

RICHFIELD PUBLIC SCHOOLS

DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), and controlled substances without a physician prescription.

II. GENERAL STATEMENT OF POLICY

A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.

B. It shall be a violation of this policy for any student, teacher, administrator, other school district personnel, or member of the public to use or possess alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), or controlled substances in any school location.

C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.

B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.

C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.

- 1 D. "Nonintoxicating cannabinoid" means substances extracted from certified
2 hemp plants that do not product intoxicating effects when consumed by any
3 route of administration.
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- 5 E. "Medical cannabis" means any species of the genus cannabis plant, or any
6 mixture or preparation of them, including whole plant extracts and resins,
7 and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2)
8 pill; (3) vaporized delivery method with use of liquid or oil but which does
9 not require the use of dried leaves or plant form; (4) combustion with use of
10 dried raw cannabis; or (5) any other method approved by the commissioner.
11 All cannabis is specifically prohibited on school grounds by Minn. Stat. §
12 152.23.
13
- 14 F. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing
15 toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or
16 containing other aromatic hydrocarbon solvents, but does not include glue,
17 cement, or paint contained in a packaged kit for the construction of a model
18 automobile, airplane, or similar item; (2) butane or a butane lighter; or (3)
19 any similar substance declared to be toxic to the central nervous system
20 and to have a potential for abuse, by a rule adopted by the commissioner
21 of health.
- 22 G. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use
23 or be under the influence of alcohol, toxic substances, medical cannabis,
24 nonintoxicating cannabinoids (including edible cannabinoid products),
25 and/or controlled substances, whether or not for the purpose of receiving
26 remuneration or consideration.
27
- 28 H. "Possess" means to have on one's person, in one's effects, or in an area
29 subject to one's control.
30
- 31 I. "School location" includes any school building or on any school premises;
32 including any school owned property including but not limited to, lockers,
33 desks, closets, and any school parking lots; on any school-owned vehicle
34 or in any other school-approved vehicle used to transport students to and
35 from school or school activities; off school property at any school-sponsored
36 or school-approved activity, event or function, such as a field trip or athletic
37 event, where students are under the jurisdiction of the school district; or
38 during any period of time such employee is supervising students on behalf
39 of the school district or otherwise engaged in school district business.
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41 42 **IV. EXCEPTIONS** 43

- 44 A. It shall not be a violation of this policy for a person to bring onto a school
45 location, for such person's own use, a controlled substance which has a
46 currently accepted medical use in treatment in the United States and the
47 person has a physician prescription for the substance. This exception does
48 not apply to medical cannabis, the possession and use of which on school
49 property is not allowed regardless of whether the person has a physician

1 prescription, as specified in Minn. Stat. § 152.23. The person shall comply
2 with the relevant procedures of this policy.
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- 4 B. It shall not be a violation of this policy for a person to possess an alcoholic
5 beverage in a school location when the possession is within the exceptions
6 of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories or pursuant
7 to a temporary license under Minn. Stat. § 340A.404, Subd. 10 and §
8 340A.403, Subd. 2).
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11 **V. PROCEDURES**
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- 13 A. Students who have a prescription from a physician for medical treatment
14 with a controlled substance, except medical cannabis, must provide a copy
15 of the prescription and the medication to the school nurse, principal or other
16 designated staff member. The school district's licensed school nurse,
17 trained health assistant, principal, teacher or other designated staff member
18 will administer the prescribed medication in accordance with school district
19 procedures.
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- 21 B. Employees who have a prescription from a physician for medical treatment
22 with a controlled substance, except medical cannabis as specified in Minn.
23 Stat. § 152.23, are permitted to possess such controlled substance and
24 associated necessary paraphernalia, such as an inhaler or syringe. The
25 employee must inform his or her supervisor, or the director of human
26 resources. The employee may be required to provide a copy of the
27 prescription.
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- 29 C. Employees are subject to the school district's drug and alcohol testing
30 policies and procedures.
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- 32 D. Each employee shall be provided with written notice of this Drug-Free
33 Workplace/Drug-Free School policy and shall be required to acknowledge
34 that he or she has received the policy. Records documenting staff
35 acknowledgement of this policy will be maintained by the Human Resources
36 department.
37

- 38 E. Members of the public are not permitted to use or possess controlled
39 substances in a school location except with the express permission of the
40 superintendent.
41

