

IDENTIFICATION CODE
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TITLE: POLICY IN THE PREVENTION OF AND REGARDING THE USE OF MIND-ALTERING DRUGS

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Table des matières

1. INTRODUCTION	1
2. MIND-ALTERING DRUGS DEFINED	1
3. AIMS	2
4. INTERVENTION	2
5. SANCTIONS	3
6. ROLES WITHIN THE EDUCATIONAL PROCESS.....	4
7. PROCEDURES REGARDING LEGALLY-AVAILABLE MIND-ALTERING SUBSTANCE.....	5
8. PROCEDURES REGARDING ILLEGAL MIND-ALTERING SUBSTANCES.....	6
9. RULES OF IN-SCHOOL POLICE CONDUCT	8
SURVEILLANCE SHEET	9

1. INTRODUCTION

The phenomenon of mind-altering drug use is a direct effect of the evolution of human society. It is important therefore that an effort be made to educate and to help people, not only with regard to drug use, but also to understand its causes. The non-medical use of mind-altering substances poses a specific danger to the physical and mental well-being of society, in general, and of adolescents, in particular.

The Commission scolaire du Littoral feels strongly that it is the responsibility to impart both knowledge of and a respect for the laws that govern our society. Learning about the phenomenon of mind-altering drugs is a responsibility that schools must share with parents as well as with other persons in the community who have a similar role to play. The educational steps to be taken within each school with regard to mind-altering drug use and abuse must aim to help each student to make his or her own decisions in an enlightened and responsible way.

This document defines mind altering drugs. It elaborates the procedure or steps to follow to ensure that our educational institutions are safe from the presence of mind altering drugs. This policy also defines the appropriate steps to follow in handling a situation involving the use, possession or trafficking of mind altering drugs.

This policy promotes intervention that is not only preventive in nature, but also care-giving and remedial

The policy is inspired directly from a prototype developed in the Côte-Nord region by “La Table régionale multisectorielle de concertation en prévention de la toxicomanie”, which in turn, was inspired by the policy developed by la Commission scolaire des Laurentides.

2. MIND-ALTERING DRUGS DEFINED

The expression “mind-altering drug” covers a whole spectrum of substance ingestion which produces an effect on the central nervous system, thereby altering both a person’s psyche and behaviour; in other words, a person’s sense perceptions, state of mind (or mood) as well as a person’s capacity to function both intellectually and socially. These mind-altering substances may or may not be prescribed by a doctor and/or purchased in a pharmacy, and possession of such substances may be either lawful or unlawful.

The following is a classification of the mind-altering substances the most frequently encountered:

Lawfully possessed

Alcohol, tranquilizers (i.e. barbiturates, sedatives and mild tranquilizers), stimulants such as “wake-up” pills, Ritalin, anti-depressants, and others in solvent and inhaler form.

Unlawfully possessed

LSD, “Ice”, PCP (“Angel dust”), cannabis (marijuana, hashish), cocaine, the opiates (i.e. opium, morphine, codeine, heroin, etc.) As well as any other, as yet, unidentified substance of a mind-altering nature considered to be illegal.

3.

AIMS

Any policy related to the use of mind-altering substances must inevitably strive to keep young people from using drugs that are illegal and from abusing drugs that are legal. However idealistic this may seem, and bearing in mind both the psychological characteristics of its young audience as well as its own educational mission, a school board must make every effort to achieve, to develop and to update a code of ethics that does not solely promote abstinence but also installs in young persons’ minds the need to have and maintain a firm control of their consumption, particularly of alcohol.

The general aims are:

Render students capable of lessening, avoiding and eliminating not only the use and abuse of mind-altering substances, but also their influences in school.

With regard to non-medical use of such substances, the Commission scolaire du Littoral shall favour an approach that is both educational and preventive in terms of use and possession, but also punitive and judgmental when it comes to recidivist individuals and “pushers”.

Specific aims are:

To concentrate the efforts of everyone concerned (staff, students, parents) towards scholastic success by way of cultivating a more responsible attitude vis-à-vis mind-altering substances.

To provide school staff with the tools and guidelines necessary to counteract, in a positive way, student drug use.

To help young people already compromised by drug-related problems, to face facts and make a choice that will allow them to rebuild their lives (Choice = values = Responsibility).

To advocate and maintain a drug-free school environment.

To make young people more aware of their responsibilities in terms of their attitude and behaviour regarding mind-altering drugs.

4.

INTERVENTION

Early (First-line) intervention:

Targeting both sporadic and regular uses: The aim here is to be in easy contact with the young people involved, to gain their confidence and to offer each of them an individually oriented approach whereby each may decide how to

adjust and deal with the many mind-altering drugs that they are likely to encounter in life.

To promote the development of a coherent educational approach and to assist both young people and their parents, it will be important to train and prepare a “First-line intervention team” who can make themselves available as resource persons or as active agents in a follow-up process. In secondary schools, educators experienced in drug-abuse prevention would be valuable in this role. CLSC and healthcare center professionals with in-school experience would also be a valuable resource. Furthermore, it is important that a multi-component approach serving both as a model for intervention purposes and as an aid to coordinating activities with the various health-care services be established.

