

DATE: November 27, 2018

TO: Board of Trustees

FROM: Trustee Sherry Adams, Policy Review Committee
Trustee Trisha Estabrooks, Chair, Policy Review Committee
Vice-Chair Bridget Stirling, Policy Review Committee

SUBJECT: First, Second and Third and Final Reading of Policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions

ORIGINATOR: Karen Mills, Director Board and Superintendent Relations

RESOURCE STAFF: Marnie Beaudoin, Nancy Petersen

REFERENCE: Board Policy CH.BP – Framework for Policy Development and Review
Cannabis Act
Gaming, Liquor and Cannabis Act
[EM.BP Alcoholic Beverages and Tobacco Use on District Premises and at District Sponsored Functions](#)
[IGD.AR Alcohol, Tobacco and Cannabis on and in District Property and at District Functions](#)

ISSUE

The Policy Review Committee is presenting Board Policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions with required revisions that support alignment to the federal *Cannabis Act* and the provincial *Gaming, Liquor and Cannabis Act* for first, second, third and final readings by the Board of Trustees at the November 27, 2018, public Board meeting.

BACKGROUND

On June 21, 2018, Bill C-45 *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts* received royal assent. Cannabis became legal across Canada on October 17, 2018.

To support the legalization of cannabis, the Alberta government passed the *Gaming, Liquor and Cannabis Act* and developed a Cannabis Framework. Municipal governments drafted bylaws and organizations such as school districts developed policies and regulations.

The Policy Review Committee revised Board Policy EM.BP Alcoholic Beverages and Tobacco Use on District Premises and at District Sponsored Functions to ensure compliance with the *Gaming, Liquor and Cannabis Act*.

RELATED FACTS

Administrative Regulation IGD.AR Alcohol, Tobacco and Cannabis on and in District Property and at District Functions was approved on October 16, 2018, to ensure alignment to new legislation by the October 17, 2018, legalization date.

Board Policy EM.BP Alcoholic Beverages and Tobacco Use on District Premises and at District Sponsored Functions has undergone changes to reflect the legalization of cannabis. As the changes coming forward are required to ensure the District is in compliance with legislation, the Board's traditional practice of public engagement for a policy after first reading is not required.

Revisions to the draft Board Policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions include:

- Adjustment of the policy title to include cannabis.
- Addition of the following sections to align with the current board policy template:
 - Purpose
 - Definitions
 - Expectations
 - Accountability
- Addition of a statement to acknowledge that the ceremonial use of tobacco as part of cultural practice is appropriate in the District.
- Enhanced clarity around the possession and/or consumption of alcohol, tobacco and cannabis on and in District property.
- Additional references, including recent legislation pertaining to the legalization of cannabis and related District administrative regulations and Board policies.

RECOMMENDATION

1. That Board policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions be considered for the first, second and third time at this meeting.
2. That Board policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions be considered for the first time.
3. That Board policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions be considered for the second time.
4. That policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions be considered for the third and final time and approved.

OPTIONS

Based on the information provided in this report, the following options are considered most appropriate:

1. Accept and approve the revised EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions, as presented for first, second and third readings at the November 27, 2018, Board meeting, to ensure compliance with the provincial *Gaming, Liquor and Cannabis Act* and the federal *Cannabis Act*.
2. Provide feedback and/or request changes to the revised EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions to ensure compliance with the provincial *Gaming, Liquor and Cannabis Act* and the federal *Cannabis Act*.

CONSIDERATIONS and ANALYSIS

- As EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions was not opened for overall review, the originally scheduled review date remains unchanged.
- Failure to revise EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions would result in differing expectations between the Board policy and Administrative



Regulation IGD.AR Alcohol, Tobacco and Cannabis on and in District Property and at District Functions.

NEXT STEPS

Once approved, Board Policy EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions will be posted to the District website and the update will be communicated to staff.

ATTACHMENTS and APPENDICES

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| ATTACHMENT I | EM.BP Alcohol, Tobacco and Cannabis on and in District Property and at District Functions |
| ATTACHMENT II | IGD.AR Alcohol, Tobacco and Cannabis on and in District Property and at District Functions |

MB:mb

CODE: EM.BP**EFFECTIVE DATE:** (09-10-2012)**TOPIC:** Alcohol, Tobacco and Cannabis on and in District Property and at District Functions**ISSUE DATE:** (15-10-2012)**REVIEW YEAR:** (2019)**PURPOSE**

To reflect the Board of Trustees' (the Board) mandated responsibility and expectation for providing a welcoming, inclusive, safe and healthy learning and working environment throughout the District.

