

**Parent Position on the “Guidelines for the care and prevention of addiction”**  
**[13 January 2019. Draft – not for wide circulation]**

**Introduction:**

Parents are glad that the school has picked up this issue and appreciate that the school engaged with various stakeholders in the drafting of this document. There is nevertheless a feeling that many legal and practical implementation questions are insufficiently treated and in some cases lacking altogether. At worst, an unclear policy may result in serious harm to individual students and/or the liability of the school or families. Even in less extreme cases, the policy as it stands risks being unevenly applied across the student population by responsible individuals.

Thus we firmly believe that before moving forward with the policy, legal expertise should be sought—particularly with regard to relevant statutes in Belgian legislation on possession, consumption and sales of drugs by minors or young adults. The school, staff and other stakeholder legal obligations and responsibility should be clearly laid out and any supporting procedures should meet legal norms. The document should also be in line with the European School Regulations on disciplinary actions, which require sanctions to be both proportionate and educational.

Related to this, parents also ask that the policy be split into two clearly separated sections on: 1) addiction prevention/support and 2) disciplinary actions for substance-related offenses. Each of these would need to be further developed, ideally with an overarching approach.

Finally, parents would ask that the internal process for drafting, consulting, ratifying, communicating and reviewing/updating this policy be clearly articulated. The policy as such is a living document both in the sense that it should adapt to and reflect its time and in the sense that it is only as relevant as the practices which support it. *(Parents note that the current document was never approved by parent representatives on the working group nor was it permitted for circulation to and consultation of our APEEE Board before its release. The document was never presented for approval at the Secondary Education Committee, School Advisory Council or School Administrative Board.)*

Please see a detailed summary of feedback below.

**Policy development, implementation and follow-up process:**

- *Development:*
  - We believe that the policy should be drafted in conjunction with a legal team as it is at core a legal document and as such sets forth the school’s, parents’ and even students’ liability.
  - The policy developments should be undertaken in consultation with experts. (For this we would recommend the EU Drug Agency – EMCDDA and their local Belgian instance of REITOX, who we believe is available for consultation on these matters; <http://www.emcdda.europa.eu/about/partners/reitox-network>)
  - After the core recommendations have been collected, then we believe the school WG on this issue should be reconvened (including Management, Staff, Students and Parents).
- *Implementation:*
  - The policy should be formally adopted by the schools’ administrative board.
  - It must be circulated and signed by all secondary students and parents as part of the annual procedure on the code of conduct, and openly published/easily accessible to all stakeholders.

- Students should be informed about policy in a detailed and age-group-appropriate manner. Emphasis should be placed on: 1) the specific consequences of certain actions; 2) students' right to due process; 3) students' role in prevention; and 4) the importance of familiarising themselves with the drug, alcohol and tobacco policies in the destination countries for the school trips.
- *Follow Up*: Periodic assessment of policy results and reports to stakeholders, as well as revision of the policy when needed, should be envisaged.

**Scope and structure: *Does it contain all relevant sections and does the structure meet the objectives?***

- The proposals formulates rules and procedures and sets actions which can result in legal consequences for the students (way beyond the disciplinary action in the school). Thus the document has to meet the prerequisites of a legal text. Due to this, the proposal should be in line with basic legal requirements of administrative law, written in a clear way and avoiding the possibility of further interpretation.
- The policy should be titled "Policy on Substance Abuse". The section on support and prevention should be clearly separated from the section on disciplinary actions; and both should be further developed.
- The document should be self contained; disciplinary measures should clearly listed in the document itself (and not through references to the website).
- The policy should contain reference to / excerpts from applicable laws.
- Clauses (referencing the policy) should be created for inclusion in related policies, procedures and authorisations (e.g. code of conduct, secondary school trip forms, etc.).

**Coverage: *Is the coverage of the policy clear? Does the policy specify which populations, physical locations/spaces and times of day or week are covered? Does the policy clarify which substances are covered and how?***

- Clearly state in which legal jurisdiction the school lies.
- Define the school's perimeter.
  - The policy should cover all activities at the school (within the defined perimeter) regardless of the time of day or type of activity.
  - It should also define the activities and locations outside the school where it may apply.
  - The application on trips out of the school and particularly on foreign trips should be stated; at minimum parents and students should be informed about the local legislation in trips abroad.
  - The policy's applicability to the school transport should be clarified.
- Clarify the coverage of students. Take into account the age of legality of certain behaviours (e.g. alcohol and tobacco consumption) and status of students it covers (e.g. minor, young adult, diplomatic status). Make explicit reference to criminal law, minor law and diplomatic law.
- List the different legal v. illegal substances and clarify the policy's application to each (including prescription drugs, vaping/CBD oils and other new recreational drugs).

**Overall Approach: *How does the document approach the issues? Are there potential legal problems or ethical concerns with the approach taken? Are the decision makers and their mandate for each situation clearly spelled out?***

- Develop the overall priority of the "well-being of the children" and specifically the "well-being of the culprit" both the support and prevention and disciplinary sections.