Second-line services:

These services target young people encountering serious problems related to drug use, in other words excessive users and those showing symptoms of addiction.

This kind of intervention is more specialized in nature and must be established through agreements made with the health and social service organizations.

Follow-up:

The school is also called upon to play its part in any follow-up required once a student’s drug-related situation has improved. The school authority will provide in-school support assigned the task of guiding the student and facilitating the student’s reintegration into the school body.

5. SANCTIONS

The following disciplinary policy defines the procedures to follow when applying the regulations pertaining to the handling of issues raised by mind-altering drug use within the Commission scolaire du Littoral. This policy establishes the rules and the sanctions to be applied in the event that the rules are broken.

The Commission scolaire du Littoral Regulations Pertaining to the Use of Mind-Altering Substances

All use and sale of any legal mind-altering substance, for non-pharmaceutical use, is strictly forbidden in any school or on any vehicle used by the Commission scolaire du Littoral

The Commission scolaire du Littoral prohibits any of its students or any of its employees to be under the influence of, to consume, to be in possession of, to give, to lend, to sell or to barter any illicit substance of a mind-altering nature within its schools or vehicles or on any property of the school board or during any activity for which it is responsible.

Any student who, after careful investigation by the Commission scolaire du Littoral and upon presentation of evidence that it considers adequate, violates these regulations may be removed from school or expelled.

The school board will decide whether a student can be reintegrated into a school if the student was removed due to a violation of these regulations. A request for reintegration is subject to a study by a multidisciplinary committee who will then present their recommendations to the school board administration.

6. ROLES WITHIN THE EDUCATIONAL PROCESS

6.1 The School Board

- Adopts and publicizes the policy.
- Ensures the application, the follow-up and the evaluation of the policy.

6.2 The School Authority

- Makes all staff, parents and students of the school aware of the policy.
- Coordinates the tasks of those people responsible for applying the policy within the school.
- Ensures that the policy is applied within the school.

6.3 Teachers and other staff

- Cooperate in making the policy as widely known as possible.
- Work hand-in-hand with other educators in ensuring the effectiveness of the policy.

6.4 Parents

- Know and understand the policy.
- Cooperate in ensuring that the policy be put into effect.
- Assume an educational role vis-à-vis their child or children regarding the issue of drug use.

6.5 Students

- Assume responsibility for their actions and play an active role in developing their awareness of the problems related to the use of mind altering substances.
- Understand the policy.
- Cooperate in ensuring that the policy be applied.

6.6 Community support groups

- Get to know the policy.

- Assume an educational role regarding drug use.
- Cooperate in setting up and applying the policy.
- Collaborate in the realization of support plans developed by youth and parents.

7. PROCEDURES REGARDING LEGALLY-AVAILABLE MIND-ALTERING SUBSTANCE

7.1 Witness to the offence

The first person to witness the offence.

Depending on the seriousness or frequency of the offence, the witness must judge whether to use a warning or whether to report the offence to the school authority. In the case of possession or consumption, the witness may choose to warn or report. In the case of sale, the school authority must be advised immediately.

7.1 a) The witness decides to give a verbal warning:

- The witness tells the offender of the offence.
- The witness confiscates the drugs.

If the offender does not submit, the school authority must be informed.

7.1 b) The witness decides to inform the school authority of the offence:

- The witness informs the offender.
- The witness confiscates the drugs, but with no body search.
- The witness takes the offender and the drugs to the school authority.
- The witness fills out the surveillance sheet.

7.2 The School Authority

The School Director or other School Administration:

- Verifies the Surveillance Sheet and has the witness provide more details on the sheet, if necessary.
- Records the compliance or non-compliance of the offender.
- Judges whether or not to impose sanctions regarding the offence.

7.2 a) If the offence does not entail a sanction:

- The Surveillance Sheet is destroyed.
- The alleged offender and witness are informed.

7.2 b) If the offence is judged worthy of sanction:

- The offender and parents are advised of the disciplinary policy in effect.
- There is no body search.

- The drugs are confiscated.
- The offender is “sent home”, if need be.

1st offence:

Sanctionable according to seriousness.

2nd and 3rd offence:

As 1st or suspension recommended by school board.

4th offence:

Expulsion to be recommended by school board.

7.3 School Board:

- Suspension is extended until a decision is arrived at.
- Reintegration or school transfer with support plan and follow-up, or else complete expulsion.
- In the case of complete expulsion, Youth Protection is advised.

8. PROCEDURES REGARDING ILLEGAL MIND-ALTERING SUBSTANCES

8.1 Witness to the offence:

The first person to witness the offence must:

- advise the offender of the infraction;
- confiscate the drug(s), but without a body search;
- bring the offender to the school authority’s office;
- deliver the drug or drugs to the school authority;
- fill out the Surveillance Sheet;

act as witness until another witness or the police arrive.