To establish expectations regarding alcohol, tobacco and cannabis on and in District property (this includes District vehicles) and at District functions.

DEFINITIONS

Alcohol is the intoxicating agent in beverage alcohol, ethyl alcohol or ethanol.

Cannabis is a broad term used to describe the various products derived from the leaves, flowers and resins of Cannabis plants, synthetic cannabinoids, and/or medical cannabis. Cannabis can be consumed in a variety of ways, including but not limited to: smoking, vaporizing, eating or using water pipes.

Tobacco and tobacco products are composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves. Tobacco can be consumed in a variety of ways, including but not limited to: smoking cigarettes and chewing tobacco.

Tobacco-like products are any products that mimic and are consumed in a manner similar to a tobacco product. Tobacco-like products can be consumed in a variety of ways, including but not limited to: smoking, using electronic cigarettes, vaporizing, or using water pipes or hookahs. For the purpose of this policy, tobacco-like products do not include regulated nicotine replacement therapy products.

POLICY

The Board believes that the consumption of alcohol, tobacco, tobacco-like products and cannabis on or in District property or at District functions is inappropriate.

Traditional tobacco is an important part of First Nations and Métis cultures. The Board recognizes that the ceremonial use of tobacco as part of cultural practice is appropriate in the District.

EXPECTATIONS**A. ALCOHOL**

1. The possession and/or consumption of alcohol is prohibited on and in District property and at District functions.

2. The Superintendent has the authority to approve the serving of alcohol on District property at functions which would not include District students.
3. The Superintendent has the authority to approve District students performing at venues where alcohol is available.

B. TOBACCO AND TOBACCO-LIKE PRODUCTS

1. The use of tobacco and tobacco-like products is prohibited on and in District property and at District functions.
2. Traditional use of tobacco for ceremonial purposes is permitted on District property or at District functions.

C. CANNABIS

1. The possession and/or consumption of cannabis is prohibited on and in District property or at District functions.
2. Notwithstanding Section C.1 of this policy, the possession and/or consumption of cannabis may be permitted for medical accommodations only when prior approval has been obtained as per District-established processes.

ACCOUNTABILITY

The Superintendent will be responsible for implementing this policy through appropriate administrative regulations and communication with District stakeholders, including staff, students and parents/guardians.

REFERENCES

AE.BP - Welcoming, Inclusive, Safe and Healthy Learning and Working Environments
DECA.AR - Operation and Maintenance of District Fleet Vehicles
FA.BP - Human Resources Framework
FBCB.AR - District Staff Code of Conduct
GICA.AR - Field Trips
HHCD.AR - Prescription and Non-Prescription Medication Management
IG.AR - Community Use of District Buildings
IGD.AR- Alcohol, Tobacco and Cannabis on and in District Property and at District Functions
Cannabis Act
Edmonton Public Schools - Employee Health
Gaming, Liquor and Cannabis Act
School Act, Section 45.1

CODE: IGD.AR**EFFECTIVE DATE:** (16-10-2018)**TOPIC:** Alcohol, Tobacco and Cannabis on and in District Property and at District Functions**ISSUE DATE:** (17-10-2018)**REVIEW YEAR:** (2025)**OBJECTIVE**

To establish direction for the District regarding alcohol, tobacco and cannabis on and in District property (this includes District vehicles) and at District functions.

DEFINITIONS

Alcohol is the intoxicating agent in beverage alcohol, ethyl alcohol or ethanol.

Cannabis is a broad term used to describe the various products derived from the leaves, flowers and resins of Cannabis plants, synthetic cannabinoids, and/or medical cannabis. Cannabis can be consumed in a variety of ways, including but not limited to: smoking, vaporizing, eating or using water pipes.

Tobacco and **tobacco products** are composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves. Tobacco can be consumed in a variety of ways, including but not limited to: smoking cigarettes and chewing tobacco.

Tobacco-like products are any products that mimic and are consumed in a manner similar to a tobacco product. Tobacco-like products can be consumed in a variety of ways, including but not limited to: smoking, using electronic cigarettes, vaporizing, or using water pipes or hookahs. For the purpose of this administrative regulation, tobacco-like products do not include regulated nicotine replacement therapy products.

