
**AP #520 – Illegal Possession and/or Use of Alcohol, Cannabis (Marijuana),
Illicit or Non-Medical Use of Drugs and Intoxicating Substances**



Prairie Rose School Division
Developing lifelong learners for responsible global citizenship

Students

Procedure Manual

Policy Ref: 1, 10, 11, 12, 16,

PRSD is committed to creating a healthy environment in schools for learning and teaching. The illegal possession of and/or the use of alcohol, cannabis (marijuana), illicit, or non-medical use of drugs and intoxicating substances is considered to be incompatible with a healthy learning environment and with effective learning.

PRSD forbids students to have active contact with, to have possession of, and/or to make use of alcohol, cannabis (marijuana), or illicit drugs in the context of any school-related activity. PRSD considers such contact to be a major offense which is to be dealt with firmly which includes suspension, possible expulsion, and/or legal action.

PRSD forbids trafficking on divisional property or at school sponsored activities. All trafficking incidents will be forwarded to the Board of Trustees for expulsion consideration.

Illicit or non-medical use of drugs, cannabis (marijuana), alcohol and intoxicating substances will hereinafter be referred to as intoxicants and/or illicit drugs.

Definitions

“Intoxicants” shall, for purposes of this administrative procedure, mean illicit or non-medical drugs, cannabis (marijuana), alcohol, intoxicating substances, and the abusive use of medical drugs.

“Illicit drug” means a controlled substance or precursor, the import, export, production, sale, possession of which is prohibited or restricted pursuant to the “Controlled Drug and Substances Act.”

“Under the Influence” A person shall be deemed to be under the influence of an intoxicant and/or illicit drug if that person exhibits a degree of impairment or that person has consumed an intoxicant and/or illicit drug.

A person shall be deemed “in possession” on school property or during co- curricular activities if:

- a. a person has an intoxicant/illicit drugs/contaminated paraphernalia when he/she has it in his/her personal possession, his/her locker or vehicle, or knowingly:
 - has it in the actual possession or custody of another person, or
 - has it in any place, whether or not that place belongs to or is occupied by him/her, for the use or benefit of himself/herself or of another person;
- b. in a group where one person, with the knowledge and consent of the rest, has anything in his/her custody or possession, it shall be deemed to be in the custody and possession of each and all of them.

“Supplying/trafficking” means in respect of an intoxicant and/or illicit drug as set forth herein:

- a. to sell, administer, give, transfer, transport, send, or deliver the intoxicant and/or illicit drug;
- b. to sell a medical authorization to obtain the substance;
- c. to offer to do anything mentioned in paragraph (a.) or (b.).

It is the purpose of this administrative procedure to provide direction for PRSD administration and staff in order to:

1. create and maintain a safe and healthy environment in the schools by keeping the use of intoxicants and/or illicit drugs out of the school environment;

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2. assist students adversely affected by their own or other's intoxicant and/or illicit drug use to make healthy lifestyle choices and provide them with access to counseling and/or rehabilitative programming where appropriate;
3. provide appropriate grade level information that:
 - a. increases awareness of the risks associated with intoxicant and/or illicit drug use thereby promoting abstinence and/or harm reduction;
 - b. identifies and promotes the understanding of levels of involvement of intoxicant and/or illicit drug use and the appropriate intervention;
 - c. acknowledges the legal implications of intoxicant and/or illicit drug use by students; and
 - d. helps build awareness of the impact of his/her use or other's use of intoxicants and/or illicit drugs on relationships; and
4. provide PRSD staff with information and procedures concerning the preventative, early intervention, disciplinary and rehabilitative aspects of intoxicant and/or illicit drug use as they relate to users, non-users and affected others, in an attempt to establish a consistent approach across PRSD.

PRSD acknowledges its responsibility, in cooperation with students, parents and the community, to take appropriate action regarding intoxicant and/or illicit drug use by the students.

Prevention Through Education

PRSD accepts its role in the implementation of curriculum and provision of programs to assist in the prevention of intoxicant and/or illicit drug use among students. The aim of prevention should be to promote the development of awareness, positive attitudes and skills that will produce appropriate behaviour, responsible decision-making, effective problem-solving and increased self-esteem.

1. Programming

PRSD shall encourage and support quality programs/activities/services concerning healthy lifestyle choices. PRSD shall be responsible for implementing the K-12 Physical Education/Health curriculum and introducing any other related programs.

2. Professional Development

PRSD shall be responsible for planning and assisting with in-service training for staff who will be implementing programs relating to intoxicant and/or illicit drug use. Professional development opportunities will be provided for all teachers in all schools in order to heighten the level of awareness and knowledge of intoxicant and/or illicit drug use and to assist with early identification of associated problems.