8.2 School Authority

8.2 a) As the duly-vested governance of the school, the school authority shall:

- take possession of the confiscated substances or else confiscate the substances him/herself;
- place confiscated substances in the envelope intended for that purpose, seal it in front of a witness and hand it to the police;
- check the Surveillance Sheet and, if necessary, complete it with the witness;
- meet the offender in the presence of the witness;
- record compliance or lack of compliance of the offender on the Surveillance Sheet;
- apply the school board’s disciplinary policy;

- decide whether or not to call for police intervention in the case of simple possession, but must call the police in the case of trafficking or possession for purposes of trafficking.

8.2 b) Disciplinary Action:

Evaluates the seriousness of the offence and determines the appropriate punishment.

May refer to the school board in the case of simple possession or use, but must refer to the school board in the case of trafficking or possession for the purposes of trafficking.

8.2 c) Police Intervention:

As soon as police intervention is decided upon, the school authority shall:

- call the police;
- keep the offender under scrutiny in a secure place where the offender cannot remove evidence of the offence;
- complete the Judicial Statement in the presence of the witness;
- await the arrival of the police before attempting any interrogation or other action;
- advise the parents;
- remit the confiscated drug(s) to the police officer(s).

8.3 School Board :

- Prolongs the student suspension as long as needed until final decision.
- Reintegrates or transfers student to another school with an assistance plan and follow-up, or expels the offender unconditionally from the school system.
- In the case of unconditional expulsion, Youth Protection (DPJ) must be informed.

8.4 Police Intervention Procedures :

- upon arrival, take the offender into their custody;
- take possession of the drugs confiscated;
- confirm that parents have been advised;
- may request that the Attorney General's office decriminalize the offence in the case of simple possession of certain drugs.

Prosecutor :

- has the power of discretion to either criminalize or decriminalize the offence and decides what measures are appropriate.

9. RULES OF IN-SCHOOL POLICE CONDUCT

9.1 The school authority is responsible for the coordination of coercive and preventive measures undertaken within its school.

9.2 Police intervention can be initiated in two ways:

- a) At the request of the school authority.
- b) As a police initiative for investigative purposes.

9.3 In all cases the protocol to be followed is:

- a) Any police officer called upon to act must advise the school authority and provide warning of whatever action is to be taken.
- b) Under exceptional circumstances, where no other choice remains available, the police officer(s) may take whatever action be deemed appropriate. Nevertheless, the school authority must be advised as soon as possible.
- c) The school authority may then accept or refuse police action that may be harmful to a student's well-being and may select a better place or time for police intervention in cooperation with other concerned parties unless, however, the situation dictates that no alternative action is feasible. This type process ensures protection of the student's rights.
- d) If police intervention is necessary, the school authority is responsible for advising the student.
- e) Both the school authority and police officer(s) must inform the student of his or her rights.
- f) The student's parents must be contacted by both the school authority and the police.

SURVEILLANCE SHEET

Witness Statement

Location _____ Date : ___/___/___ Time : _____ Place : _____

Surname : _____ First Name: _____

Offender Grade: _____ Informed of the offense: Yes No

Infraction possession use sale

Drugs involved _____

Substances confiscated : Yes No Refusal

Explanation _____

Students present at time of offence

Name : _____ Grade : _____

Name : _____ Grade : _____

Name : _____ Grade : _____

Comments

Name

Signature

Witness(es)

School Authority Statement

Surveillance Sheet Declaration

With the student Yes No

Corrections Yes No

Student's consent

Yes No (Indicate reason)

Authority Decision

Offence sustained Yes No

Police intervention Yes (judicial statement) No

Date : ___/___/___

Signature : _____

JUDICIAL STATEMENT

Witness Statement

The moment that the School Authority decides on police intervention, it shall :

- a) call the police and inform the offender of this action;
- b) keep the offender under scrutiny in a secure place where he/she will have no opportunity to remove objects or substances that may serve as evidence;
- c) await arrival of the police before undertaking interrogation or any other action.

N.B.: At each stage the School Authority must be accompanied by a witness.

Offender's Voluntary Statement

It is preferable to await police arrival before taking any statement voluntary or otherwise, from the offender. However should the presumed offender wish to make a statement before the police officers are present, the School Authority must, before receiving any statement, read to the offender, in the presence of the witness, the following information.

- a) You are under no obligation to make any statement at this time, it being preferable to await the arrival of the police.
- b) Anything that you say may be used as evidence against you should criminal charges be laid.
- c) You have the right, before making any statement, to consult your attorney, your father or your mother, or any other adult person of your choice.
- d) You have the right to insist that the person you wish to consult be present should you decide to make a statement.

Affirmation

I, the undersigned, do hereby declare that the statement made by the presumed offender is voluntary in nature, that preceding such statement, I read to the presumed offender his/her rights, that I verified that he/she understood the information so given and that I conveyed such information in the presence of a witness.

Date : ____/____/____ Authority : _____

Witness : _____

Statement of the Offender (Optional)

I, the undersigned, do hereby declare that the statement made by me to the School Authority was made freely and voluntarily, that said Authority has read me my rights and that I fully understand them.

Date : ____/____/____ Presumed offender : _____

N.B. : All drugs or other mind-altering substances confiscated by the School Authority must be deposited in the receptacle intended for that purpose in the presence of a witness. Objects and material so confiscated must be handled as little as possible and the receptacle sealed immediately.