RESPONSIBILITY

The principal is responsible for communicating with and holding all stakeholders of the school community accountable to District expectations regarding alcohol, tobacco, tobacco-like products and cannabis on and in District property and at District functions.

Central Administrators are responsible for communicating with and holding their staff and partners accountable to District expectations regarding alcohol, tobacco, tobacco-like products and cannabis on and in District property and at District functions.

Central Administration overseeing property management is responsible for communicating with and holding external groups leasing or renting space from the District accountable to District expectations regarding alcohol, tobacco, tobacco-like products and cannabis on District property.

REGULATION

Alberta has set the minimum age for the possession, purchase and consumption of cannabis at 18. This is in line with Alberta's minimum age for the purchase and consumption of alcohol and tobacco

products. The age of 18 also aligns with the federal government's minimum age related to cannabis and tobacco.

Board Policy HG.BP Student Behaviour and Conduct (Section 2.f) states that the "possession, use or distribution of substances restricted by federal, provincial, municipal, District or school authorities" is considered to be unacceptable behaviour. Alcohol, tobacco, tobacco-like products and cannabis are considered to be restricted substances for all students in Edmonton Public Schools.

Board Policy FA.BP Human Resources Framework establishes the expectation that the District will "consider the impact on student and staff wellness and safety when making and implementing decisions". This administrative regulation reflects this through articulating expectations related to alcohol, tobacco, tobacco-like products and cannabis in the learning and working environment of Edmonton Public Schools.

A. ALCOHOL

1. The possession and/or consumption of alcohol is prohibited at:
 - a. District facilities which are used for the accommodation of students, with the exception of the serving of communion wine by church rental groups; and
 - b. all student functions held at a District facility or sponsored by the District.
2. The Superintendent may authorize the serving of alcohol:
 - a. at non-student functions sponsored by the District; and
 - b. in District facilities.
3. The serving of alcohol as per Section A.2 requires written approval from the Superintendent as well as the obtaining of a liquor license from *Alberta Gaming, Liquor and Cannabis*.
4. Adult possession of sealed alcohol is permitted as part of a personal gift for an adult or as a donation to a District-sponsored fundraiser. In these situations, alcohol should be handled in a discreet manner.

B. TOBACCO AND TOBACCO-LIKE PRODUCTS

1. The consumption of tobacco or tobacco-like products is prohibited on and in school property, in District vehicles or at District-sponsored events.
2. Adult possession of tobacco and tobacco-like products should not be visible or interfere with the operations of the learning and working environment.
3. Traditional use of tobacco for ceremonial purposes is permitted on District property or at District functions.

C. CANNABIS

1. The possession and/or consumption of cannabis is prohibited on and in District property or at District functions.
2. Notwithstanding Section C.1 of this administrative regulation, the possession and/or consumption of cannabis may be permitted for medical accommodations only when prior

approval has been obtained for students according to Administrative Regulation HHCD.AR Prescription and Non-Prescription Medication Management, and through *Employee Health Services* for staff. These medical accommodations shall be planned for students through District Support Services, and accommodations for staff shall be planned through Human Resources.

REFERENCES

[AE.BP - Welcoming, Inclusive, Safe and Healthy Learning and Working Environments](#)

[DECA.AR - Operation and Maintenance of District Fleet Vehicles](#)

EM.BP - Alcohol, Tobacco and Cannabis on District Property in District Vehicles and at District Functions (in draft)

[FA.BP - Human Resources Framework](#)

[FBCB.AR - District Staff Code of Conduct](#)

[GICA.AR - Field Trips](#)

[HAA.BP - First Nations, Métis and Inuit Education \(in draft\)](#)

[HAA.AR - Aboriginal Education \(when revised\)](#)

[HG.BP - Student Behaviour and Conduct](#)

[HG.AR - Student Behaviour and Conduct](#)

[HHCD.AR - Prescription and Non-Prescription Medication Management](#)

[IG.AR - Community Use of District Buildings](#)

[Alberta Gaming Liquor and Cannabis](#)

[Alberta Cannabis Framework](#)

[An Act to Control and Regulate Cannabis](#)

[City of Edmonton Bylaw 14614](#)

[Employee Health Services](#)

[Cannabis Act](#)

[Gaming, Liquor and Cannabis Act](#)

[School Act](#), Section 45.1