

# ST COLUMBA'S CATHOLIC COLLEGE



ACT JUSTLY

## ILLEGAL SUBSTANCE POLICY

### Other Related Documents:

- St Columba's Mission Statement
- CEDP "Policy, Procedures & Resources for Matters Involving Students and Illegal Substances"
- CEDP Document "Drug Related Issues in Schools - Draft Guidelines"
- CEDP Policy, Procedures & Guidelines "Student Suspension, Transfer, Expulsion and Exclusion"
- St Columba's Student Management Policy
- St Columba's Staff Handbook

### CONTACT PERSON

<b>Assistant Principals</b>	- Mr Ross Gawthorne / Miss Carol Muscat
<b>Counsellor</b>	- Mr Craig King
<b>Year 12 Leader of Mission</b>	- Mrs Tracy Mulhall
<b>Year 11 Leader of Mission</b>	- Mr Paul Holmes
<b>Year 10 Leader of Mission</b>	- Mrs Monique Salloum
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<b>Year 7 Leader of Mission</b>	- Mr Greg Clune

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## **Rationale:**

The Mission Statement of St Columba's, based on the values of Jesus, emphasises the belief in the rights and responsibilities of the individual. Our Policy aims to inform and empower students with responsibility, self discipline and adaptability. Our policy includes education, prevention and intervention strategies.

## **Drug education at St Columba's is based on:**

- St Columba's Mission Statement
- CEDP "Policy, Procedures & Resources for Matters Involving Students and Illegal Substances"
- St Columba's Welfare Policy
- St Columba's Student Management Plan
- CEDP Document "Drug Related Issues in Schools - Draft Guidelines"
- Current drug education programs incorporated into the College's curriculum.

## **In addition, the following characteristics are inherent in our drug policy:**

- A positive view of person
- Commitment to community and the common good
- Commitment to peace and justice
- A belief in the redemptive love of God and faith in Jesus Christ
- Promotion of the individual's basic rights, responsibilities and dignity.

## **Aim:**

Each student has the right to attend a College which is free of illegal drugs. Our College values the worth of each child and as such makes a commitment to enhance the physical, emotional, social and intellectual well-being of the individual.

We believe that our College has an important role to play in establishing programs and practices that will result in the elimination of substance use and abuse.

We acknowledge there is a fundamental need for parents/carers and the community to support such programs and practices.

We also recognise the need for, and the importance of a support network to assist students who are already experiencing problems in this area.

In managing drug related incidents, responses to individual situations should be made in the light of the Gospel value of justice and forgiveness.

## **Implementation:**

- Preventative education about types, abuse and effects of illegal drugs will be provided on a cross-curriculum and welfare basis.
- PD.H.PE KLA will incorporate necessary and relevant information about illegal drugs into the Years 7-10 program in accordance with syllabus guidelines. The program content and outcomes should be age appropriate, evaluated and adjusted wherever appropriate to meet the needs of the College community.
- In addition, other KLA areas e.g. Religious Education, Science, English and HSIE should incorporate, where appropriate, other relevant information about the nature of illegal drugs, decision making processes and the use of such substances.
- Student welfare time e.g. homeroom, assemblies, pastoral days, etc. should also be a forum for preventative education.
- From time to time the College will provide drug education for the parent/carer community so that they can support the College in achieving a drug free environment for their children.

- Any investigation of Allegations must adhere to the CEDP and St Columba's policies and procedures in dealing with student management, procedural fairness, natural justice and privacy.

## Welfare Responsibilities

When students are involved in incidents related to illegal drugs, support for them and their families is an essential element of Christian response.

Counselling by the Student Counsellor will be offered to students and their families **before the formal resolution of the situation and after the final outcome has been determined**, in addition, if an incident results in a student transferring to another College all efforts will be made to ensure a fresh start for that student and the offer of ongoing counselling.

## Recommended Outcomes for Incidents Involving Illegal Drugs:

1. Expulsion (At the Executive Director of Colleges discretion) is the maximum penalty for students who are involved in incidents in the following circumstances:
  - Selling illegal drugs on College premises, whilst attending College functions, or wearing College uniform.
  - A repeat offence by a student who has previously been involved in the selling, use or possession of an illegal drug while on College premises, attending a College function, or wearing College uniform.
2. It is recommended that students be suspended out of College for a period of up to 10 days in the following circumstances. Note: suspensions greater than 5 days require the Director of College performance -DOSP approval.
  - The first time purchasing, possessing or using an illegal drug whilst on College premises, attending a College function, or wearing College uniform.In the above circumstances it is also recommended that students be placed on provisional enrolment, the terms of which are negotiated between the Principal, student and the student's parents/carers. The maximum penalty for failure to meet the terms of provisional enrolment is expulsion. In addition, students will be expected to partake in community service supervised by the College.
3. Students will be suspended in College if they knowingly choose to be in the company of students while they are using, buying or selling illegal drugs on College premises, at College functions or while wearing College uniform.

## Searches

### Bags, lockers

A search of a student's belongings should only occur when the Principal has reasonable grounds to believe that the student is in possession of a dangerous or illegal item.

The College has no legal right to search personal property such as bags. College lockers are rented to students and the College retains the right to search these should an allegation of possession of illegal or dangerous substances be made against a student.

In the first instance, the student should be asked to open his or her locker or bag. If the student refuses, the Principal or the Principal's representative should ensure that both the student and another staff member as a witness are present when the locker, bag is searched.

### Personal Searches

The College cannot make searches of a student's person as a condition of enrolment. Teachers can ask students to empty their pockets, but only Police should undertake a body search if this is considered necessary.

An exemption to this would exist if a Principal or the Principal's representative had good reason to believe that a student was concealing a dangerous weapon, presenting a real and immediate threat to the safety of self and others.

## **Confiscated substances**

When any substance believed to be an illegal drug is discovered in the possession of a student it should be confiscated, sealed, signed, dated and temporarily stored in a secure location. If initial inquiries indicate that a serious offence has occurred, the police should be asked to collect the substance as soon as possible. If initial inquiries indicate a lesser offence the Principal may exercise discretion about whether to report. The Principal must also decide whether to destroy the substance or to ask the Police to collect it. The decision and consequent action should be made promptly, preferably within 48 hours after discovery. If the decision is to destroy the substance this disposal should be witnessed and noted in the records of the incident.

## **Records of incidents**

As with any other disciplinary matter, a factual record should be maintained in the College.

## **Rights**

### **Rights of students**

Each student facing an allegation is entitled to a fair hearing, including the opportunity to present their side of the case. The student has a right to an unbiased decision made on the basis of relevant evidence. These guidelines recognise that a student has the right to be accompanied by his or her parents, or a delegate, at the meeting at which a decision about the student's position will be considered.

### **Rights of parents**

If the College becomes aware or suspects a student's involvement with illegal drugs, parents have a right to know this. The Principal should inform the parents of such knowledge or suspicions. Care should be taken to maintain confidentiality about other students who may be involved.

## **Interviewing Students**

It is important that the purpose of the interview be made clear to the student. The initial interview occurs to gather data – i.e. to find out what has happened – not to make decisions about disciplinary or other consequences. Justice demands that the student is not pre-judged. Where there is suspicion which cannot be supported with firm evidence, it may be preferable to avoid seeking/acquiring evidence and to counsel the student. Professional judgement and knowledge of the student need to be used here. It is noteworthy that about 70% of young people who come before children's courts on drug-related charges do not re-offend. It may be sufficient to deal with a matter at College level, placing a student on a contract if relevant. If there is sufficient evidence for the principal to conclude that an offence has been committed about which police must be informed, that step must be taken. Further investigation should only be undertaken by the College after approval from the police officers involved. If there is evidence only of a lesser offence, but one which might nevertheless result in suspension, transfer or expulsion, the principal should conduct the data-gathering interview under the following conditions.

1. To protect the integrity of the process, students to be interviewed should be kept separated and under observation by a staff member until each has been interviewed.
2. The venue and arrangements for the interview should be as discreet as possible to protect the dignity of all involved.
3. The purpose of the interview should be made clear.
4. A second staff member should be present at the interview to take notes. The student must know that this is happening.
5. The student should be offered the opportunity to nominate a staff member to be present at the interview as a support person, but reminded that no decisions will be made at this stage.
6. The student should be asked to write down her or his account of the events which have led to the interview.

7. The student must have the opportunity to present her or his version of what happened and to answer any allegations made. Sufficient time should be allowed for this to occur.
8. Interviews should not last longer than necessary to establish what has happened and to allow the student to be fully heard. A student should be allowed appropriate breaks during an extended interview.
9. The next step in the process should be explained to the student at the end of the interview.
10. A cooling off time should be allowed after the interview. The student would then be given an opportunity to correct any misrepresentations or misunderstandings.
11. At this point, wherever possible, a support person able to recognise signs of potential suicide or self-harm should be available to the student and should carry out a risk assessment. The student should not be left unsupervised, and parents should be requested to arrange supervised travel home.

## **Banned Substances**

### **Smoking**

The Occupational Health and Safety Act requires employers to provide a safe workplace. Consequently, smoking is not permitted in any area of the College property, not at any College related activity or function.

The health risks associated with smoking, will form part of the PDHPE Curriculum of all students. Students will be educated about making informed choices, the risks associated with smoking and strategies for dealing with peer pressure.

The Colleges Non-smoking Policy will be communicated to the community by the College newsletter. A combination of counselling and disciplinary measures will address any incident of smoking. (Refer to St Columba's Student Management Policy).

### **Alcohol**

Students are not permitted to consume alcohol on College premises, whilst attending College related functions or at any time they are wearing the College uniform. Incidents related to the consumption of alcohol will be dealt with as per the steps outlined in the St Columba's, Student Management Policy.

- Alcohol education activities will be provided, ensuring age appropriateness, as part of our College's drug education program.
- Curriculum materials such as Get Real, Get Wise, Safe Partying and Re-thinking Drinking will be used to form the basis of alcohol education at our College.
- Where appropriate, our College will access agencies within in our local community with expertise in the field of alcohol education to participate in classes, for example local police, Community Health Service, drug and alcohol counsellors.
- Alcohol education activities will be provided for parents\carers and the broader College community through our forums arranged by the Parent Community Support Group (PCSG).
- A clear protocol will be developed addressing the issue of a student attending College or a College function clearly under the influence of alcohol, or students consuming alcohol at College or during College functions.
- The consumption of alcohol by staff members on camps or excursions is strongly discouraged and may compromise a staff member's professional standing, the ability to carry out their duty of care, and\or loss of Work Cover rights.
- Students are not permitted to bring alcohol onto College grounds under any circumstances.

## **Illegal Substances**

The Principal is obliged to report a matter to police if there is evidence of a serious offence. A serious offence includes the cultivation, manufacture, supply of an indictable quantity of illegal drugs, and conspiring, aiding or abetting the cultivation, manufacture, production or supply of an indictable quantity of drugs.