



## **ST STITHIANS COLLEGE POLICY: SUBSTANCE ABUSE**

### **Introduction**

1. The issue of respecting the rights of our learners and the implementation of this policy is of paramount importance to the College and is one of the corner stones of this policy.
2. The increase in the use and distribution of drugs throughout South Africa, and particularly among the country's youth, is a cause for concern for all parents – and especially for those who have children still at school. After extensive investigation into the socio-political, socio-economic and socio-cultural factors influencing South Africa at present, it is fair to say that the children in South African schools are being targeted as potential drug users through powerful international, national and local drug syndicates. These sophisticated syndicates have moved from the European and American drug markets, and are saturating the South African market.
3. The availability of a variety of drugs is widespread and affordable. The media – print, radio and television – continue to reflect the seriousness of the situation with regard to addiction and substance abuse.
4. As part of a greater community St Stithians confronts issues head on and deals with them in a structured and considered manner, in partnership with the parents/guardians of the College to ensure the best for their children. Substance abuse is detrimental to one's physical, social, emotional, mental and spiritual health. The concept of a healthy lifestyle will, at all times, be propagated and encouraged by the College.
5. The purpose of this policy is two-fold:
  - 5.1. To protect and assist any individual learner by outlining the approach taken by the College to rehabilitation and counselling.
  - 5.2. To protect other learners and the College by outlining the procedures for disciplinary action, as detailed in the College Code of Conduct: Learners which can be found on the College's website.

### **Educational Programmes**

6. In keeping with the core values of the College and the principle that prevention is better than cure, the College ensures that all learners, parents/guardians and staff are regularly educated about the problems of drug abuse and dependency through:
  - 6.1. talks, workshops and other informal activities including special assemblies at the College;
  - 6.2. lessons during appropriate subjects in the school curriculum;
  - 6.3. proactive involvement with other professional and community-based organisations involved in the fight against alcohol and drug abuse and dependency.
  - 6.4. Parents' Guide Booklet and/or other appropriate activities aimed at parents.

### **Illegal Drugs**

7. "Illegal drug" is defined as:
  - 7.1. any unlawful substance that has a psychological or physiological effect (including alcohol); or
  - 7.2. any substance having such effect that is possessed unlawfully.

8. Application of the policy: The policy applies to the use and distribution of any illegal drug by a learner whilst on the College property, in school uniform or while involved in any school activity which is any official educational, cultural, recreational or social activity of the school within or outside the school premises.
9. The use of any illegal drug is strictly forbidden.
10. If the behaviour of a learner indicates that he/she may be using an illegal drug, the information may be referred to the relevant Counselling Department at the College.

### **Rehabilitation and Counselling**

11. It is policy not to condemn learners but to support those who need help. Where possible, this will be managed in a way that least impacts on the learner's school career.
12. Learners who voluntarily request help and/or those referred by parents or teachers will be sent to the school counsellor. The approach will be one that is non-judgmental and non-disciplinary. The school counsellor will provide assistance in recommending the best possible course of rehabilitation. An appropriate agreement for rehabilitation will be drafted by the College, and signed by the learner, the parent/guardian, the Head of school and the counsellor. The confidentiality of the learner and the family is paramount throughout this process.
13. Confidentiality should be maintained at all times by all stakeholders. Whilst the College and its employees can make this professional commitment, real confidentiality will depend on whether or not the learner and/or his/her parents can avoid telling their friends or anyone else.

### **The Distribution and Possession of Illegal Drugs**

14. Unless authorised by the Head for legitimate educational purposes, no person may bring an illegal drug onto school premises or have such drug in his or her possession on school premises or during school activity.
15. Any form of distribution of any illegal drug to any other person is strictly forbidden.
16. In particular, the selling or purchasing of illegal drugs is a criminal offence. If any learner is suspected of, or caught, selling or purchasing such illegal drugs, the College will investigate and, if necessary, refer the matter to the appropriate authorities for further investigation and action.

