

# Temporary Removal of Student Property by School Staff Policy and Procedure

*Inspiring Great Minds*



Queensland Academy  
for Science Mathematics  
and Technology



## 1. RATIONALE

Queensland Academy for Science, Mathematics and Technology (QASMT) is an independent public school for highly capable students in Years 7 to 12. We continually challenge every student to reach their potential by setting high academic goals and behavioural expectations. QASMT is committed to providing a safe, respectful and disciplined learning environment for students and staff. The QASMT Student Code of Conduct, and the policies pertaining to the Student Code of Conduct, are designed to facilitate high standards of behaviour so that learning and teaching can be effective and students can participate positively within our community. The Temporary Removal of Student Property by School Staff Policy and Procedure outlines the process, conditions and responsibilities for school staff when temporarily removing student property. The aim is to provide clear direction for all Academy staff, students and parents about the temporary powers of Academy staff to remove student property.

Under normal circumstances, the Principal, or Principal's delegate, is not permitted to search student property (e.g. a student's bag) unless they have the consent of the student or parent. Where there is a suspicion that the student has a dangerous item (e.g. a knife) in their school bag or property, the Principal, or Principal's delegate, will seize the bag immediately and remove from the student's access, prior to seeking search consent or calling the police. Under no circumstances will the student be permitted to go into the bag themselves.

The following items are explicitly prohibited at QASMT and will be removed if found in a student's possession:

- illegal items or weapons (e.g. guns, knives\*, throwing stars, brass knuckles, chains)
- imitation guns or weapons
- potentially dangerous items (e.g. blades, rope)
- drugs (including tobacco or vape materials)
- alcohol
- aerosol deodorants or cans (including spray paint)
- explosives (e.g. fireworks, flares, sparklers)
- flammable solids or liquids (e.g. fire starters, mothballs, lighters)
- poisons (e.g. weed killer, insecticides)
- inappropriate or offensive material (e.g. racist literature, pornography, extremist propaganda).

\* No knives of any type are allowed at school, including flick knives, ballistic knives, sheath knives, push daggers, trench knives, butterfly knives, star knives, butter knives, fruit knives or craft knives, or any item that could potentially be used as a weapon, for example a chisel. Knives needed for school activities will be provided by the school, and the use of them will be supervised by school staff. In circumstances where students are required to have their own knives or sharp tools for particular subjects or courses, the school will provide information about the procedures for carrying and storing these items at school.

## 2. DEFINITION OF EMERGENCY CIRCUMSTANCES

Under emergency circumstances only, such as the need to access an EpiPen for an anaphylactic emergency, the Principal, or Principal's delegate, may need to search a student's property without the student's consent or consent of parents.

The administration of medications to students by school staff is only considered when a prescribing health practitioner has determined that it is necessary or when there is no other alternative in relation to

the treatment of a specific health need. Schools require medical authorisation to administer any medication to students (including over-the-counter medications such as paracetamol or alternative medicines).

### **3. DEFINITION OF REASONABLE TIME TO RETAIN OR MAKE PROPERTY AVAILABLE FOR COLLECTION**

The Principal, or Principal's delegate, will determine when the temporarily removed student property can be returned, unless the property has been handed to the Queensland Police Service. In determining what constitutes a reasonable time to retain student property, the Principal, or Principal's delegate, will consider:

- the condition, nature or value of the property
- the circumstances in which the property was removed
- the safety of the student from whom the property was removed, other students or staff members
- good management, administration and control of the school.

### **4. PROCESS AND RESPONSIBILITIES**

#### **4.1 The Principal, or Principal's delegate, at QASMT**

- Does not require the student's consent to search school property such as lockers, desks or loan devices that are supplied to the student through the school.
- May seize, but not open, a student's bag where there is suspicion that the student has a dangerous item (for example, a knife or alcohol) in their school bag, prior to seeking consent to search from a parent or calling the police.
- Must seek consent from the student or parent to examine or otherwise deal with the temporarily removed student property. For example, staff who temporarily remove a mobile phone from a student are not authorised to unlock the phone or to read, copy or delete messages stored on the phone.
- Must seek consent from the student or parent to search the person of a student (e.g. pockets or shoes). If consent is not provided and a search is considered necessary, the police and the student's parents shall be called to make such a determination.
- Will determine when the temporarily removed student property can be returned, unless the property has been handed to the Queensland Police Service.

The Principal, or Principal's delegate, may retain temporarily removed student property if:

- The property is illegal to possess, threatens the safety or wellbeing of students or staff, or is reasonably suspected to have been used to commit a crime and staff are in the process of notifying police.
- Police state that they will come to the school to investigate matters relating to the temporarily removed student property.
- Where staff reasonably suspect that the student is not the lawful owner of the property.

- Student or parent has not collected the temporarily removed student property despite reasonable efforts to contact the student or parent to advise that the property is available for collection.

## 4.2 Parents of Students at QASMT

- Ensure your student does not bring property onto schools grounds or other settings used by the school (e.g. Academy celebrations, camp, sporting venues) that:
  - is prohibited according to the QASMT Student Code of Conduct
  - is illegal
  - puts the safety or wellbeing of others at risk
  - does not preserve a caring, safe, supportive or productive learning environment
  - does not maintain and foster mutual respect
- Collect temporarily removed student property as soon as possible, after they have been notified by the Principal, or Principal's delegate, that the property is available for collection.

## 4.3 Students at QASMT

- Do not bring property onto school grounds or other settings used by the school (e.g. camp, sporting venues) that:
  - is prohibited according to the QASMT Student Code of Conduct
  - is illegal
  - puts the safety or wellbeing of others at risk
  - does not preserve a caring, safe, supportive or productive learning environment
  - does not maintain and foster mutual respect;
- Collect their property as soon as possible when advised by the Principal, or school staff, it is available for collection.

Please note that this policy should be read in conjunction with *The Responsible Use of Electronic Devices and Mobile Phone Policy*.

## 5. PROCESS FLOWCHART: TEMPORARY REMOVAL OF STUDENT PROPERTY BY SCHOOL STAFF

### Communication of expectations

School staff provide students and parents with clear communication to inform what student property can be temporarily removed and the expectations in relation to property students may bring to school.

### Identification of inappropriate student property

School staff identify student property that is illegal, not compliant with the Student Code of Conduct or puts the safety or wellbeing of others at risk.

### Removal of property

School staff remove student property and store safely, noting that they are not authorised to open bags, unlock mobile phones or read, copy or delete messages stored on phones without the consent of the student or parent.

### Determine time to retain property

School staff determine what constitutes a reasonable time to retain student property.

### Return of property

Student property is made available for collection by student/ parent, or property is retained by school.

### Retention of property

Property is retained if it is:

- not collected despite reasonable efforts
- suspected that student is not the lawful owner
- illegal to possess or threatens the safety or wellbeing of the community
- provided to Queensland Police Service