

# GUIDE TO DRUG TESTING IN SOUTH AFRICAN SCHOOLS



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The Guide to Drug Testing in South African Schools has been developed as part of the implementation of the Care and Support for Teaching and Learning (CSTL) programme in South Africa and the *National Strategy for the Prevention and Management of Alcohol and Drug Use amongst Learners in Schools*. It is guided by Devices to be Used for Drug Testing and the Procedure to be Followed, Government Gazette 1140, September 19 (Regulation Gazette No. 31417) and Regulations for safety measures at public schools, Government Gazette 1040, October 12 (Regulation Gazette No. 22754).

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## ACRONYMS

|               |  |
|---------------|--|
| <b>CBO</b>    | Community-based Organisation                         |
| <b>CSTL</b>   | Care and Support for Teaching and Learning Programme |
| <b>DBE</b>    | Department of Basic Education                        |
| <b>ISHP</b>   | Integrated School Health Programme                   |
| <b>LSD</b>    | Lysergic Acid Diethylamide                           |
| <b>NGO</b>    | Non-governmental Organisation                        |
| <b>UNICEF</b> | United Nations Children's Fund                       |



## WHAT IS THE PURPOSE OF THIS DOCUMENT?

Many people have concerns about drug testing in schools. Is it necessary? Does it punish children? There have also been unintended consequences of random search and seizure and drug testing, such as problems with incorrect interpretation of the test results, and learners who test positive being prevented from writing examinations, being expelled, or facing stigma.

Because a safe and caring school puts the needs of its learners at the centre, DBE has produced this step-by-step guide for conducting drug searches and testing, aligned to the *Devices to be Used for Drug Testing and the Procedure to be Followed, Government Gazette 1140* and the *Regulations for safety measures at public schools, Government Gazette 1040, which is an amendment to the South African Schools Act (No. 84 of 1996)*.

This guide is intended to clarify **intent** and **procedures** for conducting searches and testing for drugs on school premises (for more complete and detailed rules, please consult these Gazettes). For parents/guardians and learners, it addresses some of the common questions and concerns, and outlines their rights and responsibilities.



# INTRODUCTION

Drug use is a significant problem in South African schools, and a contributing factor to violence and crime that can affect the entire school community. It can also lead to academic difficulties, absenteeism, and drop-out from schooling.

To deal with this problem in the learning environment, the Department of Basic Education (DBE) is guided by the Care and

Support for Teaching and Learning (CSTL) programme. CSTL is the overarching framework for addressing barriers to education at the schools. CSTL has nine priority areas with alcohol and drug use being specifically addressed in their health promotion priority area.



NINE PRIORITY AREAS OF THE CSTL PROGRAMME

According to the health promotion priorities of DBE, schools should have clear policies on the prevention and management of alcohol and drug abuse, and establish links with outside organisations to manage drug abuse in schools. In addition, early detection of drug use and abuse is a key pillar of the DBE *National Strategy for the Prevention and Management of Alcohol and Drug Use amongst Learners in Schools*.

South Africa has made a promise to put the welfare of its learners at the centre of all school activities. Drug testing is an important

part of living up to this promise, and is in line with South African and international commitments to support the safety and emotional and psychological well-being of learners. Still, it must be noted that drug testing is always the last choice for helping a young person who appears to be struggling with drug use or abuse, and is just one part of an integrated health promotion approach, which encourages learners to make choices that will help them to live long, healthy and productive lives.

## A PREVENTION APPROACH

**NOTE: Since 2001, when Regulations for Safety Measures at Public Schools (GG 22754) was published, all South African schools have been declared drug-free zones. No person may possess illegal drugs on school premises.**

Most learners do not use drugs. The goal is therefore to prevent them from starting in the first place. The core of the prevention, or health promotion approach is that learners receive lessons on alcohol and drug use through Life Orientation lessons and are supported to make better choices through positive co-curricular activities (such as peer education, sports, music, debate, etc.). These kinds of activities can help learners sustain healthy and positive choices by giving them an outlet for their free time.

