



NOVA PIONEER

SCHOOLS FOR INNOVATORS & LEADERS

SEARCH AND CONFISCATION OF ILLEGAL SUBSTANCES POLICY

South Africa

SEPTEMBER 2018

All individuals at Nova Pioneer uphold the six culture principles reflecting our philosophy and that define a Novaneer. We believe that you cannot have great learning or build a great community without a strong and positive culture.

Novaneers live these six culture principles in learning and behaviour

High Expectations	Greater Together	Servant Leadership	Joy of Learning	Always Growing	Solutions First
<i>We sweat the small stuff and take pride in what we do. We set goals that others think are impossible and never stop until we achieve them.</i>	<i>We constantly support our teammates because we know we can achieve more together.</i>	<i>Great leaders always put others before themselves and engage their community with humility and generosity. We see leadership as a way of improving the world, not simply promoting ourselves.</i>	<i>We are lifelong learners and we are fuelled by curiosity and discovery</i>	<i>We constantly seek out difficult challenges, share and receive feedback as a gift, and see every failure as an opportunity to grow.</i>	<i>Everything is possible when we think creatively and critically about a problem. We are always thinking of new solutions when faced with difficult problems.</i>

The purpose of this policy is to ensure that the integrity and rights of all Nova Pioneer students are protected, while at the same time protecting the Nova Pioneer community from the possession by any person on campus of any dangerous article or illegal substance.

1. Definitions

For the purposes of this policy:

- 1.1. "dangerous object" means:
 - 1.1.1 any explosive material or device;
 - 1.1.2 any firearm or gas weapon;
 - 1.1.3 any article, object or instrument that may be employed to cause bodily harm to a person or damage to property, or to render a person temporarily paralysed or unconscious;
 - 1.1.4 any other object similar in nature to the objects listed above.
- 1.2 "illegal drug" means any unlawful substance that has a psychological or physiological effect; or any substance having such effect that is possessed unlawfully;
- 1.3 "school activity" includes any educational, cultural, recreational, sporting or social activity of the school within or outside the school premises; and

- 1.4 "illegal activity" means the wilful possession of an illegal drug, dangerous object or stolen item.

2. Prohibition

No person may:

- 2.1 allow any dangerous object to be brought onto school premises or to a school activity;
- 2.2 carry any dangerous object on school premises or at premises at which a school activity is carried out;
- 2.3 store any dangerous objects on school premises or premises at which a school activity is carried out;
- 2.4 possess illegal drugs in contravention of the Substance Abuse Policy;
- 2.5 possess any stolen item on school premises or at a school activity.

3. Search and Confiscation

- 3.1 The School Leader or his/her delegate may, at random and without a warrant, search any student or group of students, or the property of a student or group of students, for any dangerous object, stolen item or illegal drug (hereafter, collectively referred to as "prohibited good"), if he or she has a reasonable suspicion that:
 - 3.1.1 a prohibited good may be found on school premises or during a school activity; or
 - 3.1.2 one or more students on school premises or engaged in a school activity are in possession of a prohibited good.
- 3.2 As far as possible the parent should be informed of such procedures before they begin.
- 3.3 The School Leader or his/her delegate may without a warrant seize any prohibited good found on school premises or during a school activity, or found on any person who is on school premises or engaged in a school activity.
- 3.4 A search may only be conducted after taking into account all relevant factors, including:
 - 3.4.1 the best interest of the students in question or any other students in the school;
 - 3.4.2 the safety and health of the students in question or of any other student at the school;

- 3.4.3 reasonable evidence of illegal activity; and
- 3.4.4 all relevant evidence received (which may include rumours, with supporting evidence).
- 3.5 A student's person and/or personal effects (for example book bag, blazer, sports bag etc.) may be searched whenever the School Leader or his or her delegate has a reasonable suspicion to believe that the student is in possession of a prohibited good.
- 3.6 Student lockers are the property of the school and remain at all times under the control of the school. Students are, however, expected to assume full responsibility for the security of their lockers. Periodic general inspections of lockers may be conducted by the School Leader or his or her delegate for any reason, and at any time, without notice, without student consent, and without a search warrant.

4. The procedure for conducting a search

- 4.1 All searches contemplated in this policy will be conducted in a manner that is reasonable and proportional to the suspected illegal activity.
- 4.2 Where a search entails a body search of a student (see 12 below), such search may only be conducted by the School Leader, if he or she is the same gender as the learner, or by the School Leader's delegate, who must be the same gender as the learner. Two further staff members of the same gender must be present as witnesses.
- 4.3 The types of searches that may be conducted by the School Leader or his or her delegate are set out below.

5. The procedure to be followed in a body search of a student

- 5.1 A body search includes a visual search and a "pat down" body search.
- 5.2 Any body search will be conducted in a private area and not in view of another student.
- 5.3 The student will be requested to place loose items from pockets and clothing on a table or desk for inspection. To facilitate the pat-down search, the student must remove all articles from his or her pockets and remove any secondary outer clothing (e.g. blazer, sweater, head coverings etc) worn over the primary clothing.
- 5.4 The person conducting the search will, wherever possible, wear latex gloves and use an open hand to pat down the primary layer of clothing of the learner. Any such search shall be carried out in a manner as is consistent with discovering anything that may have been concealed.

6. The procedure to be followed in a strip search of a student

- 6.1 A strip search may only be conducted by an external legal authority in accordance with accepted laid down practice.

7. The procedure to be followed in conducting a search of a minor under the age of 12 years

- 7.1 Consent will be obtained from the parent or guardian for a body search or a strip search that is required in respect of a minor under the age of 12.
- 7.2 The parent or the guardian of the learner must be present during the search, if practical and if requested by the parent or guardian. If the parent or guardian of a student is present, he or she may conduct the search if he or she wishes.

8. Procedure to be followed when a prohibited good is found on a learner

- 8.1 Any prohibited goods that are seized will be labelled with full particulars, including:
- 8.1.1 the name of the student in whose possession it was found;
 - 8.1.2 the time and date of the search and seizure;
 - 8.1.3 an incident reference number;
 - 8.1.4 the name of the person who searched the learner;
 - 8.1.5 the name of the witness present at the search; and
 - 8.1.6 any other details that may be necessary to identify the item and the incident.
- 8.2 Any seizure of a prohibited good will be recorded in a school record book and the prohibited good will be handed over to the South African Police Service, save that where a stolen item is recovered and no criminal charge against the learner in whose possession the stolen good was found is contemplated, the stolen item may be returned to its owner.
- 8.3 A student may be subjected to disciplinary proceedings if a prohibited good is found in his or her possession.

9. Conclusion

Whilst we do our best to teach and encourage our students to act in a way that truly role models our culture principles, which discourages the use of prohibited drugs, we have created this policy to ensure that all Novaneers are best protected in this case. For practicality reasons, we do need to be prepared if for any reasons students do not comply and we need to be compliant with SA.

10. Review of Policy

In order to remain relevant, this policy will be reviewed in terms of the Policy Management Policy.