



RANGI RURU GIRLS' SCHOOL

SURRENDER, RETENTION AND SEARCH POLICY

Having a safe physical and emotional environment for students and staff is the overriding consideration for the school and its staff members when applying this policy.

To ensure that the school is meeting its health and safety obligations, this policy sets out the school's powers to:

- require students to produce and surrender items;
- search students in certain circumstances (which may include requiring students to provide a urine sample in certain circumstance in accordance with the school's drug and alcohol testing procedure)
- engage contractors to bring trained dogs into the school to search school property.

Although this policy applies generally to the surrender and retention of, and searching for, items that are harmful, likely to endanger safety or are likely to detrimentally affect the learning environment, the school has a particular concern about addressing the problem of the use and abuse of drugs, psychoactive substances, alcohol and tobacco by students.

Parents and students need to be aware that:

- students must comply with all school rules and policies, and all instructions given by school staff (students cannot expect unfettered freedom in the school environment);
- the school has a no tolerance policy in regard to the use, possession and supply of drugs, alcohol and tobacco by its students.

"Drugs" means any illicit drug, and any medicine or mood altering product that has the potential for abuse and is not used for a legitimate therapeutic purpose by the student.

This policy will apply to the school's students while on school grounds, while taking part in any field trip or co-curricular activity organised by the school, while representing the school in any activity, or in any circumstance in which the student could reasonably be identified as a student of the school, including at school social events and outside of school hours. This includes any representations of students on the internet.

REQUIRING STUDENTS TO PRODUCE AND SURRENDER ITEMS

A staff member (a teacher or other staff member that has been authorised by the Board of Trustees of the school) may require a student to produce, reveal and/or surrender items if they have reasonable grounds to believe that the student has hidden, or has in clear view on or about their person, or in any bag or other container under the student's control, an item that is:

1. likely to endanger the safety of any person
2. likely to detrimentally affect the learning environment;
3. harmful;

(This can result in the staff member initiating a search for the item if it is not surrendered by the student. A harmful item is an item that a staff member has reasonable grounds to believe poses an immediate threat to the physical or emotional safety of any person. This may include, but is not limited to, text messages, drugs, weapons, sexually explicit photographs.

SEARCHES OF CLOTHING, BAGS AND OTHER CONTAINERS

Staff members can initiate a search of a student's clothing, bags or other containers if the staff member:

- has reasonable grounds to believe that a student has on or about their person, or in any bag or other container under the student's control, a harmful item and
- has required the student to produce and surrender the harmful item and the student has refused.

A search is an examination of a person or property for something that is hidden. A search may include a student being required to remove items of clothing or to empty out his or her pockets. It can also involve a student's 'correspondence' including written and electronic material (for example, in a diary, on a mobile phone or on a laptop).

Searches will always be carried out in a manner that gives the student the greatest degree of privacy and dignity consistent with the purpose of the search.

During a search, the staff member may require a student to:

- remove any outer clothing;
- remove any head covering, gloves, footwear or socks (this does not include tights);
- surrender a bag or other container.

Unless it is impracticable, the search:

- will be carried out by a staff member who is of the same sex as the student, and in the presence of the student and another staff member who is of the same sex as the student; and
- will not be conducted in the view of any person other than the person carrying out the search, the student and another staff member, unless the staff member has reasonable grounds to believe that each student has a harmful item.

Additionally, when conducting a search, staff members will:

- not search any student's person;
- not use physical force against a student (other than in an emergency situation where staff members are acting to defend themselves or others against immediate harm); and
- be alert to the relevant sensitivities when searching students from different nationalities.

The school also notes that:

- school property can be searched at any time, for any reason and in any way (including by using contractors and trained dogs). A school's property includes buildings, grounds and vehicles, as well as any locker, desk or other receptacle provided to students for storage purposes;
- if during the search for a harmful item, the staff member finds an item that is likely to detrimentally affect the learning environment or endanger safety, then the staff member may retain it and implement the procedures set out under this policy;
- the school will keep a record of the search; and
- the school will keep a list of all authorised staff members at the school who have the powers set out in this policy. This will be available at the school for inspection.

Once the staff member has obtained clothing, footwear or any bag or other container from a student, then the staff member may search it. The clothing or footwear or bag or other belongings will be returned to the student immediately after the search. A photograph/s may be taken of the item and where it was found, as evidence of the nature of the search.

RETENTION, STORAGE AND/OR DISPOSAL OF ITEMS TAKEN

If an item is surrendered by a student, or retained as a result of a search, the school will retain the item for a reasonable period of time and store it in an appropriate manner.

When deciding whether to return an item or device to a student or to pass it to another person or agency, the school will consider:

- the health and safety of people;
- the apparent value of the item or device concerned; and
- the person believed to be entitled to the possession of the item or device concerned.

In some situations it could be appropriate for the school to pass the item or device to another person (such as a parent or caregiver or the person believed to be entitled to possession of it), or to an agency. Agencies to which items may be passed include the Police, the Department of Internal Affairs and the New Zealand Customs Service. However, in the majority of situations, the item will be made available to the student as soon as practicable. An item (not including an electronic device) may be disposed of if a teacher or an authorised staff member considers it appropriate.

DISCIPLINARY OUTCOMES

The student may face disciplinary, or other consequences, if they:

- refuse to show or surrender an item that the school believes is likely to endanger safety or detrimentally affect the learning environment;

- are found with an item that is likely to endanger safety or detrimentally affect the learning environment;
- refuse to show or surrender an item that the school believes is harmful;
- are found with an item that is harmful;
- obstruct, or refuse to comply with, a search initiated by a staff member for a harmful item.

The school's usual disciplinary or behaviour management practices may apply. This may include (but is not limited to) suspension or expulsion. Other consequences may include: retention of the item; Police involvement; Parent/guardian involvement.

In general the use or possession of drugs and/or alcohol at any time by a student may be considered gross misconduct by the student and may be grounds for disciplinary action, up to and including suspension or expulsion.

The school is entitled to rely on other evidence (circumstantial or witness statements) to take disciplinary action notwithstanding the student's denial and an absence of a search to recover the item. If a student is found with an item that is stolen or illegal, the school may involve the Police.

If parents have any questions about this policy they should contact the Principal or Deputy to the Principal.

DRUG AND ALCOHOL TESTING

If, through the processes outlined in this policy and in any other circumstances, a student is found to be in possession of alcohol or drugs, the student's parents or guardians will be contacted. The student may be required to submit to an immediate drug test (urine testing). If the student produces a positive drug test, in accordance with the school's testing procedure, the Principal or designate may impose any disciplinary and rehabilitation measures that he or she deems reasonable.

This may include:

- suspension or expulsion of the student;
- a requirement that the student take part in a rehabilitative programme;
- a period of probation for the student, which may require ongoing random drug testing of the student and any other conditions deemed necessary.

A failure by a student to cooperate with any disciplinary or rehabilitative measure put in place by the school may result in further action, including suspension or expulsion of the student.

Dated: 2015