

**Darien Public Schools
Darien, Connecticut**

POLICY

**Series 5200
Rights and Responsibilities**

Policy 5230

**ILLEGAL SUBSTANCES AND TOBACCO POLICY FOR STUