

## **Students**

### **Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances)**

Pursuant to the goal of the Board of Education (Board) to maintain a drug, tobacco and alcohol-free school district, schools shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined in the Penal Code of the State of Connecticut.

Alcohol, tobacco, stimulants, street drugs, including but not limited to marijuana, heroin and cocaine; anabolic steroids, hormones and analogues, diuretics and other performance enhancing substances; including supplements and Creatine, are addressed by this policy and accompanying administrative regulations.

Possessing, using, or transmitting any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K2 and bath salts are addressed by this policy.

### **Definitions**

**Drugs** are defined as any substance other than food or water that is intended to be taken or administered (ingested, injected, applied, implanted, inhaled, etc.) for the purpose of altering, sustaining, or controlling the recipient's physical, mental, or emotional state. Drugs may include, but not be limited to, alcoholic beverages; controlled substances such as marijuana, hallucinogens, cocaine, barbiturates, amphetamines, narcotics; and non-authorized prescription drugs.

**Controlled substances**, for purposes of this policy shall include all controlled substances prohibited by federal and state law, look-alike drugs, alcoholic beverages, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.

**Under the influence**, for purposes of this policy shall include any consumption or ingestion of controlled substances by a student.

**Electronic nicotine delivery system** means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.

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### **Alcohol Use, Drugs, and Tobacco (continued)**

#### **Definitions (continued)**

**Liquid nicotine container** means a container that holds a liquid substance containing nicotine that is sold, marketed or intended for use in an electronic nicotine delivery system or vapor product, except “liquid nicotine container” does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

**Vapor product** means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor that may or may not include nicotine that is inhaled by the user of such product.

**CBD**, for purposes of this policy, is defined under federal law as a cannabis product with less than 0.3% tetrahydrocannabinol (THC) on a dry weight basis. It is also referred to as hemp. (Nonprescription CBD products that are available have not been approved by the U. S. Food and Drug Administration (FDA) for any use.)

#### **Privacy Rights**

Personal privacy rights of students shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Privileged communication between a certified or paraprofessional employee and a student concerning drug abuse shall remain confidential except in cases where the employee is obtaining physical evidence of a controlled substance, and/or where there is an immediate threat to, or where students' health, safety, and welfare may be jeopardized.

#### **Illegal Activities**

Use, possession, sale or distribution of drugs, including prescription drugs, drug paraphernalia and/or alcoholic beverages in violation of state law or Board of Education policy is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, the police will be notified, his/her parent(s)/guardian will be contacted, he/she will be suspended from school, referred to a Student Support Team, and considered for expulsion. In cases of the illegal activity of possessing or selling drugs or alcohol, students will be referred to the appropriate law enforcement authorities. If a student is arrested and is awaiting trial for possession of, or possession of with intent to sell drugs in or on school property or at a school-sponsored event, the student will not be allowed to attend school without the permission of the Superintendent, per the guidelines set forth in Policy #5114.

#### **Notification of Policy**

Annually, students will be notified through the student handbook, or through other means, of disciplinary sanctions for violation of this policy.

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### **Alcohol Use, Drugs, and Tobacco**

#### **Notification of Policy** (continued)

Principals shall include statements, appropriate to student maturity, in school handbooks and on District/school websites to the effect that:

1. the unlawful manufacture, distribution, sale, dispensing, possession or use of controlled substances, other illegal drugs, performance-enhancing substances, alcohol or tobacco, including electronic nicotine delivery systems and vapor products, is prohibited in school, on school grounds, on school transportation and at school sponsored activities;
2. compliance with the standards of conduct stated in the handbook is mandatory;
3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution;
4. CIAC controlled activities at the high school and middle school levels sponsored by the District/school are included in this policy and accompanying administrative regulations; and
5. CIAC may impose sanctions beyond those applied by the District for the use of performance-enhancing substances, as defined in this policy, by athletes.

#### **Disciplinary Action**

Students who violate this policy will be subject to disciplinary action which includes, but is not limited to, suspension or expulsion, and/or a program recommended by the Student Support Team. Student athletes who violate this policy, participating in CIAC-controlled activities shall also be declared ineligible for such activities in accordance with CIAC policy and regulation. Any disciplinary actions imposed will ensure that similar violations will be treated consistently. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The following guidelines for reporting alleged violations are to be followed:

1. If an employee suspects student possession, use, abuse, distribution or sale of controlled substances, other illegal drugs, performance-enhancing drugs, alcohol, or tobacco/tobacco products the employee shall refer the matter to the Principal or his/her designee. The Principal or designee will notify the student's parent/guardian, recommend a specific assessment, as appropriate, and contact law enforcement personnel as appropriate.

