requirements. The student's parent must have notified the school's principal, superintendent or education authority¹ of the student's authority to possess medical cannabis, and, the proof of authority to possess medical cannabis must be on file with the school principal, superintendent or education authority.

4.2.3. It must be noted that the school property related exceptions regarding medical cannabis use apply only to consumption of cannabis. Smoking or vaping on school property is not permissible as part of these exceptions. Further, it is important to recognize that the exceptions and the Board of Education will seek legal advice to assist in making these determinations based on the specific facts in each case.

4.2.4. Finally, there is an exception for members of the public consuming cannabis on sidewalks or boulevards abutting school property if they have valid proof of authority to possess medical cannabis. This exception applies only to consumption. Smoking or vaping is not permitted in any circumstances on school property or on adjacent sidewalks or boulevards.

The Board of Education, Superintendent, and Principal shall take reasonable steps to prevent violation of the Cannabis Control and Licensing Act.

5. Penalties

The penalties for violating the legislation are: for a first offence, a fine of up to \$5,000 or three months' imprisonment or both; and on a subsequent offence, a fine of up to \$10,000 or six months' imprisonment or both.

¹The Cannabis Control and Licensing Act defines "education authority" as (a) a board of education or francophone education authority under the School Act, or (b) an authority under the Independent School Act"