

Substance Use Policy (Students)

1. Purpose

The purpose of this policy is to outline the College's approach to substance use by students.

2. Guiding Principles

- 2.1** The College is committed to educating students on the risks associated with the use of substances through various learning programs and experiences.
- 2.2** The College has a responsibility to address the use of substances that can be common among adolescents in Australia if it is to fulfill its responsibilities to students and parents.
- 2.3** The College believes in the principles of harm minimisation; prevention and early intervention approaches should be used to educate students to make responsible, healthy, and safe choices regarding the use of substances when they find themselves in contexts where they are available and/or are being used.

3. Prevention

Scotch College provides all students in Years 3 – 12 with a drug education, prevention, and intervention program through the Health and Physical Education curriculum. The College's drug education program aims to prevent:

- Harmful drug use
- Inappropriate alcohol consumption by students
- Illicit drug use

The drug education program is strengthened with additional lessons being provided around personal wellbeing through explicit Wellbeing classroom programs. In addition, for senior students, a range of quality external providers present on a regular basis on topics associated with safe partying and the use of drugs in youth culture.

4. Harm Minimisation

Harm minimisation aims to improve health, social, and economic outcomes for both the community and the individual. Scotch College uses harm minimisation approaches to review and implement the College's drug education program that:

- are comprehensive and evidence-based,
- promote a positive school climate and relationships,
- are targeted to needs and contexts identified through consultation with students, staff, and parents and guardians, and,
- are developmentally appropriate and embedded timely within a curriculum framework that utilises effective pedagogy.

4.1 Prevention and Reduction of Substance-Related Harm

The College's approach includes:

- Prevention through education and creating a respectful and safe school.
- Early intervention to prevent later harmful drug use.

4.2 Substance-Related Incident Response

The College's approach includes:

- Prioritising student wellbeing.
- Ensuring the response is well managed through a Natural Justice approach
- Utilising partnerships with parents and caregivers, and the police when necessary
- Ensuring the response does not cause any secondary harm, such as social stigmatization, reduced self-worth, and associated truancy
- Protecting the student body

5. Expectations of Students

5.1 Alcohol

The consumption, possession, and distribution of alcohol by students is prohibited on College grounds.

5.1.1 If alcohol is consumed on College Grounds, or at a College sanctioned event, then the person responsible for the event must:

- obtain the Principal's approval before alcohol may be consumed on College premises, or at College approved activities.
- ensure legal requirements for the sale and/or provision of alcohol in public situations at College functions are enforced including adherence to the responsible service of alcohol (see **General Code of Practice Guidelines – Liquor Licensing Act 1997**).
- prohibit the consumption of alcohol by students
- ensure students are not responsible for the service, distribution, or clearing of any alcohol-related paraphernalia including glassware, cans, or bottles in which alcohol has been stored.
- ensure students are not involved in fundraising activities that have an alcoholic beverage as a prize.

5.1.2 The consumption of alcohol on school camps and excursions is prohibited by:

- students, regardless of their age.
- any staff members in an active supervising role.

5.2 Tobacco

The consumption, possession, and distribution of tobacco and tobacco products by students are prohibited on College grounds, College sanctioned events, and while students are in uniform (see **Appendix B – Relevant Laws: Tobacco and E-Cigarette Products Act (1997)**).

5.3 Vaping

The use, possession, and distribution of e-cigarettes and related products are prohibited on College grounds, at College sanctioned events, and while students are in uniform (see **Appendix B – Relevant Laws: Tobacco and E-Cigarette Products Act (1997)**).

5.4 Performance-Enhancing Substances

The consumption, possession, and distribution of performance-enhancing substances and related products are prohibited on College grounds, at College sanctioned events, and while students are in uniform.

5.5 Controlled Substances – Prescription Drugs

The use and possession of prescription substances *without a prescription* and the distribution of prescription substances (with or without a prescription) are prohibited on College grounds, at College sanctioned events, and while students are in uniform (see **Appendix C – Relevant Laws: Controlled Substances Act (1984)**).

