

## Students

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

Pursuant to the goal of the Board of Education 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 the unlawful possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled drugs and substances as by federal and state law.

Alcohol, stimulants, including caffeine pills, over-the-counter medications, mood altering substances, 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:** means 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 are not limited to, alcoholic beverages and controlled drugs and substances, including, but not limited to, marijuana, hallucinogens, cocaine, barbiturates, amphetamines, narcotics; and non-authorized prescription drugs.

**Controlled Drugs:** means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).

**Controlled Substances:** means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).

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

#### Definitions (continued)

**Professional Communication:** any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).

**Professional Employee:** means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).

**Drug Paraphernalia:** means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a- 240(20)(A).

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

#### 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 prescription drugs, over-the-counter drugs or stimulants, mood altering substances, 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.

#### Illegal Activities

The unlawful manufacture, distribution, dispensing, possession or use of controlled substances, drug paraphernalia, other illegal drugs, prescription drugs, over-the-counter drugs/stimulants, mood altering substances or alcohol is prohibited in school, on school grounds, on school transportation and at school sponsored activities. 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 may be suspended from school, referred to counseling, or 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.

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

#### **Notification of Policy**

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

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, dispensing, possession or use of controlled substances, drug paraphernalia, other illegal drugs, prescription drugs, over-the-counter drugs/stimulants, mood altering substances or alcohol 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: and
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.
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.

#### **Procedures**

(1) Emergencies.

If an emergency situation results from drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or designated responsible person will be notified.

(2) Prescribed Medications.

The parent or guardian of any student who is required to take any prescribed medication during the school day shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student under the supervision of the school nurse or designee in accordance with C.G.S. Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

Students taking improper amounts of a prescribed medication, or taking a prescribed medication without proper notification and supervision of the school nurse or designee will be subject to the procedures for improper drug or alcohol use outlined in this policy.

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

#### Procedures (continued)

(3) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- (a) Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).
- (b) Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student **must** be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).
- (c) Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.
- (d) If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.

(4) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

When a professional employee obtains information related to a student *from a source other than the student's confidential disclosure*, that the student, on or off school grounds or at a school sponsored activity, is under the influence of, or possesses, uses, dispenses, distributes, administers, sells or aids in the procurement of a controlled drug, controlled

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#### Procedures (continued)

substance, drug paraphernalia or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply.

- (a) The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.
- (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(b). Because such evidence was **not** obtained through a professional communication, the name of the student must be disclosed to the building administrator or designee.
- (c) Search and Seizure of Students and/or Possessions: A professional employee who reasonably suspects that a student is violating a state/federal law or a school substance abuse policy must **immediately** report his/her suspicion to the building administrator or designee. The building administrator or designee may then search a student's person or possessions connected to that person, in accordance with the Board's policies and regulations if he/she has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.

Any physical evidence obtained in the search of a student, or a student's possessions, indicating that the student is violating or has violated a state or federal law **must** be turned over to law enforcement officials as soon as possible, but not later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

- (5) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia or Alcohol.
  - (a) Any student in the Stafford Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol either on or off school property, or at a school-sponsored activity, except as such use or possession is in accordance with Connecticut General Statutes §

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#### Procedures (continued)

21a-408a through 408q, is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.

- (b) In conformity with the Board's student discipline policy, students may be suspended or expelled for drug or alcohol use off school grounds if such drug or alcohol use is considered seriously disruptive of the educational process. In determining whether the conduct is seriously disruptive of the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within close proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.
- (c) If a school administrator has reason to believe that any student was engaged, on or off school grounds, in offering for sale or distribution a controlled substance (as defined by Conn. Gen. Stat. § 21a-240(9), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stats. §§ 21a-277 and 21a-278, the administrator will recommend such student for expulsion, in accordance with the Board's student discipline policy.
- (d) Students found to be in violation of this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
- (e) A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy with the student and parent or guardian.
- (f) Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol.

#### 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;

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#### Drug-Free Awareness Program (continued)

- review of the Board of Education's policy for dispensing medication
- notification of the availability of drug counseling and rehabilitation programs; and
- official penalties for drug abuse violations in schools.

#### Inhalant Abuse

In addition to the prohibitions pertaining to alcohol, drugs, drug paraphernalia and tobacco contained in this policy, no student shall inhale, ingest, apply, use or possess an abusable glue, aerosol paint or any other 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 any other 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, CO2 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 person 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 any other substance that contains a volatile chemical.

Students who violate this policy 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.

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

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.

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

In addition to the prohibition pertaining to alcohol, drugs, drug paraphernalia, prescription drugs, over-the-counter drugs and stimulants, mood altering substances, tobacco and inhalants, the Board of Education prohibits the use 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.

#### **Tobacco Use by Students**

There shall be no smoking, including the use of an electronic nicotine delivery system or vapor product, or any other use or possession of tobacco or tobacco paraphernalia by students in any school building or school vehicle at any time or on any school grounds during the school day or at any school sponsored activity. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.