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### **Alcohol Use, Drugs, and Tobacco (continued)**

#### **Disciplinary Action (continued)**

2. If an employee obtains physical evidence of a controlled substance, other illegal drug, drug paraphernalia, performance-enhancing drugs, alcohol, tobacco products or tobacco paraphernalia from a student in school, on school grounds, on school provided transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school principal or designee. The Principal will notify the student's parent/guardian, recommend a specified assessment as appropriate, notify law enforcement personnel and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law.

#### **Drug-Free Awareness Program**

The Superintendent shall assure that the school District provides a drug-free awareness program for students including the following topics:

- health and safety-related dangers of drug abuse;
- review of the Board of Education's policy of maintaining drug-free schools;
- notification of the availability of drug counseling and rehabilitation programs; and
- official penalties for drug abuse violations in schools.

#### **Drugs and Alcohol**

It is the policy of the Board to prevent and prohibit the use (except as duly authorized through the school nurse), possession, distribution or sale of any drug, drug paraphernalia, or alcohol by any student at any time on school property, at school-sponsored events or on school-provided transportation. The District provides (1) a supportive environment for recovering chemically dependent students during and/or after their involvement in a treatment program for chemical dependency; and will provide (2) assistance to those students who are affected by drug/alcohol possession or use by others. Any student in District schools found to be using, selling, distributing, in possession of or under the influence of intoxicants, mood altering drugs or substances, or look-alike drugs, or in possession of any related drug paraphernalia during a school session, on school premises, or anywhere at a school-sponsored activity or trip, on school-provided transportation, or otherwise off school grounds when such student's conduct violates the substance abuse policy and is seriously disruptive of the educational process shall be subject to consequences as stated in the student handbook.

A breath alcohol tester is approved for use at events/activities such as dances and proms at the middle school and high school levels where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage and then, only under the following circumstances:

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### **Alcohol Use, Drugs, and Tobacco**

#### **Drugs and Alcohol (continued)**

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on
- the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.

#### **Inhalant Abuse**

In addition to the prohibitions pertaining to alcohol, drugs and tobacco contained in this policy, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or substance containing a volatile chemical with intent to inhale, ingest, apply or use any of these in a manner:

1. Contrary to directions for use, cautions or warnings appearing on a label of a container of the glue, paint aerosol or substance; and
2. Designed to affect the central nervous system, create or induce a condition of intoxication, hallucination or elation, or change, distort, or disturb the person's eyesight, thinking process, balance or coordination.

For purposes of this policy, inhalants are defined as follows, but not limited to:

Nitrous Oxide – Laughing Gas, Whippets, CO<sub>2</sub> Cartridge

Amyl Nitrite – “Locker Room,” “Rush,” “Poppers,” “Snappers”

Butyl Nitrite – “Bullet,” “Climax”

Chlorohydrocarbons – Aerosol Paint Cans, Cleaning Fluids

Hydrocarbons – Aerosol Propellants, Gasoline, Glue, Butane

Further, no student, 18 years of age or older, shall intentionally, knowingly or recklessly deliver or sell potentially abusable inhalant materials as listed above to a minor student.

No student shall intentionally use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint or substance or other substance that contains a volatile chemical.

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### **Alcohol Use, Drugs, and Tobacco**

#### **Inhalant Abuse (continued)**

Any student in the District schools found to be in possession of, using, distributing, or selling potentially abusable inhalant materials shall be subject to disciplinary action as outlined in this policy, up to and including suspension and a recommendation for expulsion. Violators of this policy may also be required to complete an appropriate rehabilitation program. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The Board of Education shall incorporate into the curriculum at all levels education pertaining to potential inhalant abuse which is appropriate for students given their age, maturity, and grade level. Inhalant abuse educational programs/information for parents/guardians will be offered in a manner convenient to parents/guardians.

#### **Performance-Enhancing Drugs (including food supplement)**

In addition to the prohibition pertaining to alcohol, drugs, tobacco and inhalants, the Board of Education prohibits the use, possession, distribution or sale of performance-enhancing drugs, including anabolic steroids and food supplements, including Creatine, by students involved in school-related athletics or any co-curricular or extracurricular school activity/program, other than use for a valid medical purpose as documented by a physician. Bodybuilding and enhancement of athletic ability and performance are not considered valid medical purposes.

School personnel and coaches will not dispense any drugs, medication or food supplements except as in compliance with Connecticut State law, District policy and as prescribed by a student's physician, dentist, physician assistant or advanced practice registered nurse.

Students shall be made aware of the dangers of steroid abuse and that such abuse, unauthorized possession, purchase, or sale will subject them to disciplinary action and CIAC sanctions.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose, and the Board of Education shall approve, procedures and regulations to ensure that any student violating this section is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

It is the expectation of the Board that District schools, as members of the Connecticut Interscholastic Athletic Association (CIAC), require all athletes playing in CIAC-controlled sports to be chemical free.