- 42 F. No person is permitted to possess or use medical cannabis on a school bus
43 or van; or on the grounds of any preschool or primary or secondary school;
44 or on the grounds of any child care facility, as specified in Minn. Stat. §
45 152.23. This prohibition includes (1) vaporizing or combusting medical
46 cannabis on any form of public transportation where the vapor or smoke
47 could be inhaled by a minor child or in any public place, including indoor or
48 outdoor areas used by or open to the general public or place of employment;
49 and (2) operating, navigating, or being in actual physical control of any

1 motor vehicle or working on transportation property, equipment or facilities
2 while under the influence of medial cannabis.
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- 4 G. Possession of alcohol on school grounds pursuant to the exceptions of
5 Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board
6 only. The applicant for permission shall apply in writing and shall follow the
7 school board procedures for placing an item on the agenda.
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10 **VI. ENFORCEMENT**

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12 A. Students

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14 1. A student who violates the terms of this policy shall be subject to
15 discipline in accordance with Policy 541: Student Behavior. Such
16 discipline may include suspension or expulsion from school.
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18 2. The student may be referred to a drug or alcohol assistance or
19 rehabilitation programs; school based mental health services,
20 mentoring and counseling, including early identification of mental
21 health symptoms, drug use and violence and appropriate referral to
22 direct individual or group counselling service, which may be provide
23 by school based mental health services providers; and/or referral to
24 law enforcement officials when appropriate.
25 3. Students may be required to participate in programs and activities
26 that provide education against the use of alcohol, tobacco,
27 marijuana, smokeless tobacco products, and electronic cigarettes,
28 and nonintoxicating cannabinoids (including edible cannabinoid
29 products).
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31 B. Employees

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33 1. An employee who violates the terms of this policy is subject to
34 disciplinary action, including nonrenewal, suspension, termination or
35 discharge as deemed appropriate by the school board.
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37 2. In addition, any employee who violates the terms of this policy may
38 be required to satisfactorily participate in a drug and/or alcohol abuse
39 assistance or rehabilitation program approved by the school district.
40 Any employee who fails to satisfactorily participate in and complete
41 such a program is subject to nonrenewal, suspension or termination
42 as deemed appropriate by the school board.
43
44 3. As a condition of employment in any federal grant, each employee
45 who is engaged either directly or indirectly in performance of a
46 federal grant shall abide by the terms of this policy and shall notify
47 his or her supervisor in writing of his or her conviction of any criminal
48 drug statute for a violation occurring in any of the places listed above

1 on which work on a school district federal grant is performed, no later
2 than five (5) calendar days after such conviction.

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4 4. Sanctions against employees, including nonrenewal, suspension,
5 termination or discharge shall be pursuant to and in accordance with
6 applicable statutory authority, collective bargaining agreements and
7 school district policies.
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9 C. The Public

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11 A member of the public who violates this policy shall be informed of the
12 policy and asked to leave. If necessary, law enforcement officials will be
13 notified and asked to provide an escort.
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17 **Legal References:**

18 Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
19 Minn. Stat. § 121A/40-§ 121A.56 (Pupil Fair Dismissal Act)
20 Minn. Stat. § 152.22, subd. 6 (Definitions; Medical Cannabis)
21 Minn. Stat. §152.23 (Limitations; Medical Cannabis)
22 Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)
23 Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
24 Minn. Stat. § 340A.404 Intoxicating Liquor; On-Sale Licenses)
25 Minn. Stat. § 609.684 (Abuse of Toxic Substances)
26 Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)
27 21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
28 21 U.S.C. § 812 (Schedules of Controlled Substances)
29 41 U.S.C. 701-707 (Drug-Free Workplace Act)
30 20 U.S.C. 7101-7122 (Student Support and Academic Enrichment Grants)
31 34 C.F.R. Part 84 (Government Wide Requirements for Drug-Free Workplace)
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34 **Cross Reference:**

35 Board Policy 404 - Drug and Alcohol Testing
36 Board Policy 541 - Student Behavior
37 Board Policy 543 – Search of Student Lockers, Desks, Personal Possessions, Student's
38 Person and All Other School Locations
39 Board Policy 544 - Chemical Use/Abuse
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42 RATIFIED BY THE BOARD OF EDUCATION: September 5, 1995

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45 17, 2008; May 16, 2016; September 19, 2022