

A B S T R A C T

We document implementation and enforcement activities undertaken by high schools and health units with regard to the 1994 ban on smoking on school property in Ontario. Telephone interviews were conducted in the early summer of 1996 with 213 high school administrators and 38 tobacco enforcement personnel in health units. While some schools are unclear about enforcement responsibility, most are making efforts to enforce the ban, including warning and suspending students. Some school administrators (30%) suggest the reinstatement of designated smoking areas on school property. One quarter of health units had not made enforcement visits to schools in the 1995-96 school year and a minority accounted for most of the warnings and tickets issued to students. While most tobacco enforcement officers perceive that schools support the ban, they report some problems in obtaining cooperation in enforcement. However, only 11% suggest returning to designated smoking areas on school property.

A B R É G É

Nous présentons les mesures d'application prises par les écoles secondaires et les unités de santé pour mettre en oeuvre l'interdiction de fumer sur les lieux de l'école décrétée en 1994. Au début de l'été 1996, on a procédé à des entrevues par téléphone auprès de 213 administrateurs d'écoles secondaires et de 38 employés des unités de santé chargés de faire respecter cette interdiction. Bien que certaines écoles ne sachent pas clairement qui est chargé de faire respecter cette interdiction, la plupart d'entre elles s'efforcent de la faire appliquer en avertissant et en suspendant les étudiants délinquants. Certains administrateurs scolaires (30%) proposent de désigner de nouveau des zones fumeur sur les lieux de l'école. Un quart des unités de santé n'avait effectué aucune visite d'inspection dans les écoles au cours de l'année scolaire 1995-1996, et en outre ce n'est qu'une minorité d'entre elles qui ont donné la plupart des avertissements ou des amendes aux étudiants. Si la plupart des agents chargés de faire respecter l'interdiction de fumer ont le sentiment que les écoles y sont favorables, ils déclarent néanmoins rencontrer quelques difficultés pour obtenir leur coopération dans ce sens. Toutefois, seulement 11% d'entre eux proposent de désigner de nouveau des zones fumeur dans les écoles.

The Ontario Ban on Smoking on School Property: Issues and Challenges in Enforcement

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In a companion paper,¹ we document the perceived impact of the 1994 Tobacco Control Act (TCA), which banned smoking on school property in Ontario,² on student smoking and attitudes toward smoking. In this paper, we discuss issues and challenges arising from implementation and enforcement of the TCA.

METHODS

The methods are summarized in the companion paper.¹ Briefly, structured telephone interviews were conducted with school administrators from 213 Ontario high schools at the end of the 1995-96 school year. Using a different questionnaire, telephone interviews were carried out with tobacco enforcement personnel from 38 of the 40 Ontario Health Units.

RESULTS

Perceptions of high school administrators *Information Strategies*

Almost all high schools (91%) reported that there is a clear enforcement policy.

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Virtually all schools (98%) have a written guide, policy statement, or student handbook, outlining acceptable and non-acceptable behaviour. Almost all of these resources indicate that smoking on school property is not allowed. In addition, schools had used assemblies (57%), class announcements (45%), and posted signs and reminders (32%), both inside and outside the school, to inform students about the ban. About 15% used other methods, the most common was information letters for parents. While 99% of school administrators indicated that the health consequences of smoking were part of a course, only about half (55%) reported that a representative of a health organization spoke to students about smoking during the 1995-96 school year.

Schools can warn students or suspend them but only officers can charge students for smoking on school property. Fifty-nine percent of school administrators thought that both the school and tobacco enforcement officers had roles to play in helping to enforce the ban. One third reported incorrectly that it was solely the responsibility of the school to enforce the ban. The remaining 8% thought that tobacco enforcement officers, or other parties such as the police, sometimes in conjunction with the school, were responsible for enforcement. Many school administrators (73%) reported that the ban had created extra work for teachers and other school staff.

Warnings, Suspensions and Other Disciplinary Measures Used by Schools

Almost all schools reported disciplining some students for smoking on school property. While most schools (87%) had warned students during the 1995-96 school year, there was considerable varia-

tion in the number of students warned. The average number of warnings per school was 40, but 20% had warned 5 or fewer students and 16% had warned 100 or more.

Eighty-three percent of schools had suspended students for contravening the ban which accounted for an average of 12% of the suspensions in these schools. Again, there was considerable variation among schools, with 17% issuing no suspensions for smoking and about one quarter reporting that they had suspended 20 or more students. About half (52%) of the schools had used additional methods to discipline students for smoking on school property, including detentions, yard work (usually cleaning up litter left by student smokers), and letters or meetings with parents to inform them that their son or daughter had contravened the ban. The use of suspensions and other means of discipline suggests considerable enforcement efforts by some schools.

Schools were also asked about the efforts of health units in monitoring and enforcing the ban. Forty-five percent of school administrators reported that a tobacco enforcement officer had visited the school. The majority of these visits were initiated by the officer (61%), while 23% were initiated by the school and 16% by another party. Only 20% of schools reported that a tobacco enforcement officer had ticketed students for smoking on school property, and only 9% reported that officers had ticketed on five or more different occasions. In one of every four times a ticket was issued, parents complained to the school, most often because they thought the fine (\$115) was too high.

School Interactions with Police Resulting from the Ban

Despite the complaints and problems documented in the companion paper,¹ less than one third of schools (29%) reported interactions with the police as a result of the ban. Of those that did, most reported fewer than five contacts during the 1995-96 school year. In most instances (61%), the contact was initiated by the school, but police initiated contact 28% of the time, and both parties were involved in 11% of the occurrences. A range of issues were

Perception	Percentage
Health Unit has begun enforcing the ban	84
Compared to other responsibilities, the priority of the smoking ban is:	
High	58
Average	29
Low	13
Time allotted to ban during 1995-96 school year as % of total time:	
No time, not enforcing	8
< 5 %	18
5 - 9 %	21
10 - 14 %	25
15 + %	23
Not certain	5
Tobacco enforcement officers contacted about smoking on school property by:*	
Schools	92
Nearby residents	61
Police	47
Parents	36
Local businesses	21
Health Unit 'often'/'sometimes' received complaints about students smoking and:*	
Blocking streets or sidewalks	42
Loitering	37
Littering	50
Abusive behaviour	32
Tobacco enforcement officers think teachers and school staff:	
Mainly support the ban	58
Mainly oppose the ban	8
Both support and oppose	34

* Percentages total more than 100 because of multiple responses.

addressed by police including student smokers blocking property (28%), the personal safety of student smokers, including concerns about these students being the targets for drug sellers (28%), and traffic issues (27%). Police involvement was less frequent in connection with students smoking on school property (15%) and rarely involved property damage (2%).

Perceptions of the tobacco enforcement officers
Enforcement of the Ban as a Health Unit Priority

Not all health units had started to enforce the ban by the end of the 1995-96 school year. Although 58% of the units

Activity	Percentage
Visits made to enforce ban on school property	
No visits/Not enforcing the ban	24
1 - 10 visits	18
11 - 20	21
21 - 50	18
51 - 100	5
> 100	11
Not certain	3
Warnings given to students for smoking on school property	
No warnings/Not enforcing the ban	42
1 - 10 warnings	16
11 - 20	13
21 - 50	18
51 - 100	5
> 100	3
Not certain	3
Tickets issued to students for smoking on school property	
No tickets/Not enforcing the ban	39
1 - 10 tickets	26
11 - 20	13
21 - 50	8
51 - 100	11
Not certain	3
Summons issued for smoking on school property	
No summons/Not enforcing the ban	68
1 - 10 summons	18
11 - 20	8
21 - 50	3
Not certain	3

characterized enforcement of the ban as having high priority, 29% and 13% of the units, respectively, assigned it average or low priority relative to other responsibilities (Table I). Almost half of the tobacco enforcement officers reported that their health unit spent less than 10% of their time enforcing the ban. Many enforcement officers noted that they did not have the staff to rigorously enforce all aspects of the TCA. When it came to smoking by high school students, their first line of attack was retail sales of cigarettes to minors. However, 92% of tobacco enforcement officers did report that their health unit had been contacted by schools, people living close to schools (61%), local police (47%), parents of students (36%) and businesses located close to schools (2%) about students smoking on school property. As well, complaints were received about smoking off school property, particularly concerning littering (50%), blocking of

TABLE III
Perceptions of Tobacco Enforcement Personnel Concerning Support for the Ban and Problems in Enforcement Including Safety Issues

Questionnaire Item	Percentage
Percent of schools in district where officers have had problems enforcing the ban (n = 31; not asked of units who had not started to enforce the ban)	
No problems in any schools	35
Problems in 1-24% of the schools	16
In 25 - 49%	26
In 50 - 74%	10
In 75% or more	13
Kinds of problems encountered (n = 31)	
Some of the schools in district not helpful	42
Enforcement results in problems off school property (littering, trespassing, blocking traffic, etc.)	26
Students in some schools not cooperative	48
Health Unit has concerns about the safety of inspectors (n = 30)	
Yes	46
Sometimes	17
No	37
Concerns of tobacco enforcement officers (n = 19; only asked of units who reported concerns)*	
Physical abuse including swarming	100
The number and size of students	53
Verbal abuse and threats	47
Damage to officer's vehicle	26
Concerns about house and personal property (officer lives in small community)	5

* Percentages total more than 100 because of multiple responses.

streets and sidewalks (42%), loitering (37%), and abusive behaviour (32%).

Enforcement-related Activities in the Schools

A majority (58%) of tobacco enforcement officers reported that teachers and school staff seemed supportive of the ban. Only a few (8%) seemed to be opposed (Table I). Enforcement activities varied greatly among health units. The average number of visits to high schools per health unit was 18, but 24% had made no visits to enforce the ban and 11% had made more than 100 visits (Table II). A minority of health units gave most of the warnings and issued most of the tickets. Eight percent reported giving more than 50 warnings, and 11% reported giving more than 50 tickets. Forty-two percent of the units reported they had given no warnings, 39% no tickets, and 68% no court summons

TABLE IV
Characteristics of Schools by Perception of Problems and Desired Solution

Questionnaire Item	Overall No Serious Problems	Problems Reported/Return to Designated Area	
		Not Suggested	Suggested (Percentage distribution)
School banned smoking on school property prior to the implementation of the TCA*	44	47	9
Schools report that students are at risk when they leave school property to smoke*	40	61	87
School has received complaints about students smoking off school property from:			
Parents*	22	35	60
Students	12	27	30
People living close to school*	31	60	79
Businesses close to school	11	24	16
Location of school contributes to problems*	31	52	71
Schools reporting that teachers and staff mainly not supportive of the ban*	13	11	38
Schools reporting that tobacco enforcement officer has issued tickets to students smoking on school property	19	21	23
Percentage of students who smoke	17	21	21
(Average number of observations)	(49)	(86)	(61)

* Indicates a statistically significant difference among the groups (p < 0.05).

requiring that the person contravening the act must appear before a justice of the peace. While the number of actual incidents was small, about half the health units that had issued tickets had tickets challenged in court, and these challenges were upheld about half the time.

Problems Encountered in Enforcement, Including the Safety of Inspectors

Among the health units that had begun enforcing the ban on smoking, about one third had not encountered any problems in the schools in their district (Table III), however, 23% of the health units encountered enforcement problems in half or more of their schools. While officers reported considerable variation among the schools for which they were responsible, 48% reported that they had problems with uncooperative students in some of their schools and 42% reported that some schools were uncooperative. Typically, these schools were not helpful in providing the names of students seen smoking, or felt they were in a better position than the tobacco enforcement officer to deal with students. About two thirds of tobacco enforcement officers expressed concern, at least some of the time, for their own or the

safety of their colleagues when dealing with students. This concern typically related to the potential for physical abuse, in part because of the large physical size of some student smokers as well as the large number of smokers officers were confronted with when attempting to enforce the ban. Other concerns related to verbal harassment and damage to vehicles.

Suggestions for Dealing with Problems Resulting from the Ban

School administrators and health unit personnel offered a number of suggestions for dealing with problems resulting from the ban. These included increased educational efforts that involved parents as well as students and teachers, increased cigarette prices, greater efforts to enforce existing rules about smoking (including bans on smoking in public places, selling cigarettes to minors, etc.), as well as making the possession of cigarettes by minors illegal. The most common proposal by those schools that reported problems with the ban (40% of same or 30% of all schools) was to reestablish the use of designated areas on school property. However, reverting to designated areas was mentioned by only 11% of the enforcement officers, and 42%

of the officers said they had no real problems with the ban.

The words of one vice-principal epitomized the feelings of those school administrators who suggested a return to designated smoking areas on school property:

It [the ban] has taken the problem off school property where we were willing to deal with it and placed it into the community where no one is willing to deal with it.

School administrators noted that unless student smokers were engaging in activity that warranted police involvement, neither they, nor the tobacco enforcement officers, were in a position to deal with these smokers while they were off school property.

Comparison of Schools

We compared three groups of schools: those that reported no problems with the ban (25%); those that reported problems but did not suggest a return to designated areas (45%); and schools reporting problems and suggesting a return to the use of designated areas for smoking on school property (30%). There was little difference among the three school types in the likelihood that a tobacco enforcement officer had issued tickets to students or in the percentage of students who smoke (Table IV). However, schools that supported a return to the use of designated areas differed in a number of ways from other schools. They were less likely to have taken the initiative and banned smoking on school property prior to the introduction of the TCA and to have staff and teachers who support the ban. They also were more likely to say students who leave school property to smoke are subject to risks and to have registered complaints from parents and people who live close to the school. Many (71%) of this group reported that the location of the school, including the type of adjacent land use, the types of road access to the school (quiet residential streets versus busy highways), and other local factors contribute to the problems they have with the ban. Typically, schools for which location was a

contributing factor said that there "were just no safe places around the school where students could smoke."

DISCUSSION

Several issues and challenges relating to enforcement were identified. Responsibility for enforcing the TCA requires greater clarification. Both schools and tobacco enforcement officers feel they do not have the resources required to enforce the ban and deal effectively with the unintended consequences of it. While the vast majority of schools have taken specific steps to enhance compliance with the TCA, some see the Act as one more example of a government policy that has increased the workload in schools in the midst of ongoing reductions in resources. Many health units, with limited resources, have chosen to target the selling of cigarettes to minors. There were some indications that enforcement efforts would increase during the second full year of the ban. Although schools and health units typically cooperate in dealing with the ban, some schools feel that officers are not making enough effort to enforce the ban. Conversely, some health unit personnel feel that schools are not cooperating fully.

Various suggestions for reducing problems with the ban on smoking on school property were offered by both school administrators and health unit personnel. About a third of school administrators, but only 10% of enforcement officers, suggested a return to designated smoking areas on school property. Both administrators and enforcement officers identified the need for more consistent enforcement of the ban and increased education of students, strategies that are consistent with the TCA. Some respondents from both groups also noted the importance of a consistent policy in curtailing smoking by young people, stressing the need for price increases and enforcement of the ban on sales to minors, as complementary measures.

This research addressed conditions in schools during the first full year that the ban

was in effect. Replication after schools and health units have had time to adjust to the ban would be a useful way to measure the extent to which the problems now being encountered are transitional. As noted in the companion paper,¹ schools that banned smoking prior to the enactment of the TCA were much less likely to report that the ban has given rise to major problems, suggesting that, over time, some schools will develop their own measures for dealing with problems resulting from the ban.

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REFERENCES

1. Northrup DA, Ashley MJ, Ferrence R. The Ontario ban on smoking on school property: Perceived impact on smoking. *Can J Public Health* 1998;89(4):224-28.
2. Province of Ontario. *Tobacco Control Act*, 1994. Statutes of Ontario, 1994, Chapter 10 (Office Consolidation, January 1995, Queen's Printer for Ontario).

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