



POLICY FOR A DRUG AND ALCOHOL-FREE ENVIRONMENT FOR STUDENTS IN SCHOOLS AND CENTRES *

(Revised May 11, 2012)

1. Mission Statement

The Central Québec School Board, through its motto “**Learning for All**”, recognizes its responsibility to provide all students an environment that maximizes their learning potential. This is possible only when the environment in schools and centres is safe and secure.

Drugs and alcohol are deterrents to learning that limit, interfere with, or inhibit our primary mission as educators.

The School Board believes that it is in the best interests of the schools and centres, students and community to take steps to promote, enhance, and maintain a drug and alcohol-free school system. Along with parents and other segments of the community, the School Board has a role in helping students to remain drug and alcohol free. The Central Québec School Board does not tolerate in any way, shape, or form the use or sale of drugs and alcohol among the students under its jurisdiction.

2. Guiding Principles

According to Section 76 (1) and Section 110.2 (2) of the Education Act, all schools and centres will adopt and implement internal rules of conduct based on the board policy. All students under 18 years of age, their parents and all staff will be notified of these internal rules of conduct.

Any student, youth or adult found to be in contravention will be subject to consequences according to the schools’ or centres’ rules of conduct. The student may also be required to seek help. The School Board also requires schools and centres to include prevention projects in the curriculum and will provide support and material.

In all cases, students should be treated with respect by members of school or centre staff.

In the case of Adult and Vocational Education, Section 110.2 also gives the Governing Board the authority to approve the operating rules which are applied by the Centre Principal.

In extreme cases, the Education Act stipulates, by virtue of Section 242 (3) that the School Board has the power to expel students from its schools when there is “just and sufficient cause”.

* For definitions, please refer to Section 6

3. Early Intervention, Intervention, and Students Seeking Help

- 3.1 Information and education sessions associated with the use or abuse of illegal drugs, prescription drugs and alcohol must be an ongoing practice as well as the integration of the above in the Québec Education Program (Q.E.P.).
- 3.2 Awareness programs must concentrate on increasing student understanding of alcohol and other substance abuse and their short and long term consequences. Parents may also be invited to some sessions.
- 3.3 A referral process is fundamental in order to identify, screen, and help students who are personally affected by their own or someone else's substance use or abuse. This process necessitates the participation of all partners in the school in helping students seeking help.
- 3.4 Partnerships with helping organizations must be in place in order to aid all parties in our school community find the help they need in overcoming alcohol and substance use or abuse.
- 3.5 Students seeking information or counselling on drugs, alcohol, and substance abuse must be addressed individually and respectfully. Staff must take into consideration why students may be making enquiries or searching for treatment plans. Staff members must help students seeking help.
- 3.6 It is important for all staff to be aware of the difference between students seeking help and those violating the law. It is also necessary that all staff respect the students' rights to confidentiality should they be trying to secure medical or counselling assistance. If a student is under 14 years of age or poses a threat to himself through drug and/or alcohol abuse, the Director of Youth Protection must be informed.

4. School or Centre Action In Case of Infraction

4.1 Search and Seizure

- 4.1.1 As per the Supreme Court of Canada ruling 1998 regarding search and seizure in schools and centres, authorities have the right to conduct searches based on the suspicion of drugs, drug paraphernalia or alcohol, meaning that there are reasonable grounds to believe that a school or centre rule has been violated, and that evidence of an infraction may be found.
- 4.1.2 In the event that staff members witness students using drugs or alcohol, selling it or simply in possession of these substances, they must inform the school authority.
- 4.1.3 Before carrying out a search, the school or centre authority will do the following:
 - Inform the student of the legal rights and responsibilities of the school personnel to maintain a safe and secure environment;
 - Inform the student of the reason for the search and the items being sought, and ask the student to turn over the items in question.

- 4.1.4 The school or centre authority may examine the student's clothing, personal effects, locker or person to seize evidence required for disciplinary or legal action. The entire procedure should be completed in the presence of another staff member.
- 4.1.5 Searches should be conducted in a sensitive manner and take into account the age and sex of the student. It is highly recommended that searches be done by members of the same sex as the student.

4.2 Police Involvement

- 4.2.1 The school or centre authority shall detain the student or students without endangering themselves or the student, and confiscate the illegal drugs or alcohol.
- 4.2.2 The police shall be notified, the student will be identified to them, and police will be given the confiscated articles.
- 4.2.3 The parents or guardians will be advised of the incident (regardless of the age of the student in the youth sector).
- 4.2.4 In the case where a student is being placed under arrest, the principal must inform the parents immediately that the student is no longer under the supervision of the school authority.
- 4.2.5 Internal consequences will be determined.
- 4.2.6 The school or centre authority will complete the Observation Form as found in Appendix 1 and send it to the director general.

