

	Administrative Procedure	
	Subject	Search and Seizure: Illicit Use of Drugs and Alcohol
	AP Code	326

Background

The principal has the right to carry out a search of a student’s person and/or property in the school, or within the vicinity of the school, based upon reasonable suspicion of theft and possession of prohibited substances and articles.

Procedures

1. Searches

- 1.1. The principal or designate is authorized to search school property in order to maintain order, safety, or discipline.
- 1.2. The principal or designate shall have the right and the responsibility to carry out routine administrative searches of lockers and other school property to ensure the safety of the students. This will be communicated to students and parents in the school handbook.
- 1.3. If the principal or designate ascertains that there are reasonable grounds for belief that a criminal offense is being, or has been committed, that a search of the student or property will provide evidence in these matters, or will lead to the conclusion that the commission of a criminal offense has or is about to occur, a search can proceed subject to the following:
 - 1.3.1. The search should proceed immediately if there is a reason to believe that the safety of any student is in question.
 - 1.3.2. If the safety of any student is not in question:
 - Attempts should be made to have the student concerned present and seek student’s consent to the search.
 - Where the student is not present or does not consent to the search or the school officials do not wish to undertake the search under their own authority, school officials are to contact the police and proceed with the search under the direction of the police.
 - At least one witness is to be present when a search takes place.
 - All intrusive searches must be conducted by the police.
- 1.4. Any search on school premises initiated by the police is to be:
 - 1.4.1. Authorized by warrant, or
 - 1.4.2. In relation to drugs or weapons, or
 - 1.4.3. Coincident with the appearance of the police for the purpose of arresting a student, or
 - 1.4.4. In relation to a school-initiated search that results in a request for police assistance.
- 1.5. The principal or designate is to accompany the police in any search unless advised by the police to the contrary.

2. Illicit Use of Drugs and Alcohol

- 2.1. The principal may suspend any student who is impaired by illegal drugs or alcohol, in possession of, distributing, selling, or supplying alcohol or illegal drugs or alcohol listed under the *Controlled Drugs and Substances Act, 1996*, or *Food and Drugs Act, 1985* and is on school

premises, on school buses, or at school-sponsored activities. The suspension is to be in accordance with AP 354 - Student Discipline.

- 2.2. Any student convicted of trafficking in drugs on school property, school activities, or school buses is to be suspended after consultation with the school director in accordance with AP 354 – Student Discipline.
- 2.3. Any student who has a drug or alcohol problem and confides in a teacher or principal for the purpose of receiving assistance in overcoming the problem is to be directed to appropriate programs and services for assistance.
- 2.4. The principal and staff are to cooperate fully with parents, community agencies, and law enforcement agencies in their attempts to solve problems associated with drug and alcohol usage.

References

The Education Act, 1995 – sections 85, 87, 175, 231
The Child and Family Services Act – sections 11, 12, 81
Youth Criminal Justice Act
Controlled Drugs and Substances Act, 1996
Food and Drugs Act, 1985
Canadian Charter of Rights and Freedoms

Date Adopted

September 1, 2024

Revised