PRSD shall provide professional development for school administrators concerning the implementation of this administrative procedure.

3. Communication

PRSD administrative procedure on intoxicants and/or illicit drugs shall be communicated to parents and students (with support from the [Addictions Foundation of Manitoba](#) (AFM) where appropriate) through such means as:

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- school newsletters/pamphlets
- student handbooks
- parent councils/parent advisory councils
- regulations regarding co-curricular activities
- public presentations
- class/grade presentations

Intervention

The principal shall advise all staff that they are responsible for identifying students who, based on behaviour or performance, are suspected abusers of intoxicants and/or illicit drugs or are affected by someone else's use of intoxicants and/or illicit drugs and making the appropriate referrals.

PRSD accepts its role with other community and law enforcement agencies in the management of intoxicant and/or illicit drug related incidents. The Superintendent/CEO will provide appropriate consequences as outlined in this procedure for those students who possess intoxicants and/or illicit drugs or paraphernalia, are under the influence of, or traffic in intoxicants and/or illicit drugs while under school supervisions.

PRSD will cooperate with appropriate community agencies in the referral to counseling and rehabilitation programming for students who use intoxicants and/or illicit drugs.

1. First Offence

If a student is found in possession or appears to be under the influence of an intoxicant and/or illicit drugs, the staff member shall be responsible for immediately reporting the incident to the principal or designate, and the principal or designate shall:

- a. make a judgement as to whether the student needs emergency assistance and advise the parent(s) and/or guardian(s) of the situation;
- b. detain the student in the principal's office, if possible, to:
 - ascertain the nature of the problem;
 - check the student's pupil file for any previous offense;
 - notify the AFM Youth Worker and/or school counsellor and make a referral for a further assessment as soon as possible; and
 - make the student aware of the procedures to be followed as outlined in this administrative procedure;
- c. if deemed necessary, the principal shall inform the local police department of the situation. Attempts will be made to inform the parent or guardian that the offender may be interviewed by the police, allowing parents/guardians time to be present for the interview;
- d. if evidence is available, take possession of the physical evidence, in the presence of a witness, and record specific details (date, time, items, persons present, and context). Evidence will be placed in a secure location. Police will be contacted and evidence will be turned over. Supervisor discretion will be used in circumstances where police are not available;

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- e. where a violation of this procedure has occurred, the principal or designate shall consider suspension of the student for a period of three (3) to 5(5) school days. In exceptional circumstances, the violation may result in a suspension of less than three (3) school days;
- f. a letter of suspension shall be sent to the parent/guardian or to the offender if he/she is 18 years of age or over.
- g. for re-admission to school under this suspension, a student under 18 years of age must be accompanied by a parent/guardian for an interview with the school's administration. Parental involvement is also encouraged for those who are dependents, 18 years of age or over, and who are living at home;
- h. during the re-admission interview, the student and the parents/guardians may be provided with information about intoxicant use support services available through the school system, AFM and/or other appropriate community agencies; and
- i. the suspension may be appealed according to procedures outlined in the AP #517 – Student Suspensions.

2. Second Offence

The same procedures will be followed as outlined within the first offense and, at the discretion of the principal or designate, may result in counseling, treatment, progressive discipline and/or police contact.

3. Further Offences

Where it is apparent that continued intoxicant use has detrimentally affected the education of the student or has been injurious to the welfare of the school and where the student has been suspended previously under this administrative procedure, the principal /designate shall follow the above procedures.

The period of suspension will be greater than the previous offense and no less than then (10) days.

4. Supplying/Trafficking Offence

Where there are reasonable grounds for suspecting that a student is trafficking or supplying intoxicants and/or illicit drugs on PRSD property or at school sponsored activities:

- a. the principal or designate shall make a judgement as to whether the student needs emergency assistance and advise the parents and/or guardians of the situation;
- b. the principal or designate shall detain the student in the principal's office, if possible, to ascertain the nature of the problem and make the person aware of the procedures to be followed;
- c. if evidence is available, the principal or designate shall take possession of the physical evidence, preferably in the presence of a witness, and record specific details (date, time, item(s), persons present and context). Police will be contacted and evidence will be turned over. The school official shall attempt to advise the parent/guardian that the offender will be interviewed by police, allowing parents/guardians time to be present at the interview;
- d. where a violation of this administrative procedure has occurred, the principal or designate shall consider suspension of the student for a period of five (5) to thirty (30) school days. Suspensions greater than five (5) days shall be made in consultation with the Superintendent/CEO and an;
- e. automatic expulsion for trafficking to the Board of Trustees as per AP #518 - Expulsion.