## **Students**

### **Alcohol Use, Drugs, and Tobacco (continued)**

#### **Tobacco/E-Cigarette Use by Students**

There shall be no smoking or any other unauthorized use or possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia, and electronic nicotine delivery systems or vapor products by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Such as when the student is at any school function, extracurricular event, field trip, or school related activity such as a work-study program. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

Tobacco includes, but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine delivering systems or vapor product, chemicals, or devices that produce the same flavor or physical effect of nicotine substances; and any other tobacco or nicotine innovations.

Students who violate this policy will be subject to disciplinary action. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar actions are treated consistently.

#### **Medical Marijuana**

The conditions which follow are applicable to a District student, eighteen years of age or older, who holds a certificate authorizing the palliative use of marijuana issued by the Connecticut Department of Consumer Protection (DCP) for the medical use of marijuana as set out in P.A. 12-55, "An Act Concerning the Palliative Use of Marijuana." Although possession and use of marijuana for certain medical conditions, consistent with Connecticut's P.A. 12-55, "An Act Concerning the Palliative Use of Marijuana," is no longer a crime in Connecticut, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug-Free Schools and Communities Act, the use and or possession of marijuana continues to be prohibited while a student is on a school bus, at school, on school grounds or at a school-sponsored activity.

The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana certificate holder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana certificate holder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students attending District schools.

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### **Alcohol Use, Drugs, and Tobacco**

#### **Medical Marijuana** (continued)

A student medical marijuana certificate holder shall not:

- Undertake any task under the influence of marijuana that would constitute negligence;
- Possess or engage in the medical use of marijuana
  - On a school bus,
  - On the grounds of any preschool, elementary or secondary school,
  - Smoke marijuana on any form of public transportation or in any public place;
- Operate, navigate, or be in actual physical control of any motor vehicle while under the influence of marijuana, except that a qualifying certified marijuana user for medical purposes shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment;
- Use marijuana in any manner not authorized by P.A. 12-55; or
- Offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school-provided vehicles, at school events, or when functioning as a representative of the school.

If District officials have reasonable belief that a student may be under the influence, in possession of, or distributing medical marijuana, in a manner not authorized by the medical marijuana statute, law enforcement authorities will be informed.

A student who violates any portion of this policy shall be subject to disciplinary action and applicable criminal prosecution.

#### **Use of CBD Products**

Students are prohibited from being under the influence of any controlled drugs, narcotic, substance or any mind-altering substance or intoxicant, illegal or legal, specifically any product with cannabidiol (CBD), whether hemp or cannabis, and regardless of the amount of THC (tetrahydrocannabinol) in the product or the extent to which it is legal or illegal under state law.

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### **Alcohol Use, Drugs, and Tobacco (continued)**

- (cf. 5114 – Suspension/Expulsion)
- (cf. 5131 – Conduct)
- (cf. 5131.61 – Inhalant Abuse)
- (cf. 5131.62 – Steroid Use)
- (cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)
- (cf. 5131.8 – Out of School Grounds Misconduct)
- (cf. 5131.92 – Corporal Punishment)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.12 – Search and Seizure)
- (cf. 5145.121 – Vehicle Searches on School Grounds)
- (cf. 5145.122 – Use of Dogs to Search School Property)
- (cf. 5145.124 – Breathalyzer Testing)
- (cf. 5145.125 – Drug Testing-Extracurricular Activities)
- (cf. 6164.11 – Drugs, Alcohol, Tobacco)

- Legal Reference: Connecticut General Statutes
- 1-21b Smoking prohibited in certain places.
  - 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
  - 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
  - 10-220b Policy statement on drugs.
  - 10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs.
  - 21a-240 Definitions dependency producing drugs.
  - 21a -240(8) Definitions “Controlled Drugs,” dependency producing drugs.
  - 21a-240(9) Definitions “controlled substance.”
  - 21a-243 Regulation re schedules of controlled substances.
  - 53-198 Smoking in motor buses, railroad cars and school buses.
  - P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.
  - P.A. 12-55 An Act Concerning the Palliative Use of Marijuana.
  - P.A. 14-76 An Act Concerning the Governor’s Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.

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### **Alcohol Use, Drugs, and Tobacco**

Legal Reference: Connecticut General Statutes (continued)  
P.A. 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products.  
Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.  
20 U.S.C. Section 7181 et. seq., No Child Left Behind Act.  
Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)  
*New Jersey v. T.L.O.*, 469 U.S. 325 (1985).  
*Veronia School District 47J v. Acton*, 515 U.S. 646. (1995)  
*Board of Education of Independent School District No 92 of Pottawatomie County v. Earls* 01-332 U.S. (2002).

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PUTNAM PUBLIC SCHOOLS  
Putnam, Connecticut

## **Students**

### **Drugs, Tobacco and Alcohol**

School administrators are authorized by law and delegated the responsibility for providing a healthy environment for learning and maintaining discipline. Since the Connecticut State Statutes and Board policies and regulations are explicit on the possession and/or use of controlled substances, it becomes the administrator's responsibility to ensure that these statutes, policies and regulations are enforced.