- Drop the “zero tolerance” approach in favour of a “zero acceptance” approach. In legal parlance, a “zero tolerance” policy suggests that the school will use no discretion in any case of infringement. Such a one-size-fits-all approach infringes in the Proportionality Principle which requires that each case needs to be elaborated as a specific case. Thus “zero-tolerance” policies have a tendency to fail in courts when the impact and results are put on the test (See: Annex III, Alicante appeals case). The school should aim at legally sustainable rules and proceedings. And thus we favour a less severe and more enforceable approach and wording, such as “zero acceptance of drugs in the school environment”.
- Clarify the policy’s relation to the formal curriculum and drug education programme.
- Explicitly involve and engage the whole school community in the policy by clearly stating the different roles/responsibilities of different stakeholders.
  - A protocol establishing responsibilities especially of key staff should be drafted. (See below.)
  - Include reference to training for teachers. (See: Annex II, EEBII *Substance Abuse Policy* section on “Staff support and training”.)
  - Parents’ role and responsibilities in the process and potential liability should be more explicit.
  - Explicit methods for periodically informing stakeholders should be laid out.

**Discipline and punishment: *Are the punishments for particular behaviours clearly laid out? Are the punishments consequent and proportionate? Are there procedural safeguards in place to ensure students a fair hearing and to protect students’ rights? Is the management and staff roles and responsibilities clear at every stage in the process?***

- *Offenses/Sanctions: develop the list offenses/sanctions to be more in line with criminal law.*
  - Illegal and legal substances/behaviours should be clearly separated and treated differently.
  - Sanctions should proportionate and appropriate to the offense and governed by applicable principles. The sanctions imposed should be formulated under the following conditions: the action must be legal; they should achieve a specific purpose; be adequate or fit for the purpose; and drafted with two questions in mind: (i) What needs to be protected? and (ii) What effect will the action foreseen/enforced unfold to the student?
  - We are particularly concerned about “incitement” as an offense; it is difficult to define, prove and enforce and risks being unevenly applied.
  - “Suspicion” is not legally enforceable. For this offense, the policy should impose at most a communication with parents by teachers or counsellors.
  - We should clearly differentiate the “sharing” and “sale” of drugs using clear criteria. “Sale” of drugs should be defined and treated in line with the law.
- *Procedure undertaken in case of offense: safeguards should be in place to ensure that sanctions are fairly applied and students and parents know their rights.*
  - The current procedure is very general and should be more detailed, including:
    - roles and responsibilities for overseeing stages in the procedure (e.g. making the charge, interviewing student, collecting evidence, contacting parents and authorities);
    - situation or stage in which: a second adult party is called in for witness; parents are informed and/or called in; social services and/or the police are informed or called in;
    - the case of an immediate medical emergency should be included as well.
  - Procedural safeguards (e.g. right to be heard) need to be included and explained during the process.
  - Verification: the collecting of evidence to substantiate an offense should be carefully controlled and should meet legal standards of due process.

- Will the suspicion of “being under the influence” be legally verified and by whom? Can urine/blood tests be administered based on suspicion alone and without explicit consent? Do professional secrecy rules apply to school nurses?
- Can random personal/bag/locker searches be undertaken, by whom and under what circumstances? Can they be taken without explicit consent or warrants?
- How will collected evidence be treated and stored? (See: Annex II, EEBII *Substance Abuse Policy* sections on “Management of drugs at school”.)
- Can witness testimony be collected, by whom and under what circumstances? Are there legal norms regulating the collection of witness testimony? Can a student be compelled to report on another’s action through threat of legal/disciplinary action?
  - Formal and consistent counsel for support over the longer term should be given to students/families. This should be seen as an essential part of the procedure.
- *Complaints or appeals procedures at the school and system level should be explained.*
- *Obligations and responsibilities of key school staff should be made clear.* A protocol establishing clear responsibilities especially for teachers, nursing staff and other school staff (and transport staff) should be drafted.

**Support, Prevention and Well-Being Aspects: *What long-term solutions are offered in the wake of an offense? Are there means for students or teachers to report concerns to the school administration?***

- In case of proven offense, provide consistent and comprehensive solutions for students, families, teachers and class groups.
  - For students and families, counsel for medical follow-up and comprehensive care including social and mental assistance can be given
  - For teachers, guidance for follow-up actions should be given
  - For class groups, special counseling sessions given by teachers or dedicated school staff would be justified.
- There should be clear options offered for students who seek help on their own accord.
- The students should have the possibility to speak anonymously a designated “contact person” in case they are concerned about drug, tobacco and alcohol abuse among their friends.
- The teachers should have trainings on prevention, identification/response to a problem, and follow-up should be given.
- The school’s prevention programme should be continued and developed in accordance with best practice.

Below you will find:

- Annex I: Current Guidelines for the care and prevention of addiction (EN) / Lignes directrices de prévention et d’accompagnement des addictions (FR)
- Annex II: EEBII Woluwe’s Substance Abuse Policy (EN)
- Annex III: European School Appeals Case on Drug Policy / Alicante

March 2018/ J Guyot/ JFL

## PREVENTION & SECURITY

### Guidelines for the care and prevention of addiction

#### Position of the school and initial observations

As stipulated in the student's Code of Conduct (Article 8 and 9), the consumption of alcohol, drugs, or tobacco is not acceptable in or around school property. This document focuses on tobacco, alcohol, and narcotics<sup>1</sup> addictions in order to avoid any disruption. Treatment of other potential addictions (Internet, laptops, video games etc ...) will be considered separately.