In addition, health education is a key part of the new Integrated School Health Programme (ISHP), which is being rolled-out nationwide. School health teams will

provide health education—including support and information on alcohol and drug use—to learners in Grade 4, 8 and 10.

The health promotion approach includes prioritizing the community link. To help young learners connect what they are learning in school with what they do outside of school time, schools must link with youth and community organisations to establish fun and creative community-based prevention programmes and activities.

## WHAT IS A 'DRUG'?

A drug can refer to substances that are **legal** (e.g. alcohol, tobacco, over-the-counter medications and household goods, such as glue) and **illegal** (e.g. cannabis, methamphetamine, heroin, and cocaine). Alcohol and tobacco are two of the main drugs used by youth, and are known as 'gateway' drugs because they often lead people to try harder substances, but the focus of these guidelines is on the illegal drugs that young people use to get high.

One thing that all these drugs have in commons is that they affect your central nervous system and can alter your mood, thinking, and behaviour. Drugs may be divided into four categories and it's important to know their different effects, since this will help you to understand whether a young person is using:

- **Depressants:** Drugs that decrease alertness by slowing down the activity of the central nervous system (e.g., alcohol, analgesics, and heroin).
- **Stimulants:** Drugs that increase the body's state of arousal by increasing the activity of the brain (e.g., caffeine, nicotine, amphetamines and methamphetamine, ecstasy, and cocaine).
- **Hallucinogens:** Drugs that alter perception and can cause hallucinations, such as seeing or hearing something that is not there (e.g. Lysergic Acid Diethylamide or LSD, and 'magic mushrooms').
- **Other:** Some drugs, such as cannabis (also known as 'marijuana' or 'dagga') may have properties of more than one of the above categories (in other words, depressive, hallucinogenic, and some stimulant properties).

## RIGHTS

Many people are worried that drug testing violates a young person's rights. The South African Schools Act of 1996 does state that random drug searching, seizure and testing can violate basic rights, which is why it's so important that drug searches and tests are conducted carefully and according to the rules. The Act does give principals some freedom to determine what is in the best interest of safeguarding the interest of learners, which must take place in an environment free of drugs. When school staff find that drug and alcohol abuse is making it hard to teach or keep learners safe, we want them to be able to take strong, but fair action.



## WHY IS ILLEGAL DRUG USE IN SCHOOLS A PROBLEM?

We should start with the good news: most youth in schools are not using drugs. Still, the minority who do use illegal drugs create problems for themselves, the rest of the school, and the community at large.

Experimentation is a natural part of development, but unfortunately casual drug use can lead to many problems, not least becoming dependent. In schools, drug use has been linked to academic difficulties, absenteeism, and dropping out, which can have important implications for a learner's access to quality education. It is also associated with a host of high risk behaviours, such as unprotected sex, crime and violence, traffic accidents, and mental and physical health problems.

Schools play a very important role in providing for the safety of South Africa's youth. The public school system reaches over 12 million children, almost on a daily basis. Many of these children are vulnerable to issues such as poverty, abuse, and lack of appropriate adult supervision. Early identification of children at risk enables school staff and parents to identify problems and needs of learners that might otherwise not be addressed. Providing support to children through schools, or through referrals to outside organisations (as recommended by the CSTL programme and the *National Strategy for the Prevention and Management of Alcohol and Drug Use Amongst Learners in Schools*), helps to keep children at school, but also supports parents by providing appropriate and affordable services that keep children healthy, productive, and on the right track.



## HOW BIG IS THIS PROBLEM?

- The number of young people using alcohol and drugs, often to the point of being hooked, is a serious concern. More than one tenth of all learners nationally report having used dagga or heroine. Nearly the same number of Grade 8 learners report having used cocaine.
- The 2012 National School Violence Study found that over a third of secondary school children knew other learners who had come to school drunk, and a similar number knew of fellow learners who had come to school high on drugs. Other research shows that over one tenth of Grade 8 learners have come to school high on dagga.
- Over time, the proportion of South African patients reporting to drug treatment centres who are younger than 20 years has increased significantly. In some provinces nearly a quarter of all patients receiving treatment are younger than 20 years old. This is an issue that cuts across race and income.