- A. In each school, the principal shall inform all persons concerned about the illegal aspects of drug and controlled substance use.
  
- B. In each school, the principal shall issue and disseminate definite rules on the control of school property, e.g., desks, lockers and school parking lots, and shall be prepared to prosecute offenders. As authorized by Section 10-221 of the Connecticut General Statutes for the maintenance of discipline in the school, a school administrator may search a student's locker or desk if students have been informed in advance that, under Board policy, desks and lockers may be searched and the following conditions are met:
  - 1. The search is justified at its inception; and
  - 2. The search as actually conducted is reasonably related in scope to the circumstances which justified the search in the first place.

A search is justified at its inception when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. A search is reasonably related in scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

School personnel are forbidden to act as police officers. A search for evidence without proper authorization for the purposes of turning it over to the police would involve a person in possible illegal conduct and produce "evidence" not admissible in court. When a criminal act is suspected, the school authorities should call the police. Information, without prejudice or accusation, will enable the officer to proceed legally.

In case of emergency or of clear and present danger to students, staff or the educational environment, the schools will cooperate with the police. Section 18-65 of the Connecticut General Statutes provides that a child may be arrested, "with or without a warrant . . . except that no child shall be taken into custody on such process except on apprehension in the act, on speedy information, or in other cases when the use of such process appears imperative." The judge is thereupon instructed to transfer the child immediately to the Juvenile Court.

## **Students**

### **Drugs, Tobacco and Alcohol (continued)**

#### **Notification**

**1. Administration will be notified by a teacher or other staff member:**

When a student exhibits inappropriate behavior, which may or may not be drug or alcohol related, which the school personnel have not succeeded in changing.

When a student demonstrates symptoms of possible unauthorized drug use or overdose, it should be handled as a medical emergency.

**2. Parents/Guardians will be notified by the Administration:**

When the student is under the influence of alcohol or a drug overdose is suspected, or when the student is caught with alcohol, or unauthorized drugs, drug paraphernalia or controlled substances or is distributing such drugs or controlled substances.

**3. Police will be notified by the Administration:**

Whenever the student is caught with unauthorized drugs, drug paraphernalia or controlled substances, or is distributing drugs, alcohol or controlled substances.

#### **Disciplinary Action**

If alcohol or unauthorized drugs, drug paraphernalia or controlled substance possession or use is confirmed, the student may be suspended up to ten (10) days or recommended for expulsion. If unauthorized drugs, drug paraphernalia or controlled substance distribution is confirmed, the student will receive suspension until a Board of Education hearing to consider expulsion is convened.

#### **Referral**

If a student is in possession of, under the influence of, or distributing alcohol or unauthorized drugs, drug paraphernalia or controlled substances, the principal and guidance counselor will tell the parent and student to make an appointment at one of the state licensed agencies for referral for treatment. The parent(s)/guardian(s) shall be encouraged to sign a release form authorizing the treating agency and the school to exchange records and information regarding the student's treatment.

#### **Disposition of Substance**

Any drug-like substance or paraphernalia discovered will be sealed, documented and submitted to the police for analysis and possible use in further proceedings. The principal will give the student a signed, dated receipt and will obtain a signed, dated receipt from the police.

## **Students**

### **Drugs, Tobacco and Alcohol (continued)**

#### **Investigation**

The building administrator may request that the student empty his/her pockets, purse, book bag, backpack, and/or any other bag, container, or item of storage and volunteer all drug-like substances. The student's person, locker, desk and all personal property may be subject to search under appropriate circumstances. The student shall not be left alone after being confronted with possession, use or distribution of alcohol or unauthorized drugs, drug paraphernalia or controlled substances until school administration has investigated such allegations.

#### **Use of CBD Products**

Students are prohibited from possessing, using, selling, delivering, manufacturing, or being under the influence of any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC.)

Legal Reference: Connecticut General Statutes  
10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome  
10-19b Advisory councils on drug abuse prevention.  
10-154a Professional communications between teacher or nurse and student.  
10-220 Duties of boards of education.  
10-220a In-service Training, Professional development.  
10-221 Boards of education to prescribe rules, policies and procedures.  
10-233c Suspension of students.  
10-233d Expulsion of students.  
18-65 Persons confined in institutions.  
21a-278a Penalty for illegal manufacture, distribution, sale, prescription or administration involving minors.  
21a-240 Definitions. (9) Controlled substance. (17) Drug. (20) (A) Drug paraphernalia.  
54-33n Search of school lockers and property.  
Federal Statutes  
18 U.S.C. 801 et seq. Comprehensive Drug Abuse Prevention and Control Act of 1970.

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