#### Policy Objectives

- 1) The main objective is to ensure the well-being, health, and safety of the school population as a whole, and handle incidents in the best interest of all parties involved by clarifying both the legal requirements and the corresponding actions.
- 2) The well-being of every student is our central concern, but it must be clear that the school will be intractable regarding any consumption, possession, and especially the sale or sharing of narcotics, and holds a "zero tolerance" attitude in this regard. The school will be particularly vigilant in this area, and assess sanctions accordingly.

#### Responsibility

Staff members here have a fundamental responsibility.

Everyone **must act/react when they notice an incident relating to consumption (tobacco, narcotics, alcohol) and/or possession (alcohol, narcotics)**. He or she must inform management immediately.

#### Student support and training

It is necessary to organize adequate training for pupils to inform them about addiction and the risks involved in order to provide them with an untroubled education allowing them to express their full potential.

#### Education

Preventive education is more effective when it is part of a broader personal, social, and health education program that should start in primary school and continue into secondary. The earlier this awareness begins and the more regularly it is made available to students (respective of age), the more effective it will be, allowing young people to grow up constructively and trouble-free.

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<sup>1</sup> The current situation (particularly in relation to narcotic addictions) is clearly improving as a result of policies in effect and actions taken since 2015, but this goes hand-in-hand with an obligation to persevere in order to avoid new deterioration.

Our program includes and/or will include the following points:

1) **Raising awareness regarding substance use and abuse.**

(Understanding the impact that images conveyed in the media have in relation to substance abuse and the stereotypes they reinforce; influence of others; messages conveyed by friends and the media about alcohol and narcotics)

2) **Understanding the effects and risks** associated with the use of legal and illegal substances; information on the types of legal and illegal substances as well as their effects ; specific vocabulary etc.)

3) **Getting to know the law as well as the rules within the school.**

4) **Validation of students** abstaining from/refusing addictive behaviors. Learning to say "no" and to protest clearly when observing a transgression. (Positive solidarity, self-esteem, claiming the right to evolve in a HEALTHY environment.)

As a reminder, the 'Prevention Plan 2'<sup>2</sup> established in 2017-18, tested and refined since September 2015 in partnership with the APEEE, is implemented as follows:

- S2: Tobacco, alcohol.
- S3: Tobacco, alcohol, cannabis.
- S4: tobacco, alcohol, cannabis and other drugs.
- S5: meeting with an ex-addict.

*This sequence is the one finalized between 2015-16 and 2017-18. It is subject to revision according to an optimized match with the development of children and adolescents.*

- S4567: individual or small group meeting with a professional, according to demand and individual needs.

Information to parents about narcotics may be offered in consultation with the APEEE.

### **Standard rules**

Our school has a number of rules that complement our anti-addiction policy, including the following:

- **Alcohol:** It is forbidden to bring alcohol to school. Students showing signs of alcohol consumption will be brought to the infirmary and their parents will be notified in order to pick them up. An appropriate penalty will be given.
- **Tobacco:** Tobacco is forbidden on the school grounds and surrounding area. Smoking will be sanctioned by an appropriate penalty.
- **Narcotics:** The supply and/or consumption of narcotics is prohibited on the school grounds and surrounding area

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<sup>2</sup> *Similar approaches (on the dangers of the Internet, for example), are organized regularly for different levels, but will not be discussed here as explained in the preamble.*

*We will deal below with the treatment of incidents related to narcotics offenses specifically, but it is understood that in case of consumption and/or supplying of alcohol the school will react sensitively and firmly to the observed behavior, in order to help the offending student(s) while preserving the peace of mind and well-being of the school community.*

### **Incidents/offenses related to narcotics**

An **incident** as referred to in this section may include one of the following situations, and will be qualified as an **infraction** once the facts are proven:

- Suspicion of being under the influence of a drug;
- Observation of drug possession (or related paraphernalia) in or around the school, or during a school trip or activity;
- Consumption of drugs by a student in or around the school grounds, or during a school trip or activity;
- Resale, supply, or distribution of narcotics in or around the school grounds, or during a school trip or activity ;
- Incitement to the consumption of tobacco, narcotics, or alcohol.

### **Procedures relating to narcotics**

The main purpose of these procedures is the **preservation of the health and safety of the school community** and to respond to behavior contrary to the student Code of Conduct.

If a student is suspected of being under the influence of drugs or alcohol on school grounds, the first priority is his/her safety and that of the students around him/her.

If necessary, such situations may be handled as a **medical emergency**.

It will be a **systematic** process to call parents/legal representatives and inform the police.

On the other hand, if the school feels that the child is in danger, it may be necessary to call social services.

*Procedures for specific circumstances are reiterated below:*

- **Individuals in possession of drugs**

Any prohibited substance found in a student's possession on school grounds or the surrounding area will be confiscated. In case of seizure of narcotics, the school will contact the police and will hand over the offending substance(s). The parents of the student will be informed as well as other professionals, if necessary (school psychologist, social services).

- **Support for students**

After taking the necessary measures to ensure the immediate safety of the pupils, their health and emotional needs will be taken into consideration. Support is available to provide a compassionate response to students in difficulty. Interventions will be considered if the school thinks that a student shows signs of any involvement with drugs, be it their own or those of a parent/legal representative.

Such interventions may include consultation and possible referral of the case to the relevant organization.

• **In the case of proven suspicion**, the school administration may involve the police for appropriate action in order to ensure a safe and healthy school environment.

