



## MOOSONEE DISTRICT SCHOOL AREA BOARD

### ADMINISTRATIVE PROCEDURE STUDENTS: NO. 335

Effective	February 23, 2016
Last Revised	August 27, 2023
Last Reviewed	August 27, 2023

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## STUDENT USE OF TOBACCO, ALCOHOL, AND OTHER DRUGS

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### PURPOSE

The Moosonee District School Area Board recognizes that the use of tobacco including E-cigarettes, alcohol, and other drugs at school or at school-sponsored activities is detrimental to education, injurious to the moral tone of the school, and harmful to the health and well-being of students, the staff, and families.

The Board sets out its overall expectations for student behaviour, including behaviour related to the use of alcohol and illegal or restricted drugs, in Board Policy GOV-09 Safe Schools: School Code of Conduct. The Board fully supports administrators, other staff members, and students in their efforts to eliminate the use, possession, sale or provision of tobacco, alcohol, and other drugs at school, school-sponsored activities in or outside of Board jurisdiction, and on vehicles operated for or by the Board.

This administrative procedure supports the commitment of Moosonee District School Board to reducing the incidence of tobacco, alcohol, and other drug use by students.

### DEFINITIONS

**Tabacco:** Products (such as cigars or cigarettes) that are made from tobacco including E-cigarettes

**Alcohol:** Alcohol refers to all substances defined as liquor in the Liquor Licence Act.

**Drug:** For the purposes of this administrative procedure, a drug is a substance which is used primarily for its mood-altering or psychoactive properties. A drug is a substance which imposes some threat of harm to the user, such as possible medical problems or the development of drug dependence.

**Possession of Drugs:** Possession is having a controlled substance (e.g., a drug or narcotic, as set out in the Controlled Drugs and Substances Act) in one's personal possession or possessing it jointly with others, including knowingly possessing an illegal drug elsewhere.

**Trafficking:** Trafficking is assisting in any manner with the distribution of a controlled drug or substance, as set out in the Controlled Drugs and Substances Act.

**Mitigating and Other Factors:** Mitigating and other factors must be taken into account when discipline is being considered. These factors are described in Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils.

**Suspension:** A suspension means a student is removed from school and school activities for a specific period of time ranging from one school day to 20 school days. A student who is suspended for more than five school days is considered to be on long-term suspension and may participate in a program for suspended students.

**Expulsion:** Expelled students are removed from school and school activities for an indefinite time period. The board offers a program for expelled students which must be completed before the student returns to school.

**Parents:** All references to parents in this administrative procedure include references to guardians and to a single parent or guardian.

**Principal:** All references to the principal in this document include references to a person designated by the principal.

## **PROCEDURES**

### **1. Prevention of Substance Abuse**

- 1.1. Administrators and staff members of Moosonee District School Area Board are well aware of the importance of providing an effective prevention program to teach students about the dangers of substance abuse and to encourage them to make wise decisions and to avoid high risk behaviours.
- 1.2. Administrators and staff members of Moosonee Public School are committed to the delivery of school-based, age-appropriate programming designed to encourage the development of a lifestyle free from alcohol and drug-related problems.

### **2. Early Intervention and Counselling**

- 2.1. The identification of alcohol and other drug-related problems may occur through:
  - 2.1.1. self-referral;
  - 2.1.2. referral from the administrators of the school;
  - 2.1.3. referral by others, including staff, parents, or other students; or
  - 2.1.4. referral by outside agencies such as the Children's Aid Society or the police.
- 2.2. Once a student is identified as being at risk, designated school personnel will interview the student.
- 2.3. If school personnel feel that further intervention and assessment beyond what the school provides is necessary, the student shall be referred to appropriate community agencies.
- 2.4. Confidentiality shall be maintained for all components of any counselling.
- 2.5. Notwithstanding subsection 2.4, counsellors shall divulge information if there is a legal requirement to do so, or if there is an immediate risk to the student's or someone else's health and well-being.
- 2.6. In cases of school disciplinary action against students with alcohol and other drug-related problems, the parents shall be notified immediately.
- 2.7. School personnel shall strongly encourage students who have alcohol and other drug-related problems to seek parental involvement and support.

2.8. Parents shall be encouraged to make use of the school's resources in dealing with a student's drug or alcohol problem.

