



Drugs and Alcohol in School Procedure Guidelines 512

School's legal responsibilities when dealing with possession of illegal drugs 512a
Disciplinary actions by the Board in the event of drug possession, use and dealing 512b

GUIDELINES

1. Illegal drugs shall not be taken onto the school property or any school event.
2. Alcohol is not to be consumed on school property whilst the school is open for instruction or when children can reasonably be expected to be present.
3. Drug Education is consistent with Health and Physical Education in The New Zealand Curriculum as outlined in the school's Physical Education and Health Delivery Plan. This includes delivery of the DARE Programme in conjunction with the New Zealand Police and drug education by the Otago Life Education Trust.
4. The contents of this policy are communicated to the community at relevant meetings eg. camp parent meetings.
5. Any prescribed medication brought to the school by a student must be registered with the office staff.

School's Legal Responsibilities When Dealing with Possession of Illegal Drugs. 512a

The Misuse of Drugs Act 1975 distinguishes between the seriousness of harm that could be caused by the misuse of different types of drugs and are scheduled in the following ways:

- Class A controlled drugs which include drugs such as heroin and LSD;
- Class B controlled drugs which include substances with a high abuse potential such as morphine and opium;
- Class C controlled drugs which include some pharmaceutical drugs such as codeine. Others in this class include cannabis plants and seeds.

By law the school must follow the procedures listed below when pupils or adults attached to the school are found dealing in or in possession of controlled drugs as defined by the Misuse of Drugs Act 1975.

- **The police are notified as soon as possible.**
- **The circumstances of the dealing or possession are recorded on school stationery including:**
 - the time of the incident
 - the location of the incident
 - the names of those (pupils and non-pupils) involved
- **Any confiscated material and/or equipment is labelled with the details of the pupil involved. This procedure is witnessed. The material is stored in a secure place and is handed over to the police as soon as possible.**

Note 1:
Before any disciplinary action is taken by the school it must be established that the suspect material is indeed a controlled drug. This can be done by the Institute of Environmental Science and Research (ESR) or in the case of plant material by an experienced police officer. Confiscated material should not be destroyed as it may be needed for later identification and/or evidence.

Note 2: Staff are to make sure that other adults are present to witness any actions taken.

Disciplinary Actions by the Board in the Event of Drug Possession, Use and Dealing. 512b

(A) Following disclosure of a pupils drug use, possession or dealing disciplinary action may be taken by the board. Refer to Papakaio School's Guidelines to Behaviour Management - Board of Trustees Discipline Plan.

If disciplinary action is necessary then the following actions are taken. Legally the police must be notified within a reasonable time if use of class A, B and C controlled drugs is suspected. In all cases parents or caregivers are contacted and informed of what has happened and what the school's legal obligations and policies are.

- Smoking, possession of or supply of tobacco for the first time - Verbal warning
- Smoking, possession or supply of tobacco again - Stand down with counselling arranged.
- Drinking, possession or supply of alcohol for the first time - stand down with counselling arranged.
- Drinking, possession or supply of alcohol again - suspension.
- Using, possession or supply of Class C controlled drugs e.g. Cannabis - suspension with counselling arranged. F
- Using, possession or supply of Class C controlled drugs again - exclusion.

(D) Using, possession or supply of Class A or B controlled drugs e.g. LSD, Heroin, morphine - exclusion.

In dealing with pupils the board follows the guidelines laid down for stand downs, suspensions and exclusions and the rights of pupils under the following legislation.

- Section 9 NZ Bill of Rights Act 1990 and Section 139A Education Act 1989 and Section 59 Crimes Act 1961 pupils have the right to be disciplined in a manner that is in accordance with the law and principles of natural justice, is not cruel, degrading, or disproportionately severe, and does not involve the use of force.
- Section 17A and 77 Education Act 1989 give pupils the right to good guidance and counseling and the right to have their family/whanau involved when there are problems.
 - Section 21 NZ Bill of Rights Act 1990 gives pupils the right to be protected against unreasonable search or seizure of themselves or their property.
 - Principles 6 & 7 of the Privacy Act 1993 allow pupils the right to access information about them and to correct their personal information.
 - Section 13(c), 17B and 18AA(1)(g) Education Act 1989 and Section 27 NZ Bill of Rights Act 1990 the principles of natural justice give the pupil the right to a fair hearing, a voice in proceedings, the opportunity to answer a case against them, and the right to be dealt with by someone neutral.

(B) Following disclosure of a staff member's drug use, possession or dealing disciplinary action may be taken by the board under the guidance of the relevant employment contract, the above legislation and in consultation with the NZEI and STA.

Section 4: Tobacco and Alcohol Use by Adults on School Camps and Trips, And At On-site Functions

- School camps and trips are smoke free.
- Alcohol is never consumed on school property whilst the school is open for instruction.
- Alcohol and illegal drugs shall not be consumed by staff, parents or caregivers whilst participating in Education Outside the Classroom. This is to ensure that adult supervisors are ready and in a fit state to assist with emergency situations at any time, e.g. a night time fire in a cabin at a school camp.
- The responsible and moderate use of alcohol is permitted at school related functions e.g. Home & School Wine and Cheese evenings, farewells, staff functions but host responsibilities apply and laws regarding the use of alcohol by persons under the legal drinking age are adhered to. (see ALAC's guidelines for the safe use of alcohol and host responsibility.)
- If children are present partakers are aware that they are role models for the responsible consumption of alcohol in a public place.
- Users respect the rights of neighbours to peace and quiet.

Section 5: Conditions of Use of School Premises by Outside Groups in Relation to Tobacco and Alcohol Use.

- Tobacco use is governed by the Smoke free policy. That is; no smoking at anytime.
- Alcohol may be used provided host responsibilities apply and laws regarding the use of alcohol by persons under the legal drinking age are adhered to.
- The Board may, following the receipt of a written application and on hearing personally from the applicant, give permission that alcohol be consumed on the school property for a specific event. (In considering such a request the Board will take into account the applicant's implementation of ALAC's guidelines for the safe use of alcohol and host responsibility)
- Users respect the rights of neighbours to peace and quiet.
- Users are responsible for any damage caused to school property arising from the abuse of this policy.

Reviewed August 2016