### **Penalties specifically related to drugs.**

Disciplinary measures can be found in the school regulations published on its website. The Senior Advisor is responsible for handling incidents related to drugs, providing support, and liaising with external agencies. Our sanctioning policy is based on the following principles:

- 1) The school will always seek to respond appropriately to each individual case when selecting the appropriate response, keeping it educational and informative in nature as far as possible. Chosen from among a large selection of possible actions, it will be in proportion to the transgression, in the interest of the student, and take into account the well-being and safety of all.
- 2) All incidents will be handled after an evaluation has been carried out and reported to the Director, who will convene the Disciplinary Council where the verdict may go as far as final expulsion.
- 3) Appropriate support will be offered (to the extent possible) to those with an addiction problem.

### **Confidentiality**

The school ensures that sensitive information will be processed with discretion in the adjudication and review of disciplinary matters.

### **Development of procedure and communication**

*This procedure was developed by the Prevention Advisor, the Directorate and the CPE.*

*It was then reviewed, revised, and validated by a working group comprised of the staff mentioned above, as well as representatives of the various parties concerned (Students via CDE representatives, teachers, parents).*

*It is intended for students and aims to clarify the intentions of the school and the measures envisaged. It applies to the school grounds in their entirety. We will make sure that all staff and students are informed regularly of the whys and wherefores of this document.*



*As a reference, the scale of sanctions and measures envisaged will be as follows:*

<b>Fault /offense</b>	<b>Immediate action</b>	<b>Inform police</b>	<b>Official follow-up</b>	<b>Possible sanctions</b>
Noticed in: school, surroundings, on school trip * during school activity	(teacher/ advisor/ CPE)			
Being under influence of a drug (suspected)	Infirmery sends student home if suspicion confirmed.		Formal Interview with Secondary School Management  Repeat offense(s): School Board of Directors	Secondary School Director, according to Art. 42B, Rgl EE. Days of suspension medical injunction; Disciplinary hearing if repeat offender.
Possession of drugs	Confiscation of substance. Call family, who should come as quickly as possible.	Yes - and substance is turned over to them.	Release to family possible. Report to Director. Summons to Disciplinary Council	Decision of Disciplinary Council with sanctions up to and including permanent expulsion possible.
Consumption of narcotics	Confiscation of substance. Infirmery visit. Call family, who should come as quickly as possible.		Report to Director. Formal Interview with School Board of Directors.	Secondary School Director / Art 42B. Suspension or permanent expulsion possible.
Sharing or resale	Confiscation of substance. Call family, who should come as quickly as possible.	Yes - substance turned over to them and filing of complaint for endangering the welfare of students.	Report to director. Formal Interview with School Board of Directors	Disciplinary Council Sanctions up to and including permanent expulsion possible. Legal proceedings also possible.
Incitement, diffusing pro-drug propaganda (verbal, written, or via explicit imagery) either in or around the school	Meeting w/ student. Inform family.		Meeting with parents. Request medical intervention if necessary.	Follow-up and individual meetings. Community service related to Drug prevention.

**\* School trip: immediate call to the family to pick up the student without delay.**



Mars 2018/ J Guyot/ JFL

## **PREVENTION & SECURITE**

### **Lignes directrices de prévention et d'accompagnement des addictions.**

#### **Position de l'école et constat de départ.**

Comme stipulé dans le Code de Conduite de l'élève (Article 8 et 9), la consommation d'alcool, stupéfiants et tabac n'est évidemment pas acceptable dans le cadre de l'établissement et aux alentours. Ce document est centré sur les addictions au tabac, à l'alcool et aux stupéfiants<sup>1</sup>, par souci d'efficacité et pour éviter toute dispersion. Le traitement d'autres addictions potentielles (Internet, portables, jeux vidéo etc...) pourra être envisagé séparément.

#### **Objectifs de cette politique spécifique**

- 1) L'objectif central est d'assurer le bien-être, la santé et la sécurité de la population scolaire dans son ensemble, et de gérer les incidents dans le meilleur intérêt de toutes les parties impliquées en clarifiant tant les exigences légales que les actions correspondantes.
- 2) Le bien-être de l'élève est au centre de toutes les préoccupations, mais il doit être clair que l'école sera intraitable pour toute consommation, détention, et à fortiori revente ou partage de stupéfiants, dans une optique dite de tolérance ou « d'acceptation zéro » dans un contexte anglo-saxon. Ce qui signifie explicitement que, sans préjuger de la sanction à venir, l'école sera particulièrement vigilante en ce domaine.

#### **Responsabilité**

Les membres du personnel ont ici une responsabilité fondamentale.

Chacun **se doit d'agir/ de réagir** lorsqu'il constate un incident relatif à une consommation (tabac, stupéfiants, alcool) et/ ou détention (alcool, stupéfiants). Il doit en informer immédiatement la Direction.

#### **Soutien et formation des élèves**

Il est nécessaire d'organiser une formation adéquate pour les élèves afin de les informer sur les addictions, et les risques encourus, afin de leur assurer une scolarité sereine leur permettant d'exprimer tout leur potentiel.

#### **Education**

L'éducation préventive est à priori plus efficace lorsqu'elle s'inscrit dans un programme d'éducation personnelle, sociale et sanitaire plus large qui devrait commencer au cycle primaire et continuer au cycle secondaire. Au plus tôt cette sensibilisation commence et au plus régulièrement elle est mise à la disposition des élèves en respect de leur âge, au plus efficace elle sera, permettant aux jeunes gens de grandir de manière sereine et constructive.

