

## SMOKING, DRINKING, AND USE OF DRUGS ON SCHOOL PREMISES

### **Introduction**

The Board of Education is concerned with maintaining a safe and healthy working and learning environment for all staff and students. Medical research indicates that the use of alcohol, drugs and tobacco are hazardous to one's health. In addition to the health hazard to the individual, certified employees are entrusted with the responsibility of imparting knowledge and serving as role models to students.

### **Alcohol and Drugs**

The Board of Education recognizes the importance of maintaining a drug-free environment for its staff and students. In compliance with federal and state requirements, employees are prohibited from the unlawful manufacture, distribution, dispensing, possession or use on or in the workplace any alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance. Controlled drugs are further defined in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15.

The "workplace" is defined to mean the site for the performance of work done. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

Each employee shall notify his or her supervisor of his or her conviction for any criminal drug statute violation occurring in the workplace as defined above, no later than 5 days after such conviction.

Each employee shall abide by the terms of the school district policy respecting a drug-free and alcohol-free workplace.

An employee who violates the terms of this policy may be required to complete successfully an appropriate rehabilitation program, or may not be renewed, or his/her employment may be suspended or terminated, at the discretion of the Board.

### **Tobacco**

There shall be no smoking or other use of tobacco products on school property, on transportation provided by the Board of Education, or during the course of any trip sponsored by the Board or under the supervision of the Board or its authorized agents.

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**Promulgation of Rules**

A copy of this policy, and the consequences of violating the policy, shall be distributed to all employees of the Board of Education. Failure to comply with the policy may result in disciplinary action as detailed by the administration.

**Disciplinary Action for Violation of Alcohol and Drug Policy**

These procedures should be followed if an employee of the district is found to have violated the alcohol and drug policy.

1. Employees observed selling, possessing, or transferring of controlled drugs and alcohol.
  - a. Employees will be reported to the building principal immediately.
  - b. The Superintendent will become responsible for holding any suspicious materials and will issue a signed receipt for them.
  - c. The police will be notified and the material turned over to them for analysis and disposition in exchange for a written receipt. Any further action will be left to the police. No employee shall act in a law enforcement capacity.
2. Employees suspected to be under the influence of drugs or alcohol.
  - a. Employees shall be taken to the nurse and shall be treated as a person who is ill. The Superintendent shall be notified by the principal. In case of emergency or if there is a clear and present danger to an employee's health, he/she will be transferred immediately to the hospital. Employees may be requested to submit to a breathalyzer test or other means of assessing the presence of drug and/or alcohol in the individual's body. Refusal may result in disciplinary action or referral to the appropriate authority.
  - b. Consistent with local, state and federal law, employees found to be in possession of, using or distributing illicit drugs or alcohol on school premises may be subject to termination of employment and prosecution.
  - c. If verified, information about drug and alcohol counseling and rehabilitation and re-entry programs will be made available to employees, and the completion of an appropriate rehabilitation program will be required as a condition of continued employment. At no time will the expenses associated with counseling, rehabilitation, or treatment be borne by the Board of Education.

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3. Discovery of Controlled Drugs and Alcohol.
  - a. An employee finding such material will deliver it to the principal.
  - b. The principal will investigate the matter and notify the Superintendent of the incident.
  - c. If the material is found to be or is suspected of being a controlled drug, the building principal will turn over the material to the police for analysis in exchange for a written receipt.

**Sanctions for Violation of Smoking Policy**

1. First Offense. Upon the first violation, an employee found to be smoking in the school building or on the school grounds during regular school hours will be warned orally that he/she is violating the school smoking ban policy and that further violation will lead to a written warning and further disciplinary action.
2. Second Offense. Employees who are found to violate the policy a second time will receive a written warning. A copy of this written warning will be placed in the employee's personnel file.
3. Third Offense. Upon the third violation, an employee will receive a second written warning. A copy of this written warning will be placed in the employee's personnel file.
4. Fourth Offense. If the employee violates the smoking policy a fourth time, the employee will be referred to the Superintendent for further disciplinary action.

Legal Reference: Drug-Free Workplace Act. 102 Stat. 4305-4308.  
Drug-Free Schools and Community Act, P.L. 99-570, as amended by  
P.L. 101-226 (1991)  
21 U.S. C. 812, Controlled Substances Act, I through V, 202.  
21 C.F.R. 1300.11 through 1300.15 regulation  
54 Fed. Reg. 4946 (1989)  
Connecticut General Statutes  
19a – 342 Smoking prohibited in certain places.  
19-443 (6) Exception.