



## Catholic Schools Office Diocese of Lismore

# Substance Management Policy

<b>Status:</b>	SMP01
<b>Replaces:</b>	NIL
<b>Date Issued:</b>	April 2013
<b>Evaluation and Review:</b>	August 2015

### Related Documentation:

Catholic Education in the Diocese of Lismore, Foundational Beliefs and Practices, the Essential Framework

Nine Elements for a Parish School Approach to Wellbeing (Diocese of Lismore, poster resource)

The Board of Studies Registration Systems and Member Non-Government Schools (NSW) Manual, Requirement 5.6, a Safe and Supportive (School) Environment



## Statement of policy

The dignity of the human person is the foundation of all Catholic social teaching and intrinsic to our education ministry. Consequently, the principle that the person is made in the image and likeness of God, is central to the mission of parish school community.

## Scope of the policy

This diocesan Substance Management Policy fosters a cohesive approach to the issue of legal and illegal substances by providing schools with policy advice and procedures which must be incorporated into an individual school Substance Management Policy and Procedures statement. This Diocesan policy statement includes [ ] and specific initiatives which are designed to promote pastoral care and wellbeing within a safe school community.

Essential to this is the creation and maintenance of a respectful, safe and supportive learning environment that promotes student wellbeing and enables school communities to successfully engage a diverse range of learners. The Diocesan Wellbeing Framework included as an appendix in this policy provides a comprehensive approach to wellbeing based on the principles of the National Safe Schools Framework.

The prevention of and responses to incidents of substance abuse in schools is more readily achieved in a caring and supportive school culture that promotes positive relationships and reflects Gospel values. Substance abuse disregards the core values of our faith including dignity, respect, justice, equity, compassion, trust and courage. Importantly, such incidents can adversely affect the wellbeing of students and are therefore unacceptable.

All members of our school communities are expected to prevent and challenge such actions in order to build respectful relationships that respond effectively and sensitively to the needs of each person.

## Context

This policy and a school developed policy on substance management by necessity covers a wide variety of situations and circumstances including legal and illegal drugs, paraphernalia, medications and combinations of such including performance enhancing substances.

## 'Substances'

- *Illegal drugs.* Advice follows.

- *Tobacco and alcohol*

The principal will implement the school's student welfare and discipline policies and strategies appropriate to the circumstances. Student use of tobacco and alcohol should be regarded as primarily a health issue except where in the case of alcohol safety is compromised. In the case of alcohol or tobacco suspension is not mandatory. Any suspension will depend on the nature of and circumstances around the offence. Principals are reminded that there are legal implications with the supply of alcohol to minors.

- *Over-the-counter and prescribed medications*

Where there are concerns that a student is misusing over-the-counter or prescribed medicines, the principal will discuss possible interventions with the student, where



appropriate, or with the school counsellor or the parents or carers. If there are concerns that student's misuse of prescribed medications could have implications of illegality, the principal will refer the matter to the police to seek advice as to the next appropriate steps to be taken. In cases where students are supplying a restricted substance, police and education consultant must be notified.

- *Inhalants and solvents*

Misuse of inhalants/solvents (also known as volatile substances) by children and young people is a matter for serious concern. These substances include butane gas, aerosol sprays, petrol, glue, correction fluids, paint thinners and cartridge bulbs for whipped cream dispensers. Inhalants are not illegal substances and it is not an offence to inhale products containing volatile substances. Young people who are regular or chronic inhalant users have often experienced many adverse life circumstances and will require coordinated support from a number of community agencies. Effective management requires schools to work collaboratively with other agencies including NSW Health, Department of Community Services, NSW Police and non-government and community organisations.

## **A School's Duty of Care**

A school must take reasonable action to develop plans and implement programs aimed at deterring substance abuse.

Parents need to be informed about the scope of the school's programs to deter and respond to incidents of substance abuse.

A school must have procedures in place to respond effectively to incidents. This Diocesan Substance Management Policy and the school-based policy and procedures that reflect this diocesan policy must be disseminated as appropriate to members of the school community.

The principal must report conduct to the police where a serious criminal offence has been identified. The school's education consultant must be contacted as soon as possible to assist in the management of the incident.