## WHAT ARE THE SIGNS OF DRUG USE?

**Check for warning signs of drug use. These might include:**

- Changes in level of activity, including periods of tiredness or periods of hyperactivity, lack of coordination, staggering or slow movements, clumsiness and falling;
- Inaudible or confused speech, forgetting thoughts and ideas, and illogical conversations;
- Changes in physical appearance such as drastic changes in style of clothing, being less concerned about appearance, which may become careless and untidy;
- Sudden aggressive and violent behaviour, unexplained outbursts of anger, unexplained restlessness, irritability and destructive behaviour, such as punching walls, swearing, and fighting;
- Lack of motivation, sudden loss of interest in things that one previously enjoyed, such as hobbies or sports, or lack of concern about life in general;
- Severe mood alterations or mood swings: sudden excitement to sudden feelings of depression, despondency and hopelessness;
- Alternation in thought patterns, such as strange and weird thinking, hallucinations, fear, abnormal suspiciousness, or depressive and suicidal thoughts.

### **WHAT YOU CAN DO TO HELP YOUR CHILD SAY 'NO' TO DRUGS:**

1. Nurture your children.
2. Set rules (e.g. having house rules).
3. Monitor their compliance to the rules.
4. Apply appropriate discipline (e.g. acknowledging and rewarding children's achievements and positive behaviours).

## WHAT ARE THE CONSEQUENCES OF DRUG USE AND ABUSE ON LEARNERS?

We know that many South African learners face a range of difficult challenges that make the usual difficulties of adolescence even harder. If we think back to our own teen years, we can remember the urge to test boundaries of good and bad behaviour and play with the rules. Unfortunately, drugs take these normal parts of being young and distorts them, leading to dangerous impulsiveness, aggression, and rebelliousness. This can lead to a whole host of problems, some of which may have lifelong consequences:



Physical health problems, such as increased chance of heart disease, cancer, and respiratory diseases.



Increased academic difficulties, including increased likelihood of dropping out.



Mental health problems such as depression.



Increased risky behaviour, including unprotected sex, leading to unintended pregnancy and an increased risk of getting a sexually transmitted infection, like HIV.



Engagement in violence or crime.



Increased risk of injury and involvement in traffic accidents, as either a driver or a pedestrian.



Significant costs to the state for treatment and medical care of people who are addicted to alcohol and drugs.

We often judge people for making bad choices, but drug use is not just about individual choice.

- **Family factors** can place youth at increased risk for alcohol and drug use, including parents who use and frequent family fighting. A good parental relationship, on the other hand—with parents who pay close attention to their kids and who emphasize warmth and support—can protect a young person from using and abusing drugs.
- **School factors** that are related to alcohol and drug use include low academic goals, poor academic performance, and schools that tolerate alcohol and drug use by their learners.
- **Community factors** that increase the chance that young people will use drugs include witnessing public drunkenness and smoking, easy access to alcohol and drugs, and too much unstructured free time.

## DRUG SEARCHES

When there are signs that a learner is carrying, using or abusing drugs, initiating a search for drugs and testing for use is a sensitive issue, since it can appear that students are being singled out. Regulations for Safety Measures at Public Schools

(Government Gazette 1040), are designed to make sure that students do not feel shamed, and are designed to help principals and teachers use drug testing in a thoughtful and careful manner that supports the health and dignity of all young people.

**Note to educators:** If you suspect that a learner is using drugs at school, because of their behaviour in class, it would be good to ask another teacher for a second opinion before approaching the principal about your suspicions.

## STEPS FOR CONDUCTING A DRUG SEARCH

Searching a learner for drugs needs to be done carefully; it can only be initiated by the principal or a police officer.

