

Cannabis Information for Schools and School Boards

Recreational cannabis is legal across Ontario for adults 19 years of age or older. Although it is legal, schools and school boards may have questions about the rules for recreational cannabis at school, on school property and at school-related activities, as well as the impact legalization may have on schools and what information and supports are available for educators, parents/guardians and students.

Rules for minimum age

The law sets a minimum age of 19 to use, buy, possess and cultivate recreational cannabis in Ontario. This is the same as the minimum age for tobacco and alcohol sales.

Even though recreational cannabis is legal for adults 19 years of age or older, any form of recreational cannabis is still not permitted in schools, on school property and at school-related activities.

Current rules for Ontario schools

Recreational cannabis is no longer an illegal drug, but as with alcohol, it is not permitted in schools. Suspension will be considered for a student under the influence or in possession of recreational cannabis, depending on the results of the principal's investigation.

A positive school climate and a safe learning and teaching environment are essential for student success. Everyone has a role to play in promoting a positive school climate.

Student mental health and well-being

Student mental health and well-being are very important. While educators do not provide mental health and addictions services, they are in a unique position to recognize changes in behaviour. The Ministry of Education continues to work with the education sector to equip educators with the tools and knowledge they need to 1) identify potential child and youth mental health and addictions issues and 2) respond effectively. More information on supporting student mental health is available below.

Working to protect youth

The Ministry of Education is working collaboratively with community partners and other ministries across government to prevent and/or delay cannabis use among youth, promote healthy decision-making and ensure student safety. This includes the development of resources on informed decision-making, substance use, addictions and related behaviours, and supports available for students and families.

Rules

Q: What legislation is in place to protect youth from cannabis?

A: Ontario's *Cannabis Control Act, 2017*, which came into effect on October 17, 2018, prohibits youth under the age of 19 from buying, possessing, cultivating (growing), consuming or sharing recreational cannabis in Ontario.

The federal *Cannabis Act*, which also came into effect on October 17, 2018, includes provisions aimed at protecting youth. These include new criminal offences with maximum penalties of 14 years in jail for:

- Giving or selling recreational cannabis to youth under the age of 18; and
- Using a youth under the age of 18 to commit a cannabis-related offence.

Strict rules are also in place for drug-impaired driving among youth. More information about using cannabis and driving can be found at ontario.ca/cannabis.

In addition, the *Education Act* has also been amended to reflect suspension, expulsion, and code of conduct changes, so that recreational cannabis, in all forms, will continue to not be permitted at school, on school property and at school-related activities.

The *Smoke-Free Ontario Act, 2017* prohibits the smoking of cannabis (recreational and medical) in the same places where smoking tobacco and the use of electronic cigarettes (vaping) is prohibited. It also prohibits the smoking and vaping of cannabis (both recreational and medical):

- at school, on school grounds, and all public areas within 20 metres of these grounds;
- on children's playgrounds and public areas within 20 metres of playgrounds;
- in child care centres, or where an early years program is provided; and
- in places where home child care is provided – even if children aren't present.

Q: Even though the province has passed legislation allowing people to smoke recreational cannabis wherever they can smoke cigarettes – it doesn't change the prohibition of smoking cannabis on school property, correct?

A: That is correct. Smoking or vaping, whether recreational or medical, is prohibited at schools, on school grounds, and all public areas within 20 metres of these grounds.

Q: How are the rules in schools different from before the legalization of recreational cannabis?

A: The rules related to recreational cannabis in schools have generally remained the same. However, recreational cannabis is no longer classified as an "illegal drug", but as with alcohol, it is not permitted in schools.

Possession of recreational cannabis is not permitted at school, on school property or at school-related activities. Suspension will be considered for a student found to be under the influence or in possession of recreational cannabis. Principals will consider mitigating and other factors (as set out in the *Education Act*) when deciding whether to suspend a student found under the influence or in possession of recreational cannabis.

