Administrative Procedure 337

ALCOHOL AND DRUGS

Background

The Division has an educational and societal responsibility to prohibit the student use or possession of alcohol or drugs on school premises, at other locations while involved as a participant or spectator in a school-sponsored activity, or while in transport to and from school or a school-sponsored activity.

The Division prohibits the use of alcohol or drugs by students while on Division property or at events sponsored by the Division and its schools. The possession of these substances, with the exception of tobacco and tobacco/nicotine related products, is also prohibited. (Note: While students 18 years of age may legally possess tobacco and tobacco/nicotine related products, this provision recognizes that it is the Board's legal right to prohibit or restrict its use on school property or at school-sponsored events.)

Violations can occur in five ways:

- Use of tobacco and tobacco/nicotine related products in a restricted area,
- Use or possession of alcohol,
- Use or possession of inhalants or other non-regulated substances for the purpose of intoxication,
- Use or possession of illicit drugs,
- Being intoxicated by alcohol or drugs.

While the Division recognizes the need for professional and resource staff to provide intervention, assistance and support to students who may be involved with chemical substance use or abuse, the Division believes that other community agencies have the major responsibility for providing counselling and rehabilitative programs for those who abuse alcohol and drugs. The schools of the Division will assist these agencies in fulfilling their responsibilities wherever possible, and refer students to them whenever necessary.

Procedures

1. Students Under the Influence of Alcohol and Drugs
   Definition: *"Under the Influence" means when the use of an alcoholic beverage or illegal drug has a discernible effect upon a student.*

   The process to be followed when a student is reasonably believed to be under the influence of alcohol or an illegal drug.
   - 1.1 The student will be referred to the principal and/or vice-principal.
   - 1.2 The principal and/or vice-principal will:
     - 1.2.1 Question the student about the incident;
     - 1.2.2 Document the "discernible effect" the substance has upon the student;
     - 1.2.3 Contact the parents/guardians immediately and require them to take the student out of the building. The student will be detained at the school until safe departure from the building can be arranged;
     - 1.2.4 Explain the suspension process to the student and the parents/guardians as soon as reasonably possible;
     - 1.2.5 Determine whether to contact the police for advice and/or assistance.

2. Students in Possession of Alcohol or Drugs
   Definition: *"Possession" means when a student has illegal drugs or alcoholic beverages on his or her person or in her or his control.*

The process to be followed when a student is discovered to be in possession of alcohol or drugs.

2.1 The student will be referred to the principal and/or vice-principal.

2.2 The principal and/or vice-principal will:

2.2.1 Question the student about the incident;

2.2.2 Conduct a reasonable search of the student's person, the student's property and school property for evidence of the offence;

2.2.3 Seize all material evidence;

2.2.4 Contact the parents/guardians immediately and require them to take the student out of the building. The student will be detained at school until safe departure from the building can be arranged.

2.2.5 Explain the suspension process to the parents/guardians as soon as reasonably possible;

2.2.6 Consult the police for advice and/or assistance if it is deemed to be in the best interests of the student or the school.

3. Student Trafficking in Drugs or Supplying Alcohol

Definition: *"Trafficking in drugs" and "supplying alcohol" means when a student gives, sells or delivers alcoholic beverages or illegal drugs to another student.*

The process to be followed when a student is reasonably believed to be trafficking in drugs or supplying alcohol:

3.1 The student will be referred to the principal and/or vice-principal;

3.2 The principal and/or vice-principal will:

3.2.1 Use their professional judgement to have the student remain at school.

3.2.2 Advise the student of what is taking place and encourage the student to wait until the parents arrive before engaging in discussions with the police.

3.2.3 Seek the advice of police in every case involving trafficking in drugs or supplying alcohol;

3.2.4 Co-operate with police in the investigation;

3.2.5 Inform the parents/guardians of the police action and the suspension process as soon as reasonably possible;

Note:

Possession of controlled drugs (e.g. Valium) is not an offence. Possession of restricted drugs (e.g. LSD, MDA) and narcotics (e.g. marijuana, hashish) is an offence (*Narcotic Control Act* and *The Food and Drugs Act*).

Where a principal strongly suspects that alcohol or drugs are being "pushed" on school premises, by students or by others, the police shall be notified.

4. Student Possession and/or Trafficking in Cigarettes or Other Tobacco/nicotine related Products

Definition: *"Possession" mean students under the age of 18 having cigarettes or other tobacco/nicotine related* products *under their control. "Trafficking" means when a student gives, sells, or delivers cigarettes or other tobacco/nicotine related products to students under the age of 18.*

The process to be followed when a student under the age of 18 is reasonably believed to be in possession of and/or trafficking in cigarettes or other tobacco/nicotine related products, or students of any age who are trafficking in cigarettes or other tobacco/nicotine related products to students under the age of 18:

4.1 The student will be referred to the principal and/or vice-principal;

4.2 The principal and/or vice-principal will:

4.2.1 Question the student about the incident;

4.2.2 Conduct a reasonable search of the student's person, the student's property, and school property for evidence;

4.2.3 Seize all material evidence;
4.2.4 Contact the parents/guardians about the incident to explain the disciplinary process as soon as possible;
4.2.5 Determine whether to contact the police for advice and/or assistance.

5. When students are not acting in a usual or acceptable manner, procedures commonly used for illness shall be applied. A student obviously under the influence of alcohol or other drugs may require special and immediate protective attention.

6. Particularly when drug abuse is suspected, care shall be taken to concentrate on specific behaviour when communication with parents and other individuals takes place. School personnel are not to make a diagnosis or state a suspected cause for such behaviour.

7. As school buses are the property of the Division, possession, distribution, and sale of alcohol and/or drugs is prohibited on these vehicles. Students on school buses are subject to all the applicable policies and procedures of the Division with respect to transgressions related to alcohol and or drug offences.

Reference: Section 85, 87, 109, 150, 151, 152, 153-154, 175 T*he Education Act, 1995;* Criminal Code *Saskatchewan Alcohol Control Act; Narcotic Control Act;* Charter of Rights and Freedoms *Youth Criminal Justice Act; Food and Drug Act*

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