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<sup>1</sup> La situation observée en particulier dans le domaine des addictions aux stupéfiants est en nette amélioration du fait des actions entreprises depuis 2015, mais ce constat s'assortit de l'obligation de persévérer dans cette voie sous peine de voir la situation se détériorer à nouveau.

Notre programme comprend/comprendra les points suivants:

- 1) **Conscientiser à la consommation et l'abus de substances.**  
(Image véhiculée dans les médias ; comprendre l'impact de celle-ci en relation avec l'abus de substances et les stéréotypes qu'elle renforce ; influence des autres ; les messages véhiculés par les amis et les médias sur l'alcool et les stupéfiants)
- 2) **Comprendre les effets et les risques** associés à la consommation de substances légales et illégales; information sur les types et groupes de substances légales et illégales ainsi que sur les effets ; vocabulaire spécifique...)
- 3) **Connaître la loi et les règles au sein de l'école.**
- 4) **Valorisation des élèves** s'abstrayant /refusant les conduites addictives. Apprendre à dire « non » et à protester clairement lorsqu'on observe une dérive. (Solidarité positive ; estime de soi; revendiquer clairement le droit à évoluer dans un environnement SAIN.)

Pour mémoire/ information, le plan de prévention<sup>2</sup> systématisé en 2017-18, expérimenté et affiné depuis Septembre 2015 en partenariat avec l'APEEE, est implémenté de la manière suivante :

- S2: Tabac,alcool
- S3: Tabac, alcool, cannabis.
- S4: tabac, alcool, cannabis et autres drogues.
- S5: rencontre avec un ex-toxicomane.

*Cette chronologie est celle finalisée entre 2015-16 et 2017-18. Elle est susceptible de révision en fonction d'une recherche d'adéquation optimisée avec le développement des enfants/ adolescents.*

- S4567: entretien individuels ou en petits groupes avec un professionnel, selon demande et besoins.

Une information aux parents relative aux stupéfiants pourra être proposée en concertation avec l'APEEE.

### **Règles standards**

Notre école a un certain nombre de règles qui viennent compléter notre politique anti-addictions, notamment les suivantes:

- **Alcool** : Il est interdit apporter de l'alcool à l'école. Les élèves présentant des signes de consommation d'alcool seront amenés à l'infirmerie et leur parents seront prévenus afin de venir les chercher. Une sanction adaptée sera prise.
- **Tabac** : Le tabac est interdit dans l'enceinte de l'école - à l'intérieur aux alentours. La consommation en sera sanctionnée par une sanction adaptée.
- **Stupéfiants** : L'apport et/ou la consommation de stupéfiants sont interdits dans l'enceinte de l'école et aux alentours.

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<sup>2</sup> Des actions parallèles portant sur les dangers d'Internet par exemple sont organisées régulièrement sur différents niveaux mais ne seront pas abordés ici comme précisé en préambule.

*Nous allons traiter ci-dessous spécifiquement du traitement des incidents et infractions relatives aux stupéfiants, mais il est bien entendu qu'en cas de consommation et/ ou d'apport de boissons alcoolisées, l'établissement réagira avec discernement et fermeté, dans l'optique de remédier au comportement observé, d'aider le ou les élèves fautifs tout en préservant la sérénité et le bien-être de la communauté scolaire.*

### **Incidents/ infractions relatifs aux stupéfiants**

Un **incident** relatif à ce chapitre peut inclure l'une des situations suivantes, et sera qualifié d'**infraction** dès lors que les faits seront avérés :

- Soupçon d'être sous l'influence d'une drogue;
- Constatation de possession de drogue (voire de matériel s'y rapportant) dans l'enceinte de l'école ou aux alentours, ou pendant un voyage ou une activité dans le cadre scolaire ;
- Constatation de consommation de drogue par un élève dans l'enceinte de l'école ou aux alentours, ou pendant un voyage ou une activité dans le cadre scolaire ;
- Revente, offre ou distribution de stupéfiants dans l'enceinte de l'école, aux alentours, ou pendant un voyage ou une activité dans le cadre scolaire ;
- Incitation à la consommation de tabac, stupéfiants ou d'alcool.

### **Procédures relatives aux stupéfiants**

L'objectif principal de ces procédures est la **préservation de la santé et de la sécurité de la communauté scolaire** et de donner une réponse aux comportements contraires au Code de Conduite de l'élève.

Si un élève est soupçonné d'être sous l'influence de drogue ou d'alcool dans l'enceinte de l'école, la première priorité est sa sécurité et celle des élèves autour de lui/d'elle.

Si nécessaire, de telles situations peuvent être gérées comme une **urgence médicale**.

Il sera à priori **systématique** d'appeler les parents/représentants légaux et d'informer la police.

Par ailleurs, si l'école estime que l'enfant est en danger, il sera peut-être nécessaire d'appeler les services sociaux.

*Les procédures pour les circonstances spécifiques seront reprises ci-dessous:*

- **Individus en possession de drogue**

Tout élève trouvé en possession d'une substance prohibée dans l'enceinte de l'école ou aux alentours se la verra confisquée. En cas de saisie de stupéfiants, l'école contactera la police et lui remettra les produits incriminés. Les parents de l'élève seront informés et d'autres professionnels pourront être informés ou consultés si nécessaire (psychologue scolaire; service sociaux).