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

#### **Tobacco Use by Students (continued)**

Tobacco includes, but is not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic nicotine delivery system or vapor product, non-electronic nicotine delivery systems, chemicals, or devices that produce the same flavor or physical effect of nicotine substances; and any other tobacco or nicotine innovations. For purposes of this policy, the term –“electronic nicotine delivery system” shall mean 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, and the term “vapor product” shall mean 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 contain nicotine, that is inhaled by the user of such product.

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**

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 state and 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 continue to enforce its policies regarding controlled substances and any students who violate District policy prohibiting the use, sale or possession of illegal drugs in District facilities and school property will be subject to disciplinary and criminal action.

(cf.5114-Suspension/Expulsion)

(cf.5131.61-Inhalant Abuse)

(cf.5131.62- Steroid Use)

(cf.5131.8-OutofSchoolGroundsMisconduct) (cf.

5145.12- Search and Seizure)

(cf. 5145.121 -Vehicle Searches on School Grounds)

(cf. 5145.124- Breathalyzer Testing)

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

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.  
 10-212a Administration of medications in schools, at athletic events and to children in school readiness programs  
 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.  
 10-233a through 10-233f (Student Discipline)  
 21a-240 Definitions dependency producing drugs.  
 21a-243 Regulation re schedules of controlled substances.  
 21a-408a through 408q (Palliative Use of Marijuana)  
 53-198 Smoking in motor buses, railroad cars and school buses.  
 Public Act 14-76, "An Act Concerning The Governor's Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention"  
 Public Act 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.  
*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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### Alcohol Use, Drugs, and Tobacco

The implementation of the Board of Education policy #5131.6, "Alcohol Use, Drugs and Tobacco" is subject to the following guidelines, including disciplinary consequences.

### Definitions

**Controlled Drugs** means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).

**Controlled Substances** means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).

**Performance-Enhancing Substances** include any performance-enhancing drug, including anabolic agents or steroids, used for the intent of bodybuilding and muscle enhancement of physical ability and not for a valid medical purpose as defined by a physician; includes, but is not limited to, those performance-enhancing drugs/substances identified on the CIAC comprehensive list reflected below.

1. Pharmacological agents (prescription or nonprescription) taken in doses that exceed the recommended therapeutic dose or taken when the therapeutic indicators are not present;
2. Agents used for weight control, including stimulants, diet pills, diuretics, and laxatives, when the user is in a sport that has weight classifications or that rewards leanness;
3. Agents used for weight gain, including over-the-counter products advertised as promoting increased muscle mass;
4. Physiologic agents or other strategies used to enhance oxygen-carrying capacity, including erythropoietin and red blood cell transfusions (blood doping);
5. Any substance that is used for reasons other than to treat a documented disease state or deficiency;

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### Alcohol Use, Drugs, and Tobacco

#### Definitions (continued)

6. Any substance that is known to mask adverse effects or detect ability of another performance-enhancing substance; and
7. Nutritional supplements, including Creatine, taken at "supraphysiologic" doses or at levels greater than required or to replace deficits created by a disease state, training program and/or participation in sports.

**Distribution or Sale of Controlled Substances** means to deliver, sell, pass, share or give any alcohol, drug or mood altering controlled substance, as defined by this regulation, from one person to another or to aid in its use.

**Possession of Controlled Substances** means to possess or hold, any alcohol, drug, or mood altering substance determined to be illegal, or as defined by this regulation, on one's person, in one's personal belongings, one's locker, car, backpack, etc.

**Drug paraphernalia** means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a-240(20)(A).

**Health Assessment** is an evaluation conducted by a professional to determine the student's overall health and condition.

**Zero Tolerance Policy** is defined as a policy that, if violated, will result in a disciplinary consequence, without exception.

#### Controlled Substances: Use or Possession (Drugs, Alcohol, Inhalants)

It is the policy of the Board of Education to prevent and prohibit the unlawful possession and/or use of any drug (except as medication duly authorized through the school nurse), or drug paraphernalia at any time in school, on school property, at school-sponsored events/activities, or on school-provided transportation. Therefore, the district maintains a zero tolerance policy regarding controlled substances and alcohol possession and use on school grounds and at school-sponsored events.

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### Alcohol Use, Drugs, and Tobacco

#### Controlled Substances: Use or Possession (Drugs, Alcohol, and Inhalants) (continued)

The school 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 or in possession of or under the influence of alcohol, 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 disciplinary consequences. These disciplinary consequences apply to all students, including all student athletes, and those students involved in co-curricular and extra-curricular activities, subject to state and federal law.

Pursuant to the goal of the Board of Education to maintain a drug and alcohol-free school district, the school shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession 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. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, alcohol, and drug paraphernalia are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel.

#### Breathalyzer Testing

The Stafford Board of Education supports the use of both passive alcohol screening ("PAS") devices and breathalyzers during the school day or at school-sponsored events to deter the use of alcohol by students and to promote the health and safety of all students.