While the *Education Act* does not prohibit students from carrying cannabis for medical purposes on school premises, smoking and vaping medical cannabis is prohibited in public areas within 20 metres of the perimeter of the grounds of a school. Students and

school staff will continue to be able to use medical cannabis at school and on school property in a non-smoking and non-vaping form (e.g., cannabis oils, capsules, edibles).

Suspension is mandatory for students found giving cannabis to minors. Principals are also required to consider mitigating factors when deciding whether these students should be expelled. Examples of mitigating factors include circumstances in which:

- The student does not have the ability to control their behaviour.
- The student does not have the ability to understand the foreseeable consequences of their behaviour.
- The student's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Q: Are edible recreational cannabis products legal?

A: Health Canada's regulations for the production and sale of additional recreational cannabis products (cannabis edibles, extracts, and topicals) came into force on October 17, 2019. The new products are expected to be available for sale to the public in Ontario at provincially authorized private retail stores and online through the Ontario Cannabis Store, beginning in January 2020.

Q: Are edible recreational cannabis products allowed in schools? What rules are in place?

A: The minimum age of 19 to use, buy, possess, cultivate, and distribute recreational cannabis also applies to the new classes of recreational cannabis products (cannabis edibles, extracts, and topicals). Although the new cannabis products will be available for purchase by January 2020, possession of recreational cannabis, in any form, is not permitted at school, on school property or at school-related activities. Suspension will be considered for a student under the influence or in possession of recreational cannabis.

Q: Are there specific rules on the use of cannabis by teachers and staff?

A: Ontario has strict rules in place to protect children and make sure workplaces are safe.

Under the province's *Smoke-Free Ontario Act, 2017*, smoking or vaping cannabis is prohibited in an enclosed workplace. The *Smoke-Free Ontario Act, 2017* specifically prohibits the smoking and vaping of cannabis:

- at school, on school grounds, and all public areas within 20 metres of these grounds;
- on children's playgrounds and public areas within 20 metres of playgrounds;
- in child care centres, or where an early years program is provided; and
- in places where home child care is provided – even if children aren't present.

Health and safety protections under the *Occupational Health and Safety Act* continue to apply to hazards in the workplace, which may include impairment from substance use. Teachers and other school staff (workers) have a role in protecting occupational health and safety and a duty to work in compliance with the *Occupational Health and Safety Act* and the regulations.

Medical cannabis will continue to be permitted only for individuals who have been authorized to use cannabis for medical purposes by a health care professional. Employers have a duty under Ontario's *Human Rights Code* to accommodate the needs of a worker with a disability, up to the point of undue hardship. Addiction is

a disability that is protected under the Code. Further information can be accessed at the [Ontario Human Rights Commission \(OHRC\)](#).

The Ministry of Labour, Training and Skills Development has developed [guidance material](#) to help workplace parties understand their obligations under the *Occupational Health and Safety Act* when addressing the issue of workplace impairment due to substance use (including cannabis use).

Q: Can cannabis retail stores be located near schools?

A: Cannabis retail stores are restricted from being located within 150 metres from publicly funded schools or private schools.

Medical cannabis

Q: Is medical cannabis allowed to be carried on school property by students?

A: The *Education Act* does not prohibit students from carrying cannabis for medical purposes on school premises. Under Part XIII of the *Education Act* (the section under which a principal must consider suspension or expulsion of a student for certain activities), cannabis for medical purposes is not considered an illegal drug, given that the federal government has made it available with medical authorization under the Access to Cannabis for Medical Purposes Regulations.

Q: For those students with a prescription for medical cannabis, how will the medical cannabis be stored while on school property/during school hours, to ensure controlled access and the safety of other students?

A: Ontario's school boards are independent entities and are responsible for developing their own policies and procedures, including those pertaining to the administration/storage of medications in schools. These policies and procedures are based on the local needs of the school board student population, and where applicable, guided by *Policy/Program Memorandum (PPM) 81 – Provision of Health Support Services in School Settings*.