- **Soutien pour les élèves**

Après avoir pris les mesures nécessaires afin d'assurer la sécurité immédiate des élèves, les besoins sanitaires et émotionnels de ces derniers seront pris en considération. Le soutien est disponible afin d'assurer une réponse bienveillante aux élèves en difficulté. Des interventions seront envisagées si l'école pense qu'un élève présente des signes particuliers d'une implication quelconque avec de la drogue, la leur ou celle d'un parent/représentant légal.

De telles interventions peuvent inclure la consultation et l'éventuel renvoi de l'affaire vers les organismes compétents ;

- **En cas suspicion avérée**, la direction de l'école peut faire appel à la police pour des actions adaptées, afin de garantir un site et un environnement sain et protégé.

### **Sanctions spécifiquement relatives aux stupéfiants.**

Les mesures disciplinaires peuvent être trouvées dans le règlement scolaire publié sur le site de l'école. Le Conseiller Principal est responsable pour la coordination de la gestion des incidents relatifs à la drogue, proposant un soutien et se faisant le relais avec les organismes externes. Notre politique de sanctions est basée sur les principes suivants :

- 1) L'école cherchera toujours à répondre de manière appropriée à chaque cas individuel en sélectionnant la réponse adéquate, de caractère tant que faire se peut éducatif et formateur, parmi toute une catégorie de réponses possibles, proportionnellement à la faute, dans l'intérêt bien compris de l'élève et en tenant compte du bien-être et de la sécurité de tous.
- 2) Tout incident sera géré après qu'une évaluation ait été effectuée et rapportée au Directeur, qui convoquera le cas échéant le Conseil de Discipline, dont le verdict peut aller jusqu'à l'exclusion définitive.
- 3) Un soutien approprié sera offert dans la mesure du possible aux personnes ayant un problème addictif.

### **Confidentialité**

L'école s'assure que les informations sensibles seront traitées selon le principe général de discrétion qui prévaut dans le jugement et l'examen des affaires disciplinaires.

### **Procédure de développement et communication**

*Cette procédure a été élaborée via le Conseiller en Prévention, la Direction et le CPE.. Elle a ensuite été examinée, commentée et validée par un groupe de travail comprenant ces personnels, mais aussi des représentants des différents acteurs évoluant sur le site et/ou concernés (Elèves via représentants CDE, professeurs, parents).*

*Elle est à destination des élèves et vise à clarifier à leur intention la volonté de l'établissement et les mesures envisagées. Elle s'applique à l'enceinte scolaire dans son intégralité. On veillera tout particulièrement et régulièrement à ce que tous, personnels et élèves, soient informés des tenants et aboutissants du présent document.*

*A titre indicatif, le barème des sanctions et mesures envisagées sera le suivant :*

<b>Faute / infraction</b> relevée dans l'école, aux alentours, en voyage* /activité scolaire	<b>Mesure immédiate</b> (enseignant/ conseiller voire CPE)	<b>Information police</b>	<b>Suites formelles</b>	<b>Sanctions possibles</b>
Etre sous influence d'un stupéfiant (Présomption)	Infirmierie Remise à la famille si soupçon avéré.		Entretien formel Direction Secondaire. Si récidive : Direction	Directeur Secondaire selon Art. 42B Rgl EE. Jours d'exclusion, injonction médicale ; Conseil de Discipline si récidive.
Possession de stupéfiants	Confiscation produit. Appel famille qui doit venir au plus vite.	Oui et remise produit.	Remise à la famille possible/ Rapport au Directeur/ Convocation Conseil de Discipline	Décision Conseil de Discipline avec sanction pouvant aller jusqu'à <b>exclusion définitive.</b>
Consommation de stupéfiants	Confiscation produit. Infirmierie. Appel famille qui doit venir au plus vite.		Rapport au Directeur Entretien formel Direction au retour.	Directeur Secondaire /Art 42B Jours d'exclusion à Conseil Discipline.
Partage ou revente	Confiscation produit. Appel famille qui doit venir au plus vite.	Oui avec remise produit et dépôt de plainte pour mise en danger de l'intégrité des élèves.	Rapport. Entretien formel Direction Conseil de Disc.	Conseil Discipline, sanction jusqu'à exclusion définitive, sans préjuger des poursuites judiciaires parallèles.
Incitation, propagande pro-consommation, verbale ou écrite ou via des images explicites (sur le site ou aux alentours de l'école)	Entretien élève Information famille		Entretien avec parents. Demande de prise en charge médicale possible.	Suivi et entretiens individuels. Travaux d'intérêt collectif si possible en prévention.

**\*Voyage scolaire : appel immédiat à la famille qui doit venir récupérer l'élève sans délai.**

# Substance Abuse Policy

## Development process

This policy was approved and adopted on 2016. The next major review will take place in 2019

The policy was drafted by a working group under the chairmanship of Lea Andries, Principal Education Advisor. Consultation took place with all major stakeholders including staff, students and parents.

## Location and dissemination

This policy is published on the school website and the APEEE website.

This policy applies to all staff, pupils, parents/carers, governors and partner agencies working with our school. It applies to all school premises.

## School policy

It is the aim of our school to help all pupils to be able to take their place safely in a world where a wide range of dangers exist, including substance abuse. Our position is that the use of illegal substances and abuse of illegal substances is not acceptable within the boundaries of school life.