5.6 Controlled Substances – Illicit Drugs

The consumption, possession, sale, supply, and distribution of illicit substances and unsanctioned illicit substances are prohibited on College grounds, at College sanctioned events, and while students are in uniform (see **Appendix C – Relevant Laws: Controlled Substances Act (1984)**). Contravention of this will be escalated to the Head of Campus and will involve the use of the **Suspension and Termination Policy**.

5.7 The planning by students to contravene expectations outlined in Sections 5.1 – 5.6 is prohibited and sanctionable.

6. Contravention

The College treats substance-related incidents very seriously. Heads of Campus, Heads of School, and Heads of Boarding investigate allegations regarding contravention of the expectations outlined in Section 5.

6.1 The contravention of expectations outlined in Section 5 is responded to using the appropriate Student Management Procedure. In the context of this procedure, and given the seriousness of a possible contravention:

6.1.1 Students may be suspended from normal activities during any investigation into policy contravention by a student.

6.1.2 Parents or guardians will be informed prior to formal interviews being conducted with a student about what has been revealed in any initial investigation.

6.1.3 A boarding student who is involved in the possession, distribution, or use of a substance will likely be excluded from the boarding house, regardless of the level of risk posed to themselves or others.

6.1.4 The Principal, or their nominated delegate, must advise the local police when they have knowledge of an alleged criminal offence, including the possession, distribution, and/or use of illicit drugs, and document internal procedures and actions undertaken.

6.1.5 Consequences for the contravention of expectations in Section 3 will result in the suspension or termination of a student's enrolment (see **Suspension and Termination Policy**). In instances where a student is involved in the distribution of a substance to other students, or there is a repeated contravention, termination of the enrolment is ultimately likely.

6.2 College staff have a duty of care to pass on information to the Head of School and/or Head of Campus if they have knowledge regarding substance use by students or members of a student's family, irrespective of:

- whether the use is confirmed, suspected or likely to occur
- whether the use occurs on or outside of school grounds
- the substance

If a Head of School or Head of Campus are made aware of a concern regarding a student and substance use in contravention of the expectations in Section 5, then they are deemed to have been 'given information' and a decision will be made to inform the parents about the information. 'Common sense' will be used in determining the reliability of the information and College works on the assumption that parents and caregivers would want to be aware of such information and that it is being passed on with the best of intentions and without judgement of allegation.

6.3 Students Under the Influence

6.3.1 If a student is at school under the influence of a substance, whether adversely affected by it or not, their parent or caregiver will be contacted and asked to take the student home. Return to school would be dependent on the decision of the Principal in consultation with the Head of Campus.

6.3.2 If a student is under the influence of a substance, but not adversely affected and cannot return home, they will be accommodated in the Health Centre for observation until their parent or caregiver collects them. If this is not possible for boarders, as a last resort the student will be supervised in the Rosevear Boarding House until suitable arrangements are made in consultation with the parents or caregivers.

6.3.3 If a student is adversely affected by a substance (e.g., vomiting, grossly disorientated, depressed conscious state) they will be referred to the emergency department of the nearest hospital, preferably accompanied by their parent or caregiver when available (it is noted that many young people combine alcohol with drugs and the combination may be dangerous). The parent or caregiver is responsible for further care.

7. Addiction & Support

The use of substances can result in addiction.

- 7.1** The College will work in partnership with external professionals engaged to support and manage a student's addiction to a substance.
- 7.2** Information regarding support for addiction is a private matter, and only needs to be shared between students and their parents and caregivers, supporting external professionals, and designated College wellbeing staff. Information may be provided at the Principal's discretion and only with the student's consent to staff who have direct responsibility for the student.
- 7.3** Students will be offered appropriate education and counselling for policy contraventions. It is an expectation that students will work with the College Psychologists and external agencies as deemed appropriate by the College in an instance of policy contravention. Additional costs for follow-up support will be met by the family.
- 7.4** A student who is absent from school due to substance use, or the resultant treatment, will be provided with a learning plan as determined by College staff in consultation with the student and their parents and caregivers.