1. According to the South African Schools Act, in the absence of a police officer, any school principal or their delegate can, without a warrant, search any person on school premises if they have reasonable suspicion

that illegal drugs may be present. Furthermore, anyone who goes against these regulations may be removed from the school premises. **It is important to note that reasonable suspicion guides how and where the search may be conducted. If there is no reasonable suspicion then the search would be considered random, and not allowed.**

2. According to Devices to be Used for Drug Testing and the Procedure to be Followed (Government Gazette 1140), reasonable suspicion may be established in different ways:
  - a. by other students informing the principal of the presence of drugs on school premises,
  - b. the scent of drugs, such as dagga,
  - c. reports from parents,
  - d. traces of drugs found on premises, and
  - e. any other reasonable indication.
3. In addition to respecting the importance of establishing reasonable suspicion that a learner is using drugs, searches should only be conducted when the educators have received sufficient training—which will be rolled out by the districts—on how to correctly administer testing and analyse the results.
4. Key considerations when conducting a search:
  - a. The principal, or his or her delegate (usually a teacher) must conduct the search.
    - b. The person searching must be of the same gender as the learner.
    - c. The search must be conducted in private and not in front of other learners.
    - d. It must be conducted in the presence of an adult witness of the same gender as the learner.
    - e. If drugs are found, they should be photographed whenever possible.
    - f. The search may not extend to the private parts or any body cavity (for example, mouth or anus) of the learner.
    - g. While no private parts of a learner may be touched, as a last resort a learner may be requested to strip down to his or her underwear while their clothes are searched.
    - h. The only reason why a learner would normally be allowed to leave the area is in the case of an urgent need to use the bathroom, and then they would need to be accompanied.

#### **NOTE:**

If a learner is suspected of carrying illegal drugs in their pockets, only their pockets can be searched. It would not be appropriate to search their bags or lockers.

If a learner is found to be in possession of drugs, but does not willingly hand them over, then he or she must be requested to turn out his/her pockets and school or sports bag.

If the learner is unwilling to participate, the parent/guardian should be called or sent a message to see if they can come to the school and convince their child to co-operate. It is also important that the principal explain the reason for the search or test. If the learner still refuses, then the matter may be handed over to the police.

# DRUG TESTING

Drug testing should be supported by a school code of conduct and policy that can be enforced and that provides clear guiding principles on steps to be taken should anyone be found to be breaking the rules of the school regarding drug use. The policy should ideally be written with input from parents/guardians and harmonized with the Department's guidelines.


To make sure that everyone understands the rights and responsibilities of learners regarding drug use, a school's drug testing policy should be introduced as part of its admissions policy and signed and accepted by the learners. As a general rule, it is very important to make sure that learners have been involved and understand what is expected of them.

Note: The devices must be kept at the school under lock and officials should ensure that the devices are within their expiry dates.

## STEPS FOR CONDUCTING A DRUG TEST

- 1 Once reasonable suspicion has been established for use or possession of drugs, the parents or guardians should be notified as soon as possible.
- 2 The test must be conducted by a person of the same gender as the learner, in the presence of an adult witness of the same gender as the learner, and out of sight of any other person.
- 3 The testing kit must be opened in the presence of both the learner who is about to be tested and the witness.
- 4 The principal or delegate must remove the drug-testing device from sealed packaging in the presence of the learner and the witness.
- 5 The principal or delegate must, in the presence of both the learner and witness, read the information contained in the package insert of the testing device before the test is conducted.
- 6 The test must be conducted as prescribed in the package insert.
- 7 The learner must first be asked if they have taken any medications.
- 8 The person conducting the test must be wearing latex gloves.
- 9 The learner will be required to provide a sample of urine (some tests require hair or saliva).
- 10 The principal or delegate will then test the urine using the testing device according to the appropriate method.
- 11 The package insert of each device indicates how the result of that test is to be interpreted.
- 12 If reports are required by the district or province, they should be furnished with the learner's written permission (requested in the presence of their parent/guardian if the youth is a minor).