In talking about substance abuse we refer to drugs such as alcohol, illegal narcotics, medicines and tobacco; in short, any substance that people take to change the way they think feel or behave.

We recognise that some drugs have beneficial effects, but also that every drug has potential to harm. For this reason, all drugs need appropriate and responsible care and management. In order to be able to make informed choices, staff and pupils need to understand the nature of drugs, their social and legal status, their uses and effects.

This guidance is not intended to focus on drug education. It covers broader behaviour and pastoral support, as well as managing incidents related to substance abuse that have an impact on the school.

## The purpose of this policy

The purpose of this policy is to ensure the health & safety of the school population, to enable staff to manage incidents in the best interests of those involved and to clarify the legal requirements and responsibilities of the school

We achieve this by educating the school community about the dangers of substance abuse, ensuring support and training for staff, introduce age appropriate discussion of issues for students and by engaging with the whole school community

By formulating this policy we will raise awareness of the issues, identify who is responsible for what and set out our procedures.

## **Staff with key responsibility for substance abuse**

Every member of the school staff has his responsibilities and possibilities to sanction. The Principal Education Advisor, together with the Guidance Team, has established relationships with local agencies to understand what support is available and to provide training for teachers.

Management ensures every year a budget for these trainings.

## **Staff support and training**

Our school recognises the need for staff to receive appropriate training to support their work in delivering the school programme of drug education and dealing appropriately with incidents should they arise. The Principal Education Advisor, together with the Guidance Team, will organise every 3 years training related to the identified needs of staff.

We will use guest speakers and trainers to support our planned teacher lead programme of education. The use of guest speakers and trainers is carefully structured so that their contribution fits our needs and they are clear how their input fits into our planned programme.

On occasions when guest speakers and trainers are working with students a member of staff is always present.

## **Education**

We believe that education about drugs is most effective as part of a wider personal, social and health education programme that should begin at primary school and continue into secondary school. We consider that the earlier that drug education begins and the more consistently it is made available at an age-appropriate level, the more effective it will be in enabling young people to grow up safely in a drug using world and achieve their full potential.

Our curriculum will/does include the following points:

- Raising awareness of substances that are used and abused;
- Designer images; understanding the impact of the media in relation to substance misuse and stereotypes it reinforces;
- The influence of peers, the messages received from friends and the media on alcohol;
- Understanding the effects and associated risk of using legal and illegal substances;
- Raising awareness of the types and groups of legal and illegal substances and the different effects, information and language;
- Making decisions about substances; making informed and considered choices; knowing the law and the rules
- Taking risks; identifying and exploring risky behaviour;
- Under the influence of peers; self-value and assertiveness;
- Exploring local and national support groups/organisations;
- Treatments of substance misuse.
- Immediate help for someone under the influence of a substance - ABC of first aid;
- Managing stress.



## Standard rules

Our school has a number of standard rules that provide a platform for our substance abuse policy; these are outlined below:

- **Medicines**  
Our school has a policy/procedure for the administration of medicines that must be followed for everyone's safety: **only the nurses** can provide medicine to the pupils.
- **Alcohol**  
Pupils are not allowed to bring in alcohol on the school. Pupils, parents, staff and visitors showing the effects of alcohol will be asked to leave the premises and return at a later date for the safety of the whole school;
- **Tobacco**  
Our school is a no smoking site - indoors and outdoors, including school vehicles - at all times.
- **Illegal narcotics**  
No illegal narcotics are permitted to be brought on to, or used on school premises.

## Drug Incidents

A drug related incident may include any of the following:

- A pupil who is suspected of being under the influence of a drug;
- Finding drugs, or related paraphernalia on school premises;
- Possession of drugs by an individual on school premises;
- Use of drugs by an individual on school premises;
- Supply of drugs on school premises;
- Individuals disclosing information about their drug use;
- Rumours of drug possession supply or drug use;
- Reports of drug possession supply or drug use.

## Drug Procedures

The first concern in managing substance abuse is the health and safety of the school's community and meeting the pastoral needs of pupils. If a pupil is suspected of being under the influence of drugs or alcohol on school premises our first priority is the safety of the young person and those around them. If necessary such situations will be dealt with as a medical emergency, administering First Aid and summoning appropriate support. Depending on the circumstances, parents/carers or the police may need to be contacted. If the child is felt to be at risk social services may need to be contacted. Procedures for specific circumstances are outlined below:

- **Medical emergencies**  
If an individual is unconscious, is having trouble breathing, is seriously confused or disorientated, has taken a harmful toxic substance or is otherwise at immediate risk of immediate harm medical help will be sought and first aid given if required. The priority will be the pupil's safety;

- **Individuals in possession of drugs**

If any pupil or adult on school premises is found in possession of an unauthorised drug it will be confiscated. If the drug is suspected to be illegal, the school will contact the police and immediately hand over the drug. If the substance cannot be legally destroyed or disposed of it will be handed to the police as soon as possible and not stored for any longer than is necessary. Talking with an individual about a drug related incident will have as its purpose to confirm or reject suspicions or allegations, rather than to conduct a wider investigation. Parents of pupils will be informed and other professionals may be informed or consulted as appropriate.