Appendix A – Relevant Laws: Liquor Licensing Act (1997)

Information current as of May 2023

Section 110A – Supply of liquor to minors generally

- (1) A person who supplies liquor to a minor is guilty of an offence.
- (2) A minor who consumes or has possession of liquor is guilty of an offence.
- (3) This section does not apply if section 110 (Sale and supply of liquor to minors on licensed premises) applies in respect of the supply, consumption, or possession of the liquor.
- (4) This section does not apply to the gratuitous supply of liquor to, or the consumption or possession of liquor by, a minor in a prescribed place if—
 - (a) the liquor is supplied to the minor by—
 - (i) a responsible adult; or
 - (ii) an adult person (an authorised adult) who has obtained the consent of a responsible adult to that supply of liquor to the minor; and
 - (b) the supply is consistent with the responsible supervision of the minor.
- (5) For the purposes of subsection (4), the following matters are relevant to whether the supply of liquor is consistent with the responsible supervision of the minor:
 - (a) whether the responsible adult or authorised adult is directly supervising the minor's consumption of the liquor;
 - (b) whether the responsible adult or authorised adult is intoxicated;
 - (c) whether the minor is intoxicated;
 - (d) the age of the minor;
 - (e) the quantity and type of liquor supplied and the period over which it is supplied.

Appendix B – Relevant Laws: Tobacco and E-Cigarettes Product Act (1997)

Information current as of May 2023

Section 4 – Interpretation

- (1) In this Act, unless the contrary intention appears— **smoke** means—
- (a) in relation to a tobacco product—smoke, hold or otherwise have control over, an ignited tobacco product; or
 - (b) in relation to an e-cigarette—inhale from, hold, or otherwise have control over, an e-cigarette that is in use

Section 38A – Sale or supply of tobacco products or e-cigarette products to children

- (1) If a tobacco product or e-cigarette product is sold or supplied to a child, the responsible person is guilty of an offence, or if there is more than one responsible person, each responsible person is guilty of an offence.

Section 46 – Smoking banned in enclosed public spaces, workplaces, and shared areas

- (1) Smoking is banned in an enclosed public place, workplace, or shared area.
- (2) If a person smokes in contravention of subsection (1), the person is guilty of an offence.

Section 70A – Confiscation of products from children

- (1) A prescribed person who becomes aware that tobacco products or e-cigarette products are in the possession of a child may confiscate the products from the child.
- (2) Subsection (1) does not apply to tobacco products or e-cigarette products that are in the possession of a child in the ordinary course of his or her employment or otherwise for the purpose of sale by retail in accordance with this Act.
- (3) If tobacco products or e-cigarette products are confiscated under subsection (1)—
- (a) the products are forfeited by the child; and
 - (b) the products must be destroyed as soon as is reasonably practicable by the prescribed person; and
 - (c) no compensation is payable in relation to the confiscation of the products.
- (4) In this section— prescribed person, in relation to a child, means—
- (a) a member of the police force; or
 - (b) any other authorised officer under Part 5; or
 - (c) a person performing the duties of a teacher at a school attended by the child (whether or not such duties are being performed on the grounds of the school).

Appendix C – Relevant Laws: Controlled Substances Act (1984)

Information current as of May 2023

Section 33F— Sale, supply, or administration of a controlled drug to a child

A person who—

- (a) sells, supplies, or administers a controlled drug to a child; or
 - (b) has possession of a controlled drug intending to sell, supply or administer the drug to a child,
- is guilty of an offence.

Section 33GA— Sale of equipment to a child for use in connection with the consumption of controlled drugs

A person who—

- (a) sells a piece of equipment to a child for use in connection with the smoking, consumption, or administration of a controlled drug, or the preparation of such a drug for smoking, consumption, or administration; or
 - (b) has possession of a piece of equipment, intending to sell it to a child for such use,
- is guilty of an offence.

Section 33H— Procuring a child to commit an offence

A person who procures a child to commit an offence against this Part is guilty of an offence.

Section 33L— Possession or consumption of controlled drug etc

A person who—

- (a) has possession of a controlled drug; or
- (b) smokes, consumes, or administers to himself or herself, or permits another person to administer to him or her, a controlled drug; or
- (c) has possession of any piece of equipment for use in connection with the smoking, consumption or administration of a controlled drug, or the preparation of such a drug for smoking, consumption, or administration,

is guilty of an offence.