### **Testing for Prohibited Substances**

17. In accordance with section 8A of the South African Schools Act of 1996 ("the Schools Act"), the Head or his/her delegate may administer a urine or other non-invasive test to any learner or group of learners that is on fair and reasonable grounds suspected of using illegal drugs. To the extent possible the consent of the parent/guardian and the consent of the learner will be obtained. In this regard, the consents will be provided by the parent / guardian or learner concerned on the prescribed forms. However, the College reserves the right, as contemplated in section 8A of the Schools Act, to test for illegal drugs without such consent.
18. The College will be in control of the testing programme. The costs will accrue to the parents / guardians.
19. Details of when such tests occur will be kept strictly confidential and only disclosed to those persons who are required to know such details, to ensure that learners cannot determine or anticipate when testing will take place or who will be selected for a test.
20. Once a learner has been notified of selection for a drug test, the learner will be accompanied and observed by a member of the testing team from the time of notification until the testing process is complete.
21. When the learner arrives at the testing area he/she will be informed of the testing process that is about to take place and the consequence of a positive test result, before testing commences.
22. The test will be conducted in the presence of a witness of the same gender as the learner, and out of sight of any other person.

23. A test report with a unique reference number will be completed for every test. It will include the full details of the person being tested, details of any medication or supplements which the learner claims to have ingested in the last 48 hours, any comments that members of the testing team or the learner may wish to record, and the test result.

#### **Procedure to be followed if an illegal drug is found on a learner**

24. Any illegal drug that has been seized (in terms of the College's Search and Seizure Policy) must be clearly and correctly labelled with full particulars, including:
  - 24.1. the name of the learner in whose possession it was found;
  - 24.2. the time and date of the search and seizure;
  - 24.3. an incident reference number;
  - 24.4. the name of the person who searched the learner;
  - 24.5. the name of the witness or witnesses; and
  - 24.6. any other details that may be necessary to identify the item and the incident.
25. Any such seizure will be recorded in the school record book. The illegal drug(s) concerned will be handed over to the police for disposal in terms of section 31 of the Criminal Procedure Act, 1977.

#### **Grounds for reasonable suspicion**

26. A search or drug test contemplated above will only be conducted after taking into account all relevant factors, including:
  - 26.1. the best interest of the learners in question or of any other learner at the school;
  - 26.2. the safety and health of the learners in question or of any other learner at the school;
  - 26.3. reasonable evidence of illegal activity; and
  - 26.4. all relevant evidence received.
27. Individual symptoms will not be considered as indicators, but a pattern of indicators (e.g. a decline in academic achievement, a lack of willingness to participate in school activities, change in behaviour, irregular school attendance, etc.) will be investigated.

#### **Disciplinary Action**

28. If the rehabilitation and counselling route has not been followed, or has been unsuccessful, the College reserves the right to take appropriate disciplinary action.
29. Save as otherwise provided in this policy, any evidence obtained against the student as a result of a drug test or search, whether in the form of a positive drug test or the confiscation of an illegal substance, will not result in criminal proceedings being instituted against the student.
30. Each case will be dealt with confidentially but parents/guardians will be informed and involved.
31. The College will do its best to create a confidential zone for learners to speak up if their information is motivated by a willingness to help both with the addiction and interface with parents.
32. Selected educators, who will be specifically trained in this area, will undertake the investigations and a professional external organisation will participate in the intervention process.
33. Learners who have been found to have transgressed will be referred to an identified organisation for assessment and treatment.
34. Parents/guardians will be held responsible for any expenses incurred.
35. If it is established that a learner is engaged in the use of illegal drugs, the learner will be required to submit to a rehabilitation programme which will include:
  - 35.1. The treatment option as determined by all parties.
  - 35.2. Urine testing or other non-invasive testing can take place on an ad hoc basis. The control of such testing is the College's responsibility.

- 35.3. An expectation that the learner will improve with respect to behaviour, academic achievement and school attendance.
- 35.4. The authorisation and support by the parents/guardians of the treatment.
- 35.5. That the designated institution undertaking rehabilitation and treatment will supply the College with progress reports addressed to a designated, trained person. Such report is furnished with the learner's written consent.
- 35.6. If necessary, the rehabilitation programme can be adapted after negotiation with the relevant parties.
- 35.7. The proviso that if the parents/guardians and/or learner take it upon themselves to stop treatment, the College will consider the rehabilitation programme suspended and the College reserves its right to implement disciplinary procedures, in terms of the College Code of Conduct.

**ADOPTED BY COLLEGE EXECUTIVE COMMITTEE: 29 September 2008**  
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