
ILLEGAL OR INAPPROPRIATE SUBSTANCE USE PROTOCOL AND PROCEDURES

Background

A goal of the Division is to inspire all students to become productive citizens in a changing society, to foster student well-being and to develop healthy, responsible and respectful behaviours. To this end, the illegal or inappropriate use or possession of illegal drugs, alcohol or contraband substances, or the inappropriate use of any other substances (including but not limited to glue and prescription medications) is detrimental to the development of a safe and caring learning environment, jeopardizes the educational best interests of all students enrolled in the Division, and will not be tolerated.

The Division takes seriously its responsibility pursuant to the Education Act to ensure that students are provided with a safe and caring environment that fosters and maintains respectful and responsible behaviours. In addition, the Division recognizes that the educational best interests of students are the paramount considerations in exercising its authority.

The Education Act requires that students comply with the rules of the school, and that teachers, the principal and other administrators of the school are responsible for maintaining order and discipline among students while they are in school, on the school grounds, on school buses or attending school-related activities (whether or not on school grounds).

The Division has decided that it is a reasonable and prudent course of action to outline its procedures with respect to searches of students and school property to detect the presence of illegal drugs, alcohol, contraband substances, and the inappropriate use of any substances, as well as to provide a deterrent to individuals bringing such illegal drugs, alcohol or other contraband substances into the schools or school related activities which are off-campus.

Definition

For the purposes of this Administrative Procedure, the phrase *alcohol, drugs, contraband substances or any other substance*, or such similar phrases, includes but is not limited to the following substances:

- Alcohol;
- Narcotics;
- Controlled substances;
- Intoxicants (including but not limited to glues, aerosol containers and alcohol-based mouthwashes); and
- Over-the-counter medications (including cough syrup) and prescription drugs that are not used in accordance with the manufacturers' recommendations or physicians/pharmacists' directions.

Procedures

1. Students are expressly prohibited from using or possessing for use any alcohol, drugs, contraband substances or intoxicants, or from misusing any substances.
2. To be clear, this Administrative Procedure does not apply to the safe and appropriate use of over-the-counter or prescription medications, provided that such use is consistent with the manufacturers' instructions or physicians/pharmacists' recommendations, and in accordance with Administrative Procedure 316 – Medical Care of Students in School.
3. Any school official or any other person who observes or reasonably believes any student may be using alcohol, drugs, or contraband substances or inappropriately using any substance, will immediately report his/her concerns to the principal.
4. Students and parents are to understand that searches in accordance with this Administrative Procedure may include the use of a police service dog on school property or drug/alcohol testing devices to detect the presence, use or consumption legalized or illegal drugs, alcohol or other contraband substances or the inappropriate use of other substances. Written notice will be posted at the primary entrance of each school in which police service dogs may be utilized.
5. Students and parents are to understand that there is no reasonable expectation of privacy with respect to the use and contents of assigned lockers provided to students by the Division. Each student is solely responsible for the contents of his/her assigned locker.
6. A copy of this Administrative Procedure is to be included in the Student Handbook provided to all students at the start of each school year or upon a student's registration.
7. In addition, information regarding this and any related Administrative Procedure will be delivered to the general student body and distributed to parents (e.g. handbooks, agendas, newsletters, registrations).
8. All searches conducted pursuant to this Administrative Procedure will be in accordance with the procedures set out below and with the principles set out above at the beginning of this Administrative Procedure. Further, all searches will be conducted in accordance with Administrative Procedure 353 – Searches.
9. The Division is committed to providing relevant, progressive educational programming and supportive services to students in a safe and caring learning environment. Principals will ensure training and strategies are provided to students to increase the resilience of students to the use of drugs, alcohol, contraband substances and the inappropriate use of other substances through the identification and assessment of risk factors and the enhancement of protective factors.
10. The principal, in cooperation with the Division, the School Council and the school's community, will ensure that educational programs and community resources are focused on the identification of reasons and factors leading to the use of drugs, alcohol, contraband substances and the inappropriate use of other substances among students, and the resolution of problems leading to the same so as to resolve existing use or addiction issues as well as prevent future issues from arising amongst students.

11. Using the school's pyramid of interventions, remedial and or disciplinary responses will be designed to correct the problem behaviour, prevent another occurrence of the behaviour, and support the student.
12. The principal, among others, is responsible for maintaining an environment that is safe and conducive for learning for all students and, consistent with this duty, will exercise appropriate discretion in conducting personal and property searches and in the use of police service dogs or drug/alcohol testing devices. The principal will exercise such discretion in recognition that the educational interests of all students is of paramount consideration.
13. Personal or property searches may be conducted if the principal has reasonable grounds to believe that the student possesses, or the property or assigned locker contains, legalized or illegal drugs, alcohol or other contraband, or there are rule violations in respect of materials within or on the property or assigned locker.
 - 13.1 The grounds for conducting such a search and the outcome of the search will be recorded in writing by the principal and kept on file.
14. When alcohol, drugs, contraband substances or inappropriately used substances are confiscated by school officials, such substances will be inventoried and locked in the school safe until proper disposal can be made. When appropriate, the police will be contacted to dispose of such substances (such as narcotics).
15. The principal will ensure that all school staff are informed about the procedures established by this Administrative Procedure, and that these procedures are to be followed when investigating or responding to reasonable suspicions or incidents of possession or use of drugs, alcohol or other contraband substances, or the inappropriate use of any other substance.
16. Police and Investigative/Protective Authorities
 - 16.1 If the principal determines that a student is or may be involved in criminal activity, the principal will contact the police.
 - 16.2 If the principal or any other school official determines that he/she has a duty or obligation to report concerns regarding a student or incident to an investigative or protective authority (including but not limited to Alberta Children and Youth Services), they will inform that principal immediately, and contact the necessary investigative or protective authority.
 - 16.3 Any disclosure of information or personal information will be made in accordance with the applicable legislation, including but not limited to the Freedom of Information and Protection of Privacy Act.
17. Disciplinary Consequences
 - 17.1 When the principal determines that a student has contravened this Administrative Procedure by using or possessing for use any alcohol, drugs, contraband substances or intoxicants, misusing any substances, failing to reasonably cooperate in any investigation pursuant to this Administrative Procedure, or any other conduct contrary to this Administrative Procedure, the student may be subject to disciplinary action by the principal.

- 17.2 Disciplinary action will be implemented in accordance with Administrative Procedure 350 – Student Conduct and may include suspension and/or expulsion.
- 17.3 Disciplinary action may be taken by the principal regardless of any criminal or other sanction imposed by the police, courts or any other investigative authority.

Reference: Section 31, 32, 33, 52, 197 Education Act
Child, Youth and Family Enhancement Act
Freedom of Information and Protection of Privacy Act
Controlled Drugs and Substances Act
Criminal Code
Food and Drugs Act
Youth Criminal Justice Act Canadian Charter of Rights and Freedoms

Approved: June 16, 2010
Amended: March 21, 2018; July 1, 2018; May 22, 2020