3. **Procedures: Student Under the Influence of Alcohol and/or Drugs**

**Under the Influence—First Instance**

3.1. In the first instance where the principal believes that a student is under the influence of alcohol and/or other illicit drugs on Board property or at a school-sanctioned activity, the principal shall:

- 3.1.1. detain the student, if possible, to ascertain the nature of the problem and to make the student aware of the procedures to be followed, as outlined in this administrative procedure;
- 3.1.2. make all attempts to contact parents, and if unsuccessful, contact the police;
- 3.1.3. arrange for the departure of the student from the school property or activity to the safety of parents, hospital, detox center, or police;
- 3.1.4. conduct a search of the student's locker and personal effects, in the presence of a staff member;
- 3.1.5. arrange for a meeting with the parents and the student to inform them of the counselling services available from the school's designated substance abuse personnel, and to discuss appropriate action;
- 3.1.6. inform the school's designated substance abuse personnel;
- 3.1.7. consider whether to suspend the student for a number of school days up to five (5) school days for a violation of this procedure, having also taken into account any mitigating or other factors that may apply in the circumstances; and
- 3.1.8. require that parents accompany the student on the readmission interview with the school's administration, if at all possible.

**Under the Influence—Second Instance**

3.2. In the second instance where the principal believes that a student is under the influence of alcohol and/or other illicit drug(s) on Board property or at a school-sanctioned activity, the principal shall:

- 3.2.1. apply paragraphs 3.1.1 to 3.1.8 above, except that the principal shall consider whether to suspend the student for a number of school days up to ten (10) school days, having also taken into account whether any mitigating or other factors apply in the circumstances.

**Under the Influence—Third Instance**

3.3. In the third instance where the principal believes that a student is under the influence of alcohol and/or other illicit drug(s) on Board property or at a school-sanctioned activity, the principal shall:

- 3.3.1. apply paragraphs 3.1.1 to 3.1.8 above, except that the principal shall consider whether to suspend the student for a number of school days up to fifteen (15) school days, having also taken into account whether any mitigating or other factors apply in the circumstances.

- 3.3.2. The letter of suspension shall include the expectations for readmission and the expectation of the student's monitored involvement in an appropriate counselling program.
- 3.3.3. The police shall be contacted on this matter.

#### **Under the Influence—Subsequent Instances**

- 3.4. On any subsequent instance when the principal believes that a student is under the influence of alcohol and/or other illicit drug(s) on Board property or at a school-sanctioned activity, the principal shall:
  - 3.4.1. apply paragraphs 3.3.1 to 3.3.3 above, except that the principal shall consider whether to suspend the student for a number of school days up to twenty (20) school days, having also taken into account whether any mitigating or other factors apply in the circumstances.

#### **4. Procedures: Possession of Alcohol and/or Illicit Drugs**

##### **Possession—First Instance**

- 4.1. In the first instance where a principal believes that a student on Board property or at a school-sanctioned activity is in possession of alcohol and/or other illicit drug(s), the principal shall:
  - 4.1.1. detain the student, to ascertain the nature of the problem and to make the student aware of the procedures to be followed, as outlined in this administrative procedure;
  - 4.1.2. make all attempts to contact parents, and if unsuccessful, contact the police;
  - 4.1.3. arrange for a meeting with the parents and the student to inform them of the counselling services available from the school's designated substance abuse personnel, and to discuss appropriate action;
  - 4.1.4. inform the school's designated substance abuse personnel;
  - 4.1.5. retain the substance in secure custody in the school and request the police to identify and seize the substance;
  - 4.1.6. in the presence of another staff member, conduct a search of the student's locker and personal effects;
  - 4.1.7. consider whether to suspend the student for a number of school days up to five (5) school days for a violation of this procedure, having also taken into account any mitigating or other factors that may apply in the circumstances; and
  - 4.1.8. require that parents accompany the student on the readmission interview with the school's administration, if at all possible.

##### **Possession—Second Instance**

- 4.2. In the second instance where a principal believes that a student on Board property or at a school-sanctioned activity is in possession of alcohol and/or other illicit drug(s), the principal shall:

- 4.2.1. consult with the police regarding the laying of charges; and
- 4.2.2. apply paragraphs 4.1.1 to 4.1.8 above, except that the principal shall consider whether to suspend the student for a number of school days up to ten (10) school days, having taken into account whether any mitigating or other factors apply in the circumstances.
- 4.2.3. The suspension letter shall include a statement that the student, before readmission, shall agree to attend a Board-recognized substance abuse counselling program.