This policy and these procedures are designed for use in situations where school staff know or have reasonable grounds to believe that:

- legal or illegal substances have been brought to the school, its immediate vicinity or to school events; or that
- students at school, in its immediate vicinity or at school events are affected by illegal substances

School events include all events under the control of the school.

The policy also applies when such knowledge or suspicion involves students who are travelling to or from school, are in school uniform or are in other school-related situations.

Where knowledge arises of matters involving illegal substances in other contexts which are outside school situations, school staff, from a legal point of view, have the same rights and obligations as other citizens. However, pastoral concern for students would require staff to refer such matters to the principal and, when appropriate, the police. Where the principal believes that events outside school hours have impacted or will impact on students at school, the school should offer, as an extension of its pastoral care for students, appropriate



support to parents of students involved or likely to have been involved. The school must carefully manage the matter in association with parents and other authorities.

### **Drug Testing Students, Including Breath Testing**

Students must not be drug tested at school or during school activities such as school socials, excursions and sporting events. This includes breath testing. If staff believe that a student is intoxicated or under the influence of drugs including alcohol, staff will follow school procedures for responding to students who are unwell.

Students who become unwell at school are best transferred to the care of a parent/caregiver. In some cases it may be necessary to summon help or provide first aid or emergency care. Symptoms and possible causes or suspicions must be disclosed to the parent or medical personnel if called.

Once the immediate safety and welfare of the student have been secured, any follow up action must be appropriate to the circumstances and consistent with the Substance Management policy.

### **Role of the principal**

The principal will manage incidents that involve illegal and legal substance abuse.

The principal must respond to any incident in a way that is authoritative, consistent and fair, taking into account:

- the nature of the incident
- the circumstances of the individuals involved, including age, developmental and other relevant considerations
- the needs and safety of others and
- the need for the involvement of the family at the appropriate time

The principal must ensure that all employees and the school community at large has ready access to and are familiar with the Diocesan Substance Management Policy.

### **Preventative education**

The school must provide age-appropriate and regular preventative education relating to substance abuse through the Personal Development Health and Physical Education programs and where appropriate, through the pastoral care and Religious Education programs of the school. Parents should be made aware of this education in suitable ways.

### **Pastoral responsibilities**

An essential element of a Christian response to the impact of substance abuse is to provide support to those affected. On various occasions these will include students alleged to have been involved, those proved to have been involved; the parents/carers of such students, and especially siblings in the school and perhaps other students in the school and staff.

In all cases of substance abuse involving students the possibility of a need for counselling should be investigated. When necessary, support should be available as soon as practicable and not delayed until formal resolution of the situation. In many cases, the student's family



may also benefit from counselling. In some cases participation in a designated program may become a compulsory element of an enrolment contract for students who have broken school rules.

### **Responding to information about possible substance use**

Information concerning possible substance use by students is an example of a situation where a teacher's response must be carefully considered. Where a teacher reasonably suspects, based on personal observation or knowledge, that a student is involved in behaviours indicative of substance abuse, the teacher must inform the principal.

The purpose of informing the principal is to ensure that appropriate actions are taken. Appropriate actions might include:

- speaking with the students about concerns
- writing to the parents/carers regarding the concerns
- discussing concerns with parents/carers including providing parents with advice on local Health Service contact information such as the North Coast Health Service Cannabis clinics
- closely monitoring the situation
- referring the student to the school counsellor for assessment of substance use problems
- self-referral by the student to the school counsellor

### **Identifying substances suspected of being restricted or illegal substances**

A principal may be confronted with a situation where substances suspected of being illegal drugs or other restricted substances are found in the possession of students or other school community members. To properly identify the substance, principals must seek the assistance of the local police who will come to the school and take possession of the substance.

Where the nature of a substance is in doubt (i.e. the student does not admit the substance is illegal or is not passing the substance off as illegal), principals must request a police analysis.

If a student is caught smoking tobacco that has been mixed with an illegal drug, it must be treated as an illegal drug issue, not a tobacco issue.

### **Managing substance related incidents**

The school's response to a substance related incident must not isolate and marginalise students as this is likely to put them at further risk and increase the likelihood of them developing further problems. The school's role is to:

- educate
- provide support aimed at promoting the student's welfare
- inform and support the student's parents/carers
- encourage the students to continue on an education pathway



- where appropriate, assist the student and the family to link to appropriate community support services

## **Police investigations**

Where there are obvious signs of illegal activity, the investigation becomes the responsibility of the police. This is especially the case with any implications around 'supply' and payment for illegal substances. Principals must not initiate investigations, beyond establishing the basic facts, unless advised to do so by the police.