- **Support for pupils**

Following actions to preserve immediate safety, the health and emotional needs of pupils will be considered. Support is available through the pastoral system to ensure a caring response to pupils in distress. Interventions will be considered if the school feels a pupil is showing signs which indicate particular risks of, or from, involvement with drugs, whether their own or that of their parent or carer. Such interventions may include consultation and subsequent referral;

- **Recording**

All incidents will be recorded within 24 hours in our My School System. The information is secure.

## **Sanctions**

The disciplinary measures can be found in the school regulations that are published on the school's website. The Principal Educational Advisor is responsible for coordinating the management of drug related incidents, offering sources of support and liaising with outside agencies. Our sanctions policy is based on the following:

- All incidents will be dealt with after an assessment of the situation has been made and will be reported to the Director and the Principal Educational Advisor;
- Appropriate support will be offered to those with substance misuse problems;
- Evidence of drug use or possession may result in exclusion;
- The school will always seek to respond appropriately to each individual case by selecting from a range of possible responses, that which is most appropriate.

Any response to drug-related incidents needs to balance the needs of the individual pupils concerned with the wider school community. In deciding what action to take, the School will follow our own sanction procedures.

Exclusion should not be the automatic response to a drug incident and permanent exclusion will only be used in serious cases.

Drug use can be a symptom of other problems and the School is ready to involve or refer pupils to youth and family support services when needed.

## **Management of drugs at school.**

In taking temporary possession and disposing of suspected drugs we will:

- Ensure that a second adult witness is present throughout;
- Seal the sample in a plastic bag and include details of the date and time of the seizure/find and witness present;
- Store it in a secure location, such as a safe or other lockable container with access limited to senior members of staff;
- Notify the police without delay, who will collect it and then store or dispose of it in line with locally agreed protocols.
- Record full details of the incident;
- Inform parents/carers, unless this is not in the best interests of the pupil;
- Identify any safeguarding concerns and develop a support and disciplinary response.

### **Police involvement**

- Name and contact of the school's liaison officer – Principal Educational Advisor

### **Confidentiality**

The school ensures that sensitive information is only disclosed internally or externally with careful attention to pupils' rights and needs.

## Appendix III – European School Appeals Case on Drug Policy (Alicante)

In a successful appeal dated 7 July 2017 against discipline meted out in the European School in Alicante in a suspected case of drug selling, the appeals board ruled that the punishment was not proportionate and did not have an educational character.

*Dans sa décision 17-05 du 7 juillet 2017, rendue sur un recours en matière disciplinaire, la Chambre de recours a rappelé qu'au nombre des principes généraux de droit consacrés au sein de l'Union européenne figure le principe de proportionnalité des peines, selon lequel l'intensité des sanctions doit être proportionnée par rapport à l'infraction. Constatant que le fait le plus sérieux parmi ceux reprochés à l'élève n'avait pas été prouvé à suffisance de droit, la Chambre de recours a considéré que la sanction de l'exclusion définitive de l'école – c'est-à-dire la sanction la plus lourde prévue par le Règlement général – n'était pas proportionnée aux manquements effectivement établis. La Chambre de recours a également rappelé que les mesures disciplinaires doivent avoir un caractère «éducatif et formateur» ; «or une sanction disproportionnée est dépourvue d'un tel caractère».*

*[In its decision 17-05 of 7 July 2017, delivered on an appeal in the disciplinary area, the Complaints Board pointed out that one of the general principles of law recognised within the European Union is the principle of the proportionality of penalties, whereby the level of disciplinary measures must be proportionate to the offence. Finding that the most serious of the allegations of misconduct of which the pupil was supposedly guilty had not been proved to the requisite legal standard, the Complaints Board considered that expulsion from the school – i.e. the severest disciplinary measure provided for by the General Rules – was not proportionate to the misconduct actually established. The Complaints Board also pointed out that the purpose of disciplinary measures is “to educate and train”; “now a disproportionate disciplinary measure is lacking in that respect.”]*

Here there are two strands that are relevant for our purposes:

1. the need for any sanction to respect the (general legal) principle of proportionality and
2. from a legal point view school sanctions need to have “un caractère éducatif et formateur”

The Chamber suggests that in the General Regulations article 42b containing the sections for the secondary cycle is drafted in a hierarchical way, and seems to imply that the steps cannot be jumped (i.e. heavier sanctions imposed immediately) unless well and duly justified.

*« b) Dans le cycle secondaire, les mesures disciplinaires applicables sont les suivantes: 1. Rappel à l'ordre 2. Travail supplémentaire 3. Retenue. 4. Avertissement et/ou sanction par le directeur 5. Avertissement et/ou sanction par le directeur sur proposition du Conseil de discipline 6. Exclusion temporaire de l'école : - par le directeur, pour un maximum de trois jours ouvrables, - par le directeur sur proposition du Conseil de discipline, pour une durée maximale de 15 jours ouvrables. 7. Exclusion d'un ou plusieurs voyages scolaires organisés pendant l'année scolaire en cours. 8. Exclusion définitive de l'école par le directeur sur proposition du Conseil de discipline»*

In this regard, we refer to point 9 of the ruling : *« Toutefois, la liste des mesures disciplinaires possibles, telle qu'établie par l'article 42 b), est le reflet du principe de proportionnalité des sanctions : la liste commence en effet par un simple rappel à l'ordre, continue avec des mesures de plus en plus lourdes, et se termine avec la sanction la plus sévère, l'exclusion définitive de l'élève de l'école. »*

This points to the need for a differentiated policy.