

	<h1>CBC MOUNT EDMUND</h1>	Learners 2016 <b>Annexure B</b> Page 1 of 4
	<h2>CODE OF CONDUCT: POLICY AND PROCEDURE IN CASES OF DRUG ABUSE</h2>	

### 1. UNDERLYING PRINCIPLES

CBC Mount Edmund propagates a healthy, drug-free life style and regards drug abuse as totally unacceptable. However we realise that in today's world, young people can easily become victims of this scourge and need help to restore balance and order in their lives.

### 2. AIMS OF THE POLICY

We strive to:-

- 2.1. provide our learners with a safe, drug-free environment,
- 2.2. educate learners on the dangers of drug abuse and on how to avoid becoming drug dependent,
- 2.3. employ staff who are aware of the symptoms of drug abuse and who are able to act appropriately when they are faced with learners in that situation,
- 2.4. contribute towards effective prevention, avoidance of exposure to the use of drugs, support learners who have become drug dependent and help them to successfully complete a rehabilitation program.

### 3. INTERPRETATION

- 3.1. "illegal drug" means:-  
Any drug as defined in the Drugs and Drug Trafficking Act, (Act 140 of 1992) that is used or possessed in the contravention of this act.
- 3.2. "possession" means:-  
On a person's body, clothing, container belonging or used by that person, or knowingly in the vicinity of that person or hidden by that person to avoid detection.
- 3.3. "prescription medication" means: –  
Medicines only available by prescription from a healthcare professional with prescribing rights (e.g. doctors, dentists or nurses with prescribing rights).
- 3.4. "dealing" means:-  
Selling, exchanging, swapping, supplying and trafficking of illegal drugs.
- 3.5. "excluded" – means  
May not attend formal classes or any other College related activities as defined by the College management.

**4. POSITION STATEMENT**

- 4.1. This policy is consistent with, and complementary to, related policies in the CBC Code of Conduct and legislation on control of drug abuse in schools.
- 4.2. This policy applies when the learner/s are in attendance at the College, in school uniform or while they represent the College in any way.
- 4.3. The College reserves the right to take action according to the policy and procedure if a learner's substance use outside the College influences his/her academic performance, behaviour, attendance or appearance while at College or any College related activity.
- 4.4. In terms of the College's Code of Conduct a learner commits a serious misconduct [LEVEL 2 OFFENCE] if he/she breaches this Drug Policy.
- 4.5. In terms of this policy a learner commits serious misconduct (breach) if he/she:-
- 4.5.1. sells, distributes, or stores for sale or distribution, uses, possesses and/or is under the influence of any drug while on the College premises or at or in transit to or from any College activity, or whilst in College uniform or carrying any item or apparel identifying him or her as a learner of the College,
  - 4.5.2. is in the possession of any drug-related equipment, or is aware of the presence of any drug within the terms of this policy and does not report this to College management.
- 4.6. A range of interventions/sanctions are available to manage drug related incidents, taking into account confidentiality, the nature of the incident, the circumstances of the learner involved and the needs and safety of the College.
- 4.6.1. The College draws a clear distinction between using and dealing. Any learner dealing in drugs, irrespective of the extent to which it is being done, will face formal disciplinary procedures which may include the involvement of the South African Police Service and possible expulsion.
  - 4.6.2. Drug-dependent learners who wilfully persist with their drug abuse will face further formal disciplinary procedures which may include expulsion from the College.
- 4.7. The College, notwithstanding any actions contained in this policy, considers that a drug abuse problem is primarily the concern of parents and that the College has a supportive role to play. It is therefore the task of the parents to seek the necessary professional assistance for their child and to ensure that the child completes the full rehabilitation program. Should parents abrogate their responsibility in this regard their child will be excluded from the College.
- 4.8. Pupils are encouraged to approach the Principal or any staff member should they experiment with drugs or become dependent. This policy is underpinned by a supportive and restorative orientation to drug related issues only when the College is informed and requested to help.

**5. INTERVENTION PROCEDURE TO BE FOLLOWED WHEN A CASE OF DRUG ABUSE IS SUSPECTED**

- 5.1. Should a staff member or learner become aware of or suspect that a learner is involved in drug abuse as described in 4.5 above, it should be reported immediately to a member of the College management team. Complete confidentiality will be maintained and in no way will the person reporting the matter become known to the learner concerned.
- 5.2. The matter will then be placed in the hands of the Principal who, together with any other staff member who has insight into the case, will investigate fully.
- 5.3. If there is reasonable suspicion that a learner is involved in drug abuse, the Principal, or his delegated representative, will confront the learner concerned and then contact the parents.
- 5.4. The College will make arrangements for drug testing to take place outside of the school. The cost of initial testing will be borne by the parents of the learner concerned and results will be made available to both the parents and the College.
- 5.5. Should a pupil refuse to take a drug test, and/or give a written statement, the College will draw an adverse inference that this is an admittance of guilt in the matter and proceed with disciplinary action as though the learner has contravened this Code of Conduct.
- 5.6. In the case of a positive result for such testing for drug use, the parents of the learner shall be strongly advised to take the learner to a recognised rehabilitation centre for the necessary treatment and rehabilitation program, as the learner will only be re-admitted to the College at the sole discretion of the principal and when the rehabilitation centre indicates that the program has been completed and that the learner is fit to return to school.
- 5.7. Should a learner be permitted to return to the College after rehabilitation, the College reserves the right to request the learner to undergo a drug test at any time the College deems it necessary. Failure to agree to such a test could result in the learner's expulsion from the College following a disciplinary hearing.

**6. DRUG TESTING AND SEARCHES****6.1 Specific testing:**

In accordance with section 8A of the South African Schools Act of 1996 (“the Schools Act”), the Principal or his/her delegate may administer a urine or other non-invasive test (or make arrangements for drug testing to take place outside of the school) 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 shall be obtained. However, CBC Mount Edmund reserves the right, as contemplated in section 8A of the Schools Act, to test for illegal drugs without such consent.

6.2 A search of the learner or test for drug use contemplated above will only be conducted after taking into account all relevant factors, including: the safety and health of the learners in question or of any other learners at the College; the presence of reasonable evidence of illegal activity; and all relevant evidence to hand.

6.3 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 considered as due factors to be investigated in terms of this policy.

6.4 No criminal proceedings may be instituted by the College against a learner in respect of whom –

a) a search was conducted and illegal drugs and/or drug related equipment was found; or

b) a test was conducted, which proved to be positive,

however, the College reserves the right to report the result of such findings to the appropriate authorities.