The police will carry out any enquires consistent with approved police practice. Decisions about criminal investigation in a matter involving a student and illegal drugs are the responsibility of police.

A police investigation of a particular matter does not remove the principal's obligation to deal with the behaviour as an internal disciplinary action and to impose or resolve suspensions.

Parents/carers must be notified if a police investigation has been sought.

## **Searches**

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 school has no legal right to search personal property such as bags and lockers for which students have paid a fee unless this has been made a condition of enrolment or of hiring a locker. It is strongly advised that schools include this condition within the school's own substance issues policy and make parents aware of this condition at the time of enrolment.

In the first instance, the student should be asked to open her or his locker, bag or desk. 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 or desk is searched.

### *Personal searches*

The school cannot make searches of a student's person – i.e. body searches – a condition of enrolment. To attempt a body search without the consent of the student would be to commit an assault. Teachers can ask students to empty their pockets, but only police should undertake a body search if this is considered necessary.

An exception to these legal restraints 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.

## **Securing suspected illegal substances and related items (paraphernalia)**

The principal must ensure that all handling of an illegal substance or a substance suspected of being illegal and related items (paraphernalia) is limited and documented, noting:

- who handled the substance or related items
- when and where it was handled
- who was present



When the substance is given to the principal it must be placed in a bag and sealed. The principal will lock the sealed bag in a secure place at the school to which only he or she has the key. This will ensure no other person has access to the substance before the police are able to take possession of it for analysis. The police should be notified immediately and arrangements made for collection of the substance on the same day if at all possible.

Should the substance need to be stored overnight at the school, police approval will be required. The principal may negotiate with police to convey the substance to the local police station, if appropriate.

Disposal of the substance is the responsibility of the police. Principals are not required to dispose of the substance and related items (paraphernalia).

### **Interviewing students**

The parent/carer dimension is important. When and how parents/carers are informed about the investigation process, interviews involving their children and the outcomes of the interview must be considered.

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 applied in such circumstances.

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 school after approval from the police officers involved.

If there is evidence only of a lesser offence, but one which might nevertheless result in suspension 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. Mobile phones should be immediately confiscated.
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 to the student.
4. A second staff member (normally the AP or year coordinator) should be present at the interview to take notes. The student must know that this is happening. Where physically possible an indigenous student must have an indigenous adult present.
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. This student should not be left unsupervised, and parents should be requested to arrange supervised travel home.

### **Meeting to determine outcomes**

A meeting to determine outcomes should occur only after time has been allowed for all concerned to reflect on the matter. Normally it will not be on the same day as the initial interview.

This meeting should be attended by the student and her or his parents/carers, the principal and another appropriate staff member(s). No outcome decision should be made prior to this meeting.

The principal will treat each person with justice and compassion and will respect the rights of both the students involved and the whole school community.

The options available to principals in matters involving illegal drugs include all the options normally available in other student management situations. These include internal responses, suspension, a negotiated transfer to another Catholic school or expulsion. Relevant Catholic Schools Office procedures are to be followed in all cases.

Appropriate documentation of the events leading to the meeting, of the meeting itself and of the outcome of the meeting must be kept.

#### *Conducting the meeting*

1. The findings of the investigation and the evidence, on which they are based, as these relate to the particular student, should be presented to those present at the meeting.
2. The student and her or his parent/guardian should be given an opportunity to consider these findings and to respond.
3. The options available to the school should be outlined by the principal.
4. The student and her or his parents should be given an opportunity to present reasons for recommending a particular option.
5. The principal, either at the meeting or after further consultation with the assistant principal and/or other relevant people, shall inform the parents and the student of a decision.
6. Any school decision which involves either transfer or a recommendation for suspension over three days or expulsion will be made in consultation with the Education Consultant.





7. Expulsion decisions must follow approved diocesan policy and involve the Director of Catholic Schools and the parish priest. A principal can only expel a student after consultation with the parish priest and the approval of the Director.