### **Possession—Third Instance**

- 4.3. In the third instance where a principal believes that a student on Board property or at a school-sanctioned activity is in possession of alcohol and/or other illicit drug(s), the principal shall:
  - 4.3.1. detain the student, to ascertain the nature of the problem and to make the student aware of the procedures to be followed, as outlined in this administrative procedure;
  - 4.3.2. make all attempts to contact parents, and if unsuccessful, contact the police;
  - 4.3.3. retain the substance in secure custody in the school and request the police to identify and seize the substance;
  - 4.3.4. in the presence of another staff member, conduct a search of the student's locker and personal effects;
  - 4.3.5. consult with the police regarding the laying of charges; and
  - 4.3.6. consider whether the student should be suspended, or suspended pending an investigation for expulsion, having taken into account any mitigating or other factors that apply in the circumstances.
  - 4.3.7. If the principal's investigation supports the decision, the principal will recommend to the Board, through the supervisory officer, that the student be expelled.

### **5. Procedures: Trafficking—First Instance**

- 5.1. In the first instance where the principal believes that a student on Board property or at a school-sanctioned activity is trafficking in alcohol and/or illicit drug(s), the principal shall:
  - 5.1.1. detain the student, to ascertain the nature of the problem and to make the student aware of the procedures to be followed, as outlined in this administrative procedure;
  - 5.1.2. make all attempts to contact parents, and if unsuccessful, contact the police;
  - 5.1.3. arrange for a meeting with the parents and the student to inform them of the counselling services available from the school's designated substance abuse personnel, and to discuss appropriate action;
  - 5.1.4. inform the school's designated substance abuse personnel;
  - 5.1.5. retain the substance in secure custody in the school and request the police to identify and seize the substance;

- 5.1.6. seek the advice and assistance of the police;
- 5.1.7. identify the distributor to the police;
- 5.1.8. consult with the police regarding the laying of charges;
- 5.1.9. consider whether to suspend the student for a number of school days up to twenty (20) school days for a violation of this procedure, having also taken into account any mitigating or other factors that may apply in the circumstances;
- 5.1.10. require that parents accompany the student on the readmission interview with the school's administration, if at all possible; and
- 5.1.11. where a charge of trafficking and/or possession for the purpose of trafficking has been laid by the police, the principal shall suspend the student for up to twenty (20) school days in order to provide time for an investigation and to consider if any mitigating or other factors apply. The principal will then decide whether to recommend to the Board, through the supervisory officer, that the student be expelled for the trafficking infraction.

### **Trafficking—Second Instance**

- 5.2. In the second instance where the principal believes that a student on Board property or at a school-sanctioned function is in possession of alcohol and/or illicit drugs for the purpose of trafficking, the principal or the designate shall:
  - 5.2.1. detain the student, to ascertain the nature of the problem and to make the student aware of the procedures to be followed, as outlined in this administrative procedure;
  - 5.2.2. make all attempts to contact parents, and if unsuccessful, contact the police;
  - 5.2.3. inform the school's designated substance abuse personnel;
  - 5.2.4. retain the substance in secure custody in the school and request the police to identify and seize the substance;
  - 5.2.5. seek the advice and assistance of the police;
  - 5.2.6. identify the distributor to the police;
  - 5.2.7. consult with the police regarding the laying of charges;
  - 5.2.8. consider whether to suspend the student for a number of school days up to twenty (20) school days for a violation of this procedure, having also taken into account any mitigating or other factors that may apply in the circumstances; and
  - 5.2.9. also consider, especially where a charge of trafficking and/or possession for the purpose of trafficking has been laid by the police, suspending the student for up to twenty (20) school days in order to provide time for an investigation and to decide whether to recommend to the Board, through the supervisory officer, that the student be expelled for the trafficking infraction.

### **6. Person Not Registered in the School**

- 6.1. Where the principal believes that any person not registered in the school is in violation of this procedure, the principal shall:
  - 6.1.1. refuse the person entry to the school property or to any school-sanctioned activity;
  - 6.1.2. refuse to release a student to the person's care;
  - 6.1.3. ask the person to leave the school property or the school-sanctioned activity; and
  - 6.1.4. contact the police for removal and/or charges, if necessary.

## **7. Possession of Tobacco Products**

- 7.1. Where the principal believes that a student under the age of 19 is in possession of tobacco products, the principal shall:
  - 7.1.1. confiscate the tobacco products; and
  - 7.1.2. review the section of this administrative procedure that deals with tobacco products with the student.