Passive alcohol sensors and breathalyzers can be used by the administration and/or designated school personnel to (1) confirm a reasonable suspicion that a particular student has used or is under the influence of alcohol at school during the school day or at a co-curricular school-sponsored event and/or (2) systematically screen students attending co-curricular school-sponsored events for possible alcohol use.

Definitions: The *passive alcohol sensor* device, also known as "PAS," is a non-invasive high-speed breath alcohol-screening instrument, which can be used as a "sniffer" for overt or covert alcohol detection. This device may be used to sample a student's breath in order to detect alcohol use, with results reported as either "positive" or "negative." A *breathalyzer* is a device that detects and measures alcohol in expired air so as to determine the concentration of alcohol in a student's blood.

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

#### **Controlled Substances: Use or Possession (Drugs, Alcohol, and Inhalants) (continued)**

##### **Breathalyzer Testing (continued)**

Only administrators and/or designated school personnel will be trained in the use of the PAS device and/or breathalyzer. All testing instruments shall be properly calibrated and will be checked for accuracy and for full calibration in accordance with manufacturer's specifications. Testing of students using the breathalyzers will be conducted in a separate area, to the extent practicable, to maintain student privacy.

Results from a PAS device or breathalyzer will be maintained in a confidential manner, and released in accordance with district policy and state and federal law.

A student found to be in possession of or use of controlled substances (drugs, alcohol, inhalants) shall be subject to disciplinary action in accordance with Stafford's zero tolerance policy.

#### **Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances**

Performance-enhancing substances used by young people is a concern to our society at large because of the potential adverse health consequences and the effects such practices have on moral development of the individual and on fair athletic competition for all. Therefore, the Board of Education bans and prohibits the possession or use of any performance-enhancing substance, including dietary supplements, over-the-counter medication, caffeine pills, mood altering substances, prescription medications, and illicit drugs not otherwise prescribed by a student's physician for a legitimate health issue.

Any student in the District using or in possession of any kind of performance-enhancing drug or substance in school, on school grounds, on school transportation, or at school sponsored activities, or otherwise off school grounds when such student's conduct violates this Board policy and is seriously disruptive of the educational process shall be subject to disciplinary consequences in accordance with Board policy and state and federal law. These disciplinary consequences apply to all students, including all student athletes, and all students involved or not involved in co-curricular and extracurricular activities, subject to state and federal law.

#### **Sale and Distribution: Sale or Distribution of Controlled Substances (Drugs, Alcohol, Inhalants, Performance-Enhancing Drugs)**

It is the policy of the Board to prevent and prohibit the sale and/or distribution of any drug, alcohol, or controlled substance at any time on school grounds, at school-sponsored events or on school-provided transportation. Therefore, the Board of Education maintains a zero tolerance policy regarding controlled substances and alcohol sale or distribution on school grounds and at school-sponsored events.

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

#### **Controlled Substances: Use or Possession (Drugs, Alcohol, and Inhalants) (continued)**

#### **Sale and Distribution: Sale or Distribution of Controlled Substances (Drugs, Alcohol, Inhalants, and Performance-Enhancing Drugs) (continued)**

Any student in District schools found to be selling or distributing any controlled substance, including drugs, alcohol, and performance-enhancing substances 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 shall be subject to severe disciplinary consequences including mandatory expulsion from school and referral to law enforcement officials. These disciplinary consequences apply to all students, including all student athletes, and those students involved or not involved in co-curricular and extracurricular activities, subject to state and federal law.

Searches to locate drugs, alcohol, and drug paraphernalia are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Students who violate this policy will be subject to disciplinary consequences.

Any student found to be selling or distributing performance enhancing substances who wants to participate in interscholastic athletics, after the period of suspension/expulsion imposed by the school district, if less than 180 school days, must submit a medically updated drug test, approved by CIAC, which confirms the student to be chemical free. Such test must be completed within thirty days prior to a request for participation. All costs for testing will be incurred by the student, parent or guardian.

#### **Possession of Tobacco, Smoking Paraphernalia**

A student found to be using or in possession of tobacco or smoking paraphernalia shall be subject to disciplinary consequences.

(cf. 5114- Suspension/Expulsion) (cf.  
5131.61 -Inhalant Abuse)  
(cf. 5131.62- Steroid Use)  
(cf. 5131.8- Out of School Grounds Misconduct) (cf.  
5145.12- Search and Seizure)  
(cf. 5145.121- Vehicle Searches on School Grounds)  
(cf. 5145.124- Breathalyzer Testing)

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

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.  
 10-212a Administration of medications in schools, at athletic events and to children in school readiness programs  
 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.  
 10-233a through 10-233f (Student Discipline)  
 21a-240 Definitions dependency producing drugs.  
 21a-243 Regulation re schedules of controlled substances. 21a-408a through 408q (Palliative Use of Marijuana)  
 53-198 Smoking in motor buses, railroad cars and school buses.  
 Public Act 14-76, "An Act Concerning The Governor's Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention"  
 Public Act 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.  
*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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