### **Suspension and expulsion decisions**

(Refer to the diocesan and school suspension and expulsion policies)

Where a student is suspended for a substance issue, the purpose of the suspension is to allow time for:

- the student to reflect on his or her behaviour
- the family and the school to plan appropriate support to assist the student to change the behaviour and to successfully return to school
- the school to put in place individualised plans and support mechanisms for the student

The principal should take into account the diocesan policy and the student's welfare when considering the appropriate length of the suspension.

A student must not be sent out of the school before the end of the school day without notifying a parent or carer and, if necessary, reaching agreement about arrangements for the collection of the student from school.

Any return to school arrangements following the suspension period is to be conducted in accordance with the diocesan policy.

The school counsellor, in consultation with parents/carers, will assist principals to:

- access the student's involvement with drugs and implement appropriate strategies to help the student to change their behaviour
- determine the nature of the targeted intervention program

The targeted intervention might include:

- counselling at school
- participation in a personalised school-based intervention program
- referral to a specialised drug and alcohol or health service

Expulsion decisions are made in accordance with Diocesan policy. A student found to have been involved in substance abuse issues needs to be dealt with fairly. There are many factors to consider before recommending an expulsion in substance abuse cases including:

- The length, nature and severity of the abuse
- The exchange of money
- The involvement of other students and their exposure to potential harm
- The legal context of the abuse, the likelihood of further police and court action



## **Staff communication and support**

Relevant staff will need to be briefed about a substance related incident particularly where there is a need to coordinate staff support and implement a management plan for a student.

A briefing might include advice to staff about the basic facts of the incident and advice about appropriate responses staff might give to questions that they may be asked. This will help to avoid inflaming the situation or passing on rumours. The nature of the briefing for staff will vary considerably depending on the nature of the incident.



Appendix 1  
Flowchart Criminal Offence

## Criminal offence

Description: A serious criminal offence has been identified

Serious criminal offence



Principal reports to police



Principal contacts the appropriate Catholic Schools Office consultant



Parents/carers notified of police investigation



Appendix 2  
Suspicion of illegal substances

### Suspicion of illegal substances

Description: Student suspected of illegal substances and/or related items (paraphernalia)

Principal has reasonable grounds to suspect illegal substances and/or related items



Student asked to open locker/bag/desk



If searching property is a condition of enrolment, the Principal or representative may search while a staff member witness observes. Teachers can only ask students to empty pockets, no handling of a student is allowed



If search is positive, all materials must be minimally handled



The substance must be placed in a bag, sealed and locked in a safe place  
Only the Principal has the key



The Principal must document:

1. Who handled the substance
2. When it was handled
3. Where it was handled
4. Who was present

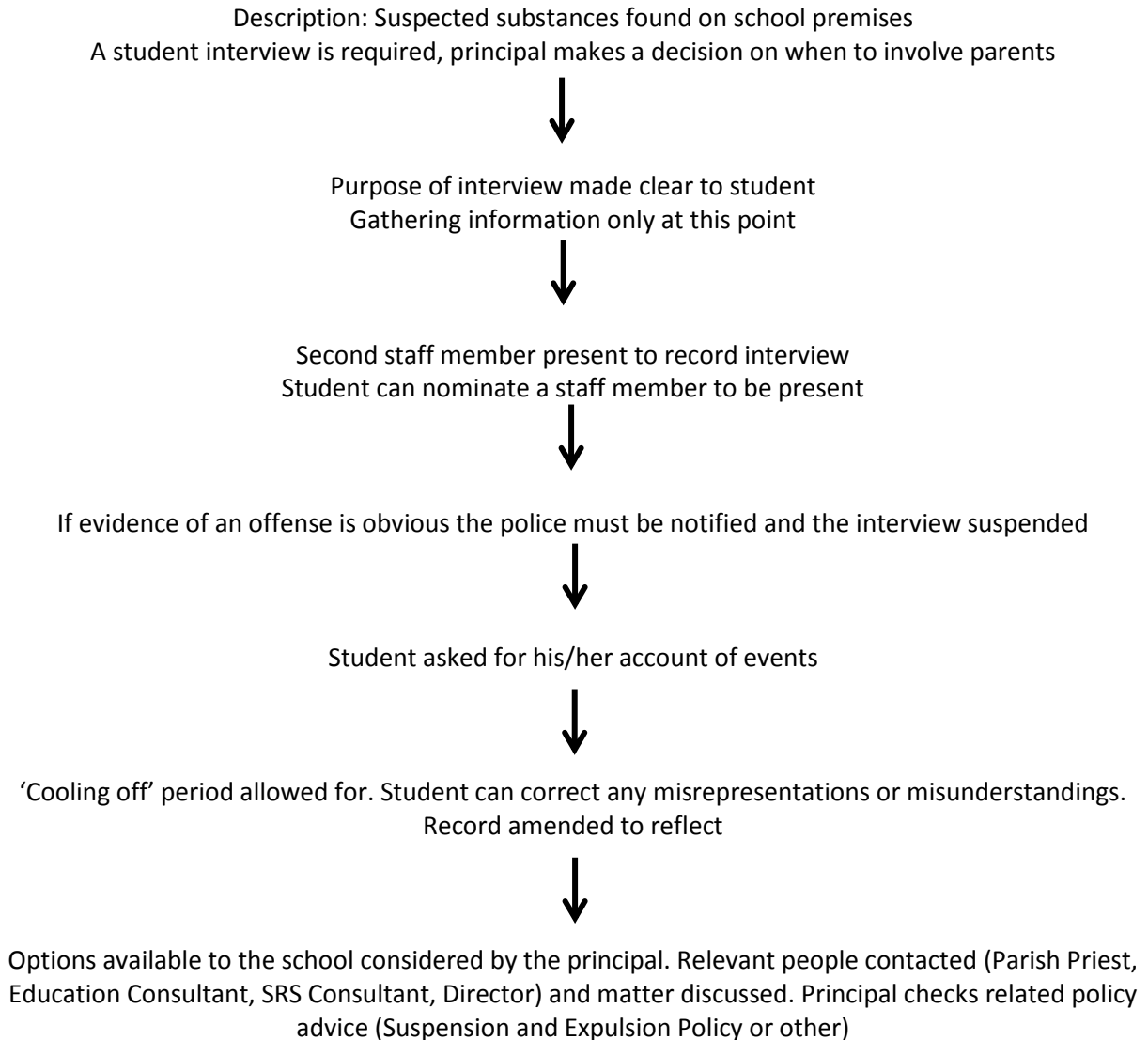


The Police are notified so substances are collected on the same day.  
Police approval is required if substance is kept overnight



## Appendix 3

### Flowchart Student interview suspected illegal substances



Appendix 4  
Flowchart Meeting

## Meeting

Description: A meeting is held to determine the outcomes for a serious event  
Suspension decisions may be determined

Principal presents findings of investigation and evidence to parents



Parents/carers consider and respond



Principal outlines options available to school



Student parent/carers articulate reasons for recommending a particular option



The Principal informs the student, parents/carers  
of a decision to suspend the student



The school counsellor, consulting with  
parent/carers, assesses drug involvement and  
implements a targeted intervention



The Principal consults with the Assistant Principal  
and/or relevant people



The Director is contacted if an expulsion is  
recommended



Support offered to parents and carers



Re-enrolment meeting with conditions is arranged. Follow up is scheduled for student and parent/carers

The Director of Catholic Schools and Parish Priest must be involved in transfer or expulsion



The Principal informs the parents/carers and student of the decision





# nine elements for a parish school approach to wellbeing



Worship:	Community:	Service:	Witness:	Evangelisation:
the authentic identity of the parish school is most fully shown when it celebrates the Eucharist gathered around the altar of its parish church	'...for where two or three are gathered in my name I am there among them.' Matthew 18:20	'I am among you as the one who serves.' Luke 2:27	the witness of early Christians to the love of Christ, shown in their love for the poor, their care for the weak and respect for human life was evident to all	the call to faith and discipleship should flow through every aspect of life in the parish school

The person of Jesus Christ stands at the heart of Catholic Education. The Apostle's Creed is the faithful summary of our common and life-giving faith.

## Supporting the Foundational Beliefs and Practices – the Essential Framework

References: - Creating a Future Full of Hope - A Statement of Strategic Intent for Catholic Education in the Diocese of Lismore 2010-2014 - National Safe Schools Framework

