

Lameroo Regional Community School Drug Management Policy

Policy and procedural framework for the management of suspected drug-related incidents.

Authority

This policy is consistent with *DECS Intervention matters: A policy statement and procedural framework for the management of suspected drug-related incidents in schools*. This policy was developed by our Drug Strategy Core Team in consultation with students, staff, parents and community partners, and endorsed by the SRC, staff and Governing Council on 18/08/05. To ensure continuous improvement, school procedures will be reviewed after every drug-related incident, whilst the policy will be reviewed at least every two years.

Overarching policy statement

Lameroo Regional Community School is a rural secondary school with 230 students. It has a focus on health and wellbeing and is committed to maintaining a safe, secure and supportive environment for its community. This policy is part of our Whole School Drug Strategy that includes a range of curriculum; policies and procedures; and positive school environment initiatives. Our school takes action to prevent drug use by students and to intervene if it occurs by taking a whole of school approach. The use, possession and/or distribution of illicit drugs and the unsanctioned use and distribution of drugs such as alcohol, tobacco and prescription drugs, are not accepted.

Links to other school initiatives

This policy also relates to our school's medication management, OHS&W and curriculum policies, and our school's behaviour code.

Drug education is taught as part of a sequential and developmentally appropriate curriculum.

Partnerships are made with parents and community agencies to assist our school to address drug issues.

Student resiliency and wellbeing are promoted.

Principles and rationale

The principles of natural justice and procedural fairness will apply in the management of suspected drug-related incidents, as outlined in Appendix D of *Intervention matters*. Our school will implement these in the following way:

- The student/s will be informed of:
 - the form of the proceeding
 - their right to be represented by an advocate of choice
 - what has been alleged
 - their right to be heard and to question evidence
 - their right to impartial adjudication
 - their qualified right to privacy
 - their right to appeal

If suspected drug-related incidents occur and drug issues arise, they will be managed and responded to in ways that:

- minimise the harm to all members of the school community
- ensure the wellbeing, educational careers and ongoing support for the students involved
- are both firm and fair.

Review date 2007

Procedures for both school and extra curricular activities

Overview

Involvement with drugs, including illicit and unsanctioned drugs, means that school personnel have reason to believe that:

- drugs have been or are being used
- students are in possession of drugs or instruments used with drugs
- students are present when drugs are being used by others.

In the event of a suspected drug-related incident:

- The safety and wellbeing of students will be considered paramount: They may need to be treated as unwell in accordance with the school's health plan and/or emergency procedures.
- Parents will be contacted in instances of possession, use or distribution of illicit drugs or the use and/or illegal distribution of unsanctioned drugs.
- Police will be informed in instances of possession, use or distribution of illicit drugs and/or the illegal distribution of unsanctioned drugs.

SAPOL 131 444 or Lameroo Police Station 85763010

District Education Office 85952323

- Consequences may vary and will depend on the nature of the situation, its potential for harm and the circumstances of the individual students involved. However, they could involve suspension or exclusion. When used DECS procedure and policy for such actions will be followed.

Follow-up support for student wellbeing will be implemented.

School procedures

Schools should complete the following detailed school procedures by referring to *Intervention matters*, Part 3 (Managing suspected drug-related incidents) and Appendix A (Incident management roles and documentation).

Initial procedures

- Calmly but firmly intervene ensuring the safety and health of the student/s and particularly utilising OHS&W principles in caring for yourself
- Consider calling on additional staff. If the intervening staff member is not a teacher, a teacher should be called to the scene
- Inform student/s of suspicion and seek their cooperation
- Make a first aid assessment (and if necessary seek medical advice)
- Note incident details – who, what when and where
- Safely, collect any suspected drugs and drug paraphernalia
- Escort student/s to the principal and hand over details of incident

Initial interview

- Continue to monitor student safety
- Secure evidence
- Make initial assessment of seriousness of the incident
- Inform student/s of the form of proceedings and their rights
- Determine and contact participants as appropriate – student parents/caregivers and procedural observer
- Ensure that all participants understand proceedings and roles
- Interview student/s to collect and document facts about the incident

Determine level of involvement Assessment

- Use/possession/distribution of illegal substance or unidentified substance
- Use/possession/distribution of legal substance but illegal behaviour
- Use/possession/distribution of legal substance but unsanctioned behaviour
- No substance, no confession of drug use but unusual behaviour suggests drug use

- Responses could include
 - Suspend interview and contact police to investigate/identify
 - May need to contact the police for clarification or notification
 - Use professional judgment to determine the need to inform the police
 - Treat the student/s as being unwell according to the Health Support Planning Guidelines.
 - Contact parents/caregivers to collect unwell student

Following actions

- Make decisions about consequences, including educative, punitive and deterrent
 - Where necessary, organise and implement student development plans as part of the consequence:
 - ongoing educational support
 - counselling
 - re-entry planning if the student has been suspended

Debrief staff and review school policy

Principal's delegate:

Policy management committee leader:

Student Wellbeing Coordinator:

First aid support staff:

Other relevant student support officers:

Other relevant contact points

District Office:	Ph 85952323
Director	Ph 85952323
Student Inclusion & Wellbeing Coordinator	Ph 85952317
SAPol	Ph 131444
DASSA- through ADIS	Ph 1300 13 13 40

Ratification

This policy has been ratified by:

- 1) Principal
- 2) School Council Chairperson
- 3) Staff Delegate
- 4) Student

Date: .30/11/05

Cyclic review date: 30/11/07

(This sample policy was adapted by DS team using Lameroo Regional Community School's draft policy)

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Appendix A: Legal Obligations

A number of legal obligations dictate the management of suspected drug-related incidents.

When a suspected drug-related incident is initially witnessed by school personnel, a combination of existing policies/regulations will shape how they manage any intervention. These policies and regulations include duty of care, mandatory reporting and OHS&W. The immediate obligation of school personnel will be to intervene and ensure the health and welfare of all students and staff. This must begin at the site of the incident and continue to handover, when the principal or school delegate assumes authority. Mandatory reporting also legally requires school personnel to report instances of suspected child abuse and neglect, including drug-related activities.

For the following incidents, both the police and the student's parents/caregivers must be called to contribute to the management of the incident:

- when an incident is suspected to involve illicit drugs
- when an incident involves suspected illegal activities, such as the distribution of an unsanctioned drug or illegally possessing or using prescription drugs
- when an incident is suspected to involve third parties (eg members of the public).

When a school incident is suspected to involve illicit drugs or illegal activities, there is a clear demarcation line between the authority or jurisdiction of the school, and the authority or jurisdiction of the police. The police deal with suspected illegal drug incidents; the school does not. The school deals with the welfare, learning and behaviour of students.

It is only the police who have the jurisdiction to confirm whether school incidents involve illicit drugs or illegal activities. Schools and principals have no legal authority to pursue an investigation beyond the point where they suspect an illegal drug or activity is involved. To do so could both jeopardise police work and result in a civil action.

Once the principal has contacted parents or caregivers to inform them that their child is suspected of being associated with illicit drugs or illegal activity, it is the police who then ensure a student's legal rights are understood by the student and their caregivers. This includes the right to refrain from answering questions, other than those required by law, and the right to legal representation. It is also the police who determine at this point if a search of personal or school property is necessary, and it is they who will seek the cooperation of the student, the student's parents/caregivers, and the principal where school property is involved.

Principals, or designated staff, only have the right to search student bags and lockers if:

- they are searching for stolen school property
- they are absolutely certain that not doing so puts other students at grave risk or possibly at serious physical or psychological risk.

Legal opinion advises caution if principals involve themselves in a search. A police officer is the safest person to search bags or lockers. Under no circumstances can school staff conduct a search of the clothing a student is wearing.

If police have a warrant for a search, a school must cooperate, as it is illegal to hinder police in their enquires.

Whenever it is necessary for a police officer to interview a child, such interview should, if practicable, be conducted at the home of the child in preference to interviewing the child at school. The *Summary Offences Act* prescribes that police may not interview a child without a responsible adult present to represent the child. Police can interview young people at home in the presence of a responsible adult who can be a:

- parent/guardian
- friend
- relative
- solicitor.

If it is necessary through urgency or some other good reason to interview a child at school, police and the principal must make a reasonable effort to contact the parent/caregiver before conducting the interview. If efforts to do this fail, the principal must ensure that the parent/caregiver is informed as soon as possible after the interview has occurred. Such interviews must then take place in the presence of the principal or other senior teacher.

The interview should be delayed if the parent/caregiver can attend within a reasonable time (eg 30 minutes). However, in this instance the student should be informed of the reason for the delay and they should be assured that they are not in custody.

Interviews should be conducted in a private room.

Depending on the determination of a police investigation, such as a determination that there is sufficient evidence to allege that an illegal act has taken place, the police then deal with the student. After judging the severity of the act, the police may talk to the student and parents/caregivers and:

- determine that the student attend a Police Drug Diversion Initiative
- formally caution the student about the illegality of the incident and arrange for a family conference
- decide to prosecute in a court of law.