## **8. Use of Tobacco Products on Board Property/ at Sanctioned Activities**

### **Use of Tobacco—First Instance**

- 8.1. In the first instance where the principal believes that a student is using a tobacco product on Board property or at a school-sanctioned activity, the principal shall:
  - 8.1.1. inform the student of this administrative procedure; and
  - 8.1.2. consider whether to suspend the student for one school day, after taking into account any mitigating or other factors that may apply.

### **Use of Tobacco—Second Instance**

- 8.2. In the second instance where the principal believes that a student is using a tobacco product on Board property or at a school-sanctioned activity, the principal shall:
  - 8.2.1. inform the student of this administrative procedure;
  - 8.2.2. consider whether to suspend the student for two school days, after taking into account any mitigating or other factors that may apply; and
  - 8.2.3. in the letter of suspension, encourage the student to enroll in a Board-approved tobacco use cessation program.

### **Use of Tobacco—Third and Subsequent Instances**

- 8.3. In the third and subsequent instances where the principal believes that a student is using a tobacco product on Board property or at a school-sanctioned activity, the principal shall:
  - 8.3.1. inform the student of this administrative procedure;

- 8.3.2. consider whether to suspend the student for three or more school days, after taking into account any mitigating or other factors that may apply; and
- 8.3.3. refer the student to an appropriate counselling program.

9. **Development of Partnerships**

- 9.1. The school staff shall have the primary responsibility in articulating clearly this administrative procedure to students, parents, and the community.
- 9.2. When interacting with students professionally, staff members shall have a responsibility in modelling healthy drug-free lifestyles.
- 9.3. On school field trips and at school functions, the same restrictions that apply to students concerning alcohol and other drug use, including the use of tobacco products, apply also to staff and community volunteers.
- 9.4. The school shall have current information relating to community agencies specializing in help for young people who use or abuse substances.
- 9.5. The school, in participating with appropriate community agencies, shall develop and implement a program of drug and alcohol awareness for students. [See Administrative Procedure 236 Substance Abuse Education]
- 9.6. The school shall provide opportunities for community agencies to make staff, students, and parents aware of community services in the area of substance use and abuse.
- 9.7. The school shall encourage parents in their role in modelling responsible behaviour concerning the use of alcohol and other drugs.
- 9.8. Parents shall be invited to collaborate in the implementation of school alcohol and other drug use programs aimed at prevention, intervention, and discipline.
- 9.9. Counselling of students shall be oriented toward encouraging students to include parents in the solution to alcohol or other drug-related problems.
- 9.10. At least annually, students shall be made aware of:
  - 9.10.1. this administrative procedure;
  - 9.10.2. their responsibility to model appropriate behaviour for other students; and
  - 9.10.3. their responsibility for peers and ways in which they can support peers to lead healthy lives, free from the problems that can be associated with alcohol and other drug use.



**REFERENCE DOCUMENTS*****Legal:***

*Education Act, Section 265 Duties of Principal: Attention to the Health of Pupils*  
*Education Act, Part XIII Behaviour, Discipline and Safety of Pupils*  
Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils: Mitigating Factors Ontario  
Regulation 474/00 Access to School Premises  
The Provincial Code of Conduct and School Board Codes of Conduct  
*Ontario Human Rights Code*  
*The Child and Family Services Act Youth*  
*Criminal Justice Act*  
*The Municipal Freedom of Information and Protection of Privacy Act*  
PPM No. 128 The Provincial Code of Conduct and School Board Codes of Conduct  
PPM No. 141 School Board Programs for Students on Long-term Suspension  
PPM No. 142 School Board Programs for Expelled Students  
PPM No. 145 Progressive Discipline and Promoting Positive Student Behaviour  
Ministry of Education (2015). The Ontario Curriculum Grades 1-8 Health and Physical Education [Healthy Living Strand]

***Board:***

Board Policy GOV-08 Safe Schools  
Board Policy GOV-09 Safe Schools: School Code of Conduct  
Board Policy GOV-17 Appeals and Hearings Regarding Student Discipline  
Board Policy GOV-21 Access to School Premises  
Procedure 376 Progressive Discipline  
Administrative Procedure 378 Student Discipline: Suspension Administrative  
Procedure 379 Student Discipline: Expulsion Police/School Board Protocol  
Moosonee Public School Code of Conduct