
Macleans College - POLICIES & DIRECTIVES

SECTION NO: 1000

POLICY NO: 1016

ISSUE DATE: 18/06/13

TITLE: **STUDENT ROUTINES**

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SEARCH AND SEIZURE POLICY

Rationale

To uphold the school rules prohibiting students having certain items of property in their possession, i.e. illegal drugs, alcohol, cigarettes, stolen property, offensive literature, pictures or when there is any activity involving criminal activity.

Purpose

To ensure that students are not able to keep in their possession those items of property stated above as they break the school rules. They also have the potential to have a dangerous and injurious effect on the student possessing such items, and other students.

Guidelines

- a) The school has definite policies concerning smoking, alcohol, drugs and theft, and they can be found in the Prospectus and the School's Policy documents which need to be followed through in full and in relation to the specific policy. For example:

Smoking, Alcohol and Drugs

Students are not to be involved with cigarettes, alcohol or drugs at school, or to and from school, or on any occasion when they are wearing school uniform or at any function held under control of the college. The school views such involvement (in possession of, actually taking, or association with the activity) as a serious offence. The Police Youth Aid could be informed of any student attending Macleans College who becomes involved in criminal activity of any nature while at school, or while taking part in any event associated with the school.

Dealing with Theft

Rationale

To create a "safe school" where theft is considered to be a serious offence, and not tolerated.

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Purpose

To ensure that all incidents of theft are dealt with immediately with the purpose of recovering the stolen item and finding the thief.

Confiscation and Impounding of Student Property

Rationale

To uphold the school rules prohibiting students having certain items of property in their possession.

Purpose

To ensure that prohibited items are confiscated and impounded with regard to the school rules and the students' wellbeing.

Guidelines

Student property may be confiscated or impounded if:

- 1 The property is of a nature that is prohibited under the rules of the school as outlined in the school prospectus.
- 2 The property is considered to be of a nature that is harmful to students and/or staff.
- 3 The property is in the form of tobacco, illegal drugs or alcohol.

Confiscated property will be placed in a secure place under the authority of a House Leader or member of the Senior Management Team (SMT)

Confiscated property will be returned to the student after appropriate disciplinary action has been taken, unless, as would be the case with illegal drugs, the Police are involved.

All care will be taken with confiscated property but no responsibility will be taken if the possession of that property on the school premises clearly breaches the school rules.

Further Guidelines specific to Search and Seizure

- b) The college is entitled to undertake reasonable search and seizure, which will include inspection of bags, lockers, desks, other receptacles, and turning out of pockets. Strip searching will be avoided if at all possible, and if not it will involve in all cases the expertise of the Police.
- c) Search and seizure will be carried out only by the Principal and/or members of the SMT and/or House Leaders and/or Faculty and/or Department Heads.

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- d) It must be noted that the requirement to open bags and turn out bags is not unusual at the school, but it is also recognised that any such activity will be carried out in a way which best protects the integrity of those involved and in a manner which does not undermine the students' self-esteem and respects their dignity.
- e) Search and seizure will be carried out where practicable in a private location away from the gaze of other students.
- f) There will be an existence of reasonable suspicion that the student may be in possession of prohibited items, giving rise to a search. This may be suspicion with respect to an individual student or extend to a group of students in the event that an item has gone missing.
- g) The opportunity must be given to contact the parent or caregiver to attend the school at the time the search is being undertaken, if the student confirms his or her preference for this to occur. Reasonable steps will be taken to contact a parent or caregiver but if this is unsuccessful or the parent or caregiver indicates an unwillingness to attend the school then the search will continue.
- h) The search will, at all times, involve an appropriate witness from the school staff.
- i) If a student declines to co-operate with a search where reasonable suspicion exists, then the student will be advised that, in the absence of any reasonable explanation for declining the search, this may become evidence against the student or give rise to a charge of disobedience.
- j) Any prohibited items found in the search (or a refusal to co-operate with a search) will be factors that may go before the Principal and/or Board when considering disciplinary action in accordance with the provisions of the Education Act 1989.