5. School Board Action Where Expulsion is Recommended

- 5.1 In the event that the school authority recommends expulsion from the school, or the school board, the Director General will study the request. If the director general finds the recommendation founded, a committee shall be formed which includes the school authority concerned, a board administrator, a professional, and a commissioner who will study the case without delay.
- 5.2 The committee will give the student and the parents the opportunity to be heard.
- 5.3 When the committee recommends expulsion from the school, the Director General is informed of the recommendation and makes a decision.
- 5.4 When the committee recommends expulsion from all schools of the School Board, the Director General shall be informed of the recommendation and will bring the case before the Council of Commissioners for decision.
- 5.5 Should the final decision be expulsion, the student or parents of the student may request the Council of Commissioners to reconsider their decision using procedures outlined in the school board's Complaint Examination Procedure. ⁽⁵⁾

- 5.6 The student and his or her parents, the school authority and the Director of Youth Protection authority, if necessary, shall be informed of the decision.

6. Definitions

In this policy, unless otherwise stated:

- 6.1 *School or Centre Environment* means a school building and property, out of classroom programs and activities, school transportation services and facilities approved by or under the jurisdiction of the Board.
- 6.2 *School or Centre Authority* means a school or centre administrator or a designated authority.
- 6.3 *Parent* means a parent or person having legal responsibility for a student.
- 6.4 *Drugs or Substances* mean the following:
- All substances that are listed in the Narcotic Control Act;
 - All controlled drugs and restricted drugs so defined and listed in the Food and Drug Act.
- 6.5 *Alcohol* means all substances defined as liquor in the Liquor Licence Act.
- 6.6 *Drug paraphernalia* means objects or tools that may be used to facilitate drug consumption.

7. Categories of Drug Infraction

- 7.1 *Under the Influence:* this case would exist where a student's behaviour or appearance suggests they are under the influence of an illicit drug, but where no apparent possession can be detected.
- 7.2 *Possession:* a student would be categorized here when he or she is found to be in possession of an amount of any illicit substance. This definition may also apply to drug look-a-likes or other drug paraphernalia.
- 7.3 *Trafficking:* possession of an illicit substance for the purpose of sale. This definition may also apply to drug look-a-likes or other drug paraphernalia, as above.

REFERENCE

1. Section 76, Education Act

The governing board is responsible for approving the rules of conduct and the safety measures proposed by the principal. The rules and measures may include disciplinary sanctions other than expulsion from school or corporal punishment; the rules and measures shall be transmitted to all students at the school and their parents

2. Section 110.2, IBID (Adult and Vocational)

The functions of the governing board include approving the proposals of the principal on the following matters:

- The approach for the implementation of the basic regulation;
- The implementation of the programs of studies;
- The implementation of the programs relating to student services and popular education prescribed by the basic regulation which are determined by the school board or provided for in an agreement made by the school board;
- The operating rules of the centre

3. Section 242 – Education Act, R.S.Q.

A school may, at the request of the principal and for just and sufficient cause, and after giving the student and his parents an opportunity to be heard, enrol him in another school or expel him from its schools; in the latter case, it shall inform the director of Youth Protection.

4. Cadre de référence : Présence policière dans l'établissement d'enseignement, 2010 p. 28

5. Central Québec School Board, By-law concerning complaint examination procedure.



OBSERVATION FORM
(SCHOOL ADMINISTRATION)

SCHOOL: _____

DATE: _____ TIME: _____

LOCATION OF INCIDENT: _____

STUDENT INVOLVED: NAME: _____

GRADE: _____

ALLEGED INCIDENT

DRUGS/ALCOHOL possession consumption
 selling substance confiscated Yes No
 refusal of student

WEAPON possession object confiscated Yes No
 selling refusal of student

THEFT
 ASSAULT
 INTIMIDATION & THREATS (TAXING)
 THREATS OF VIOLENCE
 SEXUAL HARASSMENT*
 SEXUAL ASSAULT
 VANDALISM

EXPLANATORY NOTES: _____

WITNESSES PRESENT DURING THE INCIDENT

	SURNAME	FIRST NAME	GRADE OR POSITION
STUDENT	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
SCHOOL STAFF	_____	_____	_____
◆ OTHER	_____	_____	_____
	_____	_____	_____

COMMENTS: _____

PARENTS HAVE BEEN INFORMED Yes No Could not be contacted

TELEPHONE: _____ DATE: _____ TIME: _____

* See Policy Against all Form of Harassment

MEETING WITH THE STUDENT

WITNESS TO THE MEETING:

NAME: _____

POSITION: _____

FACTS ASCERTAINED:

FOLLOWING THE MEETING, THE STUDENT ADMITTED THE FACTS: Yes No

COMMENTS OF THE ADMINISTRATION: _____

DECISION OF THE ADMINISTRATION

◆ MEASURES (INDICATE IF HUMANITARIAN, PEDAGOGICAL, DISCIPLINARY, OR LEGAL):

◆ POLICE INTERVENTION REQUESTED:

NAME OF POLICE OFFICER HANDLING REQUEST: _____

DATE: _____ TIME: _____

◆ NO MEASURE IMPOSED: _____

COMMENTS: _____

OTHER: _____

FORM COMPLETED BY: _____

SIGNATURE

POSITION

DATE: _____ TO BE DESTROYED SHOULD THE ALLEGATIONS PROVE UNFOUNDED.

The above observation form serves as a general form for police intervention in schools.

N.B. This sheet may be modified and reproduced.