The list of approved devices for drug testing to be purchased and provided by the districts is as follows:



|   |
|---|
| Drug Detective Wipe Detection System for Surfaces |
| One Step Home Cocaine Test Strip                  |
| Multi-Drug Test                                   |
| Quicktox Drug Screen Dipcard Test                 |
| Monitect Drug Screen Cassette Test                |
| Toxcup Drug Screen Cup Test                       |
| Multi Panel Drug Testing Device                   |
| Smart Check Drug Screen Test                      |
| A Vit Ar Oral Screen 4 or Drugometer              |

## WHAT HAPPENS AFTER THE TEST?

An important aspect of maintaining the confidentiality and dignity of the learner is not humiliating him or her by exposing positive drug test results to the larger school community. This can lead to stigma, or a sense of being disgraced, and have lasting negative impacts on a learner's social and academic life. **Only the learner and his or her parent/guardian must be informed of the result.**

The principal or delegate will inform the parent or guardian of the results and if the learner has tested positive for illegal drugs, a discussion must be held with the parent/guardian about the consequences. Parents or guardians of a learner may, understandably, be upset and feel confused about how best to help their child. This meeting is the best space for parents/guardians to understand their options. They may want a referral for counselling.

**Note to parents:** For both drug searches and testing, if the parent or guardian could not be contacted before the procedure, the principal is required to notify the parent/guardian within one working day that the search or test has been conducted.

Schools are required to keep accurate records regarding referrals for further treatment and incidents of drug abuse. While a principal or delegate has the right to start disciplinary proceedings, no criminal proceedings may be brought against the learner.

In all cases, the goal is to get learners off drugs and back into school. Efforts must always be taken to assure that every case is handled with respect for the learner's privacy (as mandated by the Bill of Rights).

## COUNSELLING AND REFERRAL FOR TREATMENT

The *National Strategy for the Prevention and Management of Alcohol and Drug Use amongst Learners in Schools* supports learners who abuse substances, as well as staff and learners who are affected by substance abuse. It makes it clear that the results of testing should be kept confidential and that learners should be referred to the appropriate resources for counselling or treatment if found to test positive for drug use.

Counselling will be conducted by a school social worker, or a social worker provided by an outside institution who provides services at a rate that the parents/guardians can afford. According to the CSTL programme, if professional support services are not available in the school, then the principal and school-based support team are required to build links with community organisations (e.g., NGOs and CBOs) for referrals. It is essential to ensure that learners who are using drugs get adequate help as soon as possible.

### WHAT HAPPENS IF A LEARNER IS FOUND TO BE USING OR KEEPING DRUGS ON SCHOOL PREMISES, BUT DOES NOT WANT TREATMENT?

Learners who have experienced or are experiencing problems as a result of drug problems are entitled to continue their education and be reintegrated into the school community. If this is not possible, the learner will be assisted in finding another school.

### WHAT HAPPENS IF A LEARNER IS FOUND TO BE DEALING DRUGS?

If the learner is found to be dealing drugs, then the necessary disciplinary action will be taken, possibly including suspension, expulsion, or the involvement of the South African Police Services.



## CONCLUSION

The Care and Support for the Teaching and Learning approach supports the needs of the whole child. Drug testing in schools should not be used as a tool to punish or “catch” naughty kids. Only once all other avenues have been exhausted would disciplinary action be necessary. Most young people can be helped through counselling and other forms of treatment. Supporting the innocence of youth means believing that young people are not their behaviour. In other words, every learner

is capable of being rehabilitated and moving on with their lives. We often learn the most in life from our mistakes.

It is our duty as families, schools and communities to ensure that schools remain safe and alcohol and drug free zones to enable quality teaching and learning. We must build strong health promotion programmes that can prevent learners from using drugs in the first place. This is the best outcome for everyone.

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## FOR ADDITIONAL INFORMATION

**Schools can contact their local police stations, clinics and hospitals.**

**Childline toll free line: 0800 055 555**

**Department of Basic Education toll free line: 0800 202 933**

**loveLife toll free line: 0800 121 900**

**National Substance Abuse Helpline toll free: 0800 121 314 or SMS 32312**

**South African Depression and Anxiety Group: 011 234 4837**





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