Q: Can students and school staff use medical cannabis at school and on school property?

A: While the *Education Act* does not prohibit students from carrying cannabis for medical purposes on school premises, smoking and vaping medical cannabis is prohibited in public areas within 20 metres of the perimeter of the grounds of a school. Students and school staff will continue to be able to use medical cannabis at school and on school property in a non-smoking and non-vaping form (e.g., cannabis oils, capsules, edibles).

Curriculum connections

Q: What do students learn about cannabis in school?

A: Cannabis is mentioned predominantly within the [Health and Physical Education curriculum](#) in the following ways:

- The curriculum covers problematic substance use, and related behaviours.
- Student learning about cannabis and other drugs occurs directly within the Healthy Living component of the elementary Health and Physical Education curriculum and in secondary Healthy Active Living Education courses.
- While learning about cannabis is specifically addressed in [Grade 5](#), student learning about problematic substance use, and related behaviours is part of a continuum of learning that extends from Grades 1 to 12. In Grade 4, students begin to learn about the effects and consequences of smoking and vaping tobacco. In Grade 6, students learn about making safe choices around using cannabis and vaping, including the choice to abstain.

Cannabis is also mentioned in Grade 11 and 12 Canadian and World Studies – Law.

Suspensions and expulsions

Q: What school policies are impacted by the legalization of recreational cannabis?

A: Amendments have been made to the suspension, expulsion, and code of conduct provisions in the *Education Act* so that recreational cannabis in all forms, remains prohibited at school, on school property and at school-related activities. The *Education Act* does not prohibit students from carrying cannabis for medical purposes on school premises, which requires medical authorization under federal law.

The *Education Act* requires:

- Consideration for suspension if a student is under the influence or in possession of recreational cannabis while at school, on school property or at a school-related activity;
- Mandatory suspension (and possible expulsion) if a student gives cannabis to a minor; and
- School boards and school authorities to update their codes of conduct to discourage the use of recreational cannabis (amended accordingly from “discourage the use of alcohol and illegal drugs”). Note: each school board and school authority is required to have a code of conduct that includes standards of behaviour for students, teachers and all other individuals involved in the publicly funded school system.

The following Policy/Program Memoranda (PPMs) have been updated and posted on the Ministry of Education’s website:

- [PPM – 128 Provincial Code of Conduct and School Board Codes of Conduct](#)
- [PPM – 144 Bullying Prevention and Intervention](#)
- [PPM – 145 Progressive Discipline and Promoting Positive Student Behaviour](#)

School boards and school authorities are required to update their existing codes of conduct and policies on bullying prevention and intervention, and progressive discipline accordingly.

Q: Is possession of cannabis still a possible reason to suspend a student?

A: Yes.

- Possession of cannabis (except for medical purposes, if authorized by a health care practitioner such as a Physician or a Nurse Practitioner) is not permitted while at school, on school property or at school-related activities.
- Suspension is considered for a student under the influence or in possession of recreational cannabis.
- Where a principal believes that any student has provided cannabis to a minor, the student must be suspended pending the principal's investigation, to determine whether to recommend to the board that the student be expelled.
- Before suspending a student, or determining the length of the suspension (which could be up to 20 school days) or deciding whether to recommend that the student be expelled, the principal must consider the individual circumstances of the student and must take into account mitigating and other factors. Examples of mitigating factors include circumstances in which:
 - ✦ The student does not have the ability to control their behaviour.
 - ✦ The student does not have the ability to understand the foreseeable consequences of their behaviour.
 - ✦ The student's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Q: What resources are available to principals and other board staff dealing with suspensions related to recreational cannabis?

A: The Ministry of Education updated the following policies in 2018 to support principals and other board staff with suspensions related to recreational cannabis:

- *PPM 144 – Bullying Prevention and Intervention*
- *PPM 145 – Progressive Discipline and Promoting Positive Student Behaviour*

A number of ministry resources are also available to principals and other board staff:

- *Reporting and Responding to Incidents: A Resource for Board Employees* outlines the responsibilities of all board staff for incidents that could lead to suspension or expulsion.
- *Supporting Bias-Free Progressive Discipline in Schools Resource Guide* outlines how system leaders should take mitigating and other factors into consideration at all points along the continuum of progressive discipline. This guide was developed in collaboration with the Ontario Human Rights Commission.
- *Reporting and Responding to Incidents: A Resource for Occasional Teachers* outlines the responsibilities for occasional teachers about incidents that could lead to suspension or expulsion.
- *Promoting and Supporting Positive Student Behaviour: A Resource for School Bus Drivers and Principals* outlines the responsibilities for school bus drivers and principals about maintaining a positive school environment on school buses.

Q: My child has been suspended for bringing recreational cannabis to school. Where can I learn more about the rules around suspensions?

- A:** There are a number of resources on the Ministry of Education’s website, including:
- *Suspension and Expulsion: What Parents and Students Need to Know* outlines the requirements and processes related to suspensions and expulsions.
 - *Parents’ Guide to the Ontario Code of Conduct* outlines expectations for behaviour for everyone in the school community, including students, teachers and administrators.

Q: Are school boards expected to record suspensions related to recreational cannabis in the Ontario School Information System (OnSIS)?

- A:** School boards are expected to track suspensions and/or expulsions related to recreational cannabis. School boards are also expected to report data on suspensions/expulsions related to recreational cannabis to the Ministry of Education through the Ontario School Information System (OnSIS). The suspension/expulsion data will be collected and analyzed by the ministry.

Q: What is the protocol for notification of police with regards to recreational cannabis?

- A:** The *Provincial Model for a Local Police/School Board Protocol* describes the types of incidents that require *mandatory* reporting to police and those for which reporting is *discretionary*. The police must be notified of incidents that involve trafficking or possession of illegal drugs. The police may also be notified of incidents that involve giving alcohol to a minor or being under the influence of alcohol or illegal drugs. Recreational cannabis is no longer an illegal drug, but as with alcohol, it is not permitted in schools.

Though certain incidents must be *reported* to the police, this does not mean that police will respond to every incident or lay charges in every situation.

As per the *Provincial Model for a Local Police/School Board Protocol*, school boards and local police services are required to review and update their local police/school board protocols every two years. As part of their review cycle, school boards are encouraged to discuss the implications of the legalization of recreational cannabis with their local police services and public health units. These discussions may inform revisions to their local police/school board protocols.

Mental health and addictions

Q: We already have students who we know or suspect are dealing with substance use issues. How do we support them?

- A:** The ministry’s resource, *Supporting Minds*, is a *K-12 guide* that provides educators with information on the early signs of mental health and addiction problems, along with strategies that can be used in the classroom to support students.

There is a chapter on “Substance Use Problems” that has evidence-based information, including “A Continuum of Warning Signs” and “Strategies for Creating a Supportive Classroom Environment for All Students.”

Q: How can we support students in our schools to help reduce the likelihood that they could develop a substance use problem?

A: To help reduce the likelihood of a student developing a substance use problem, school boards across the province *School Mental Health Ontario* (SMH-ON), will continue to promote student mental health in schools. School Mental Health Ontario has developed:

- **modules on creating mentally healthy classrooms**, including common language and everyday mental health and well-being promotion practices that can be adapted for the classroom.
- evidence-based professional learning materials/resources targeted to different education professionals, resources for school administrators, and information for families, including *Cannabis Practice Guide for School Mental Health Professionals*.

In addition, since 2018-19, the ministry has been funding approximately 180 mental health workers in secondary schools to provide mental health promotion, prevention and early identification and intervention for students who may experience a mental health issue.

Resources

Q: What is the Ministry of Education doing to support educators, parents/guardians and youth on the legalization of recreational cannabis?

A: The Ministry of Education released resources to increase awareness about cannabis, prevent and/or delay cannabis use among youth, and promote healthy decision-making and student safety. These resources include:

- A **fact sheet for parents/guardians and caregivers**, with information on cannabis, how to help young people, and where to get more information and support, developed in collaboration with the Centre for Addiction and Mental Health (CAMH) and *School Mental Health Ontario* SMH-ON.
- A **fact sheet for educators**, with information to support informed conversations with youth about cannabis, developed in collaboration with CAMH and SMH-ON.
- Elementary and secondary school discussion guides for educators, to support age-appropriate conversations about cannabis with students, developed in collaboration with Ophea.
- A **fact sheet for schools and school boards** that focuses on legalization of recreational cannabis and the implications for their work, changes to the *Education Act* and policies (i.e., provincial Code of Conduct, bullying prevention and intervention, and progressive discipline).
- A **resource for youth** that provides factual information about cannabis and highlights risks associated with use/misuse, developed in collaboration with Kids Help Phone, Ministry of Health, and Ministry of Children, Community and Social Services.

These resources can be found on the Ministry of Education's website for **educators** and **parents**. These pages will be updated with additional resources as they become available.

The Ministry of Education provided school boards with a total of \$1.88 million in 2018-19 and \$1.42 million in 2019-20 to support local training needs related to the legalization of recreational cannabis. School boards report to the ministry on how funding is used to support local training needs.

Q: Are there any resources that were updated as a result of the PPM revisions?

A: Yes. The following resources provide information on suspension, expulsion and code of conduct requirements (including those related to recreational cannabis use) for students, parents, school staff, administrators and school bus drivers. These resources were updated to reflect the revisions to:

- [PPM 128 – Provincial Code of Conduct and School Board Codes of Conduct](#)
- [PPM 144 – Bullying Prevention and Intervention](#)
- [PPM 145 – Progressive Discipline and Promoting Positive Student Behaviour](#)

The resources include:

- [Making Ontario’s Schools Safe and Accepting](#)
- [Parents’ Guide to the Ontario Code of Conduct](#)
- [Suspension and Expulsion: What Parents and Students Need to Know](#)
- [Reporting and Responding to Incidents: A Resource for Board Employees](#)
- [Reporting and Responding to Incidents: A Resource for Occasional Teachers](#)
- [Promoting and Supporting Positive Student Behaviour: A Resource for School Bus Drivers and Principals](#)

Parents, educators and school board staff can access the updated PPMs and resources on the Ministry of Education’s website at ontario.ca/safeschools. School boards may also post the PPMs and resources on their websites.

More information

Cannabis and legalization:

- [Ontario rules and information about recreational cannabis](#)
- [Ontario Cannabis Store](#)
- [Government of Canada rules and information about recreational cannabis](#)
- [Cannabis health effects](#)
- [Laws and risks of impaired driving](#)
- [Cannabis and the Ontario Human Rights Code](#)

Cannabis and Ontario’s publicly funded schools:

- [Ontario Ministry of Education resources for educators and parents](#)
- [Curriculum information for elementary and secondary students](#)
- [Resources on safe and accepting schools, including information about progressive discipline and suspension/expulsions \[www.ontario.ca/safeschools\]\(http://www.ontario.ca/safeschools\)](#)

Resources for educators

- [Ophea Elementary School Educator Discussion Guide](#)
- [Ophea Secondary School Educator Discussion Guide](#)
- [Cannabis: what Educators Need to Know](#)

Resources for parents/guardians:

- [Cannabis: What Parents/Guardians and Caregivers Need to Know](#)
- [Cannabis Talk Kit: Know How to Talk to your Teen](#)
- [Talking to teens about drug use](#)
- [Information from the Ministry of Education about, safe and accepting schools and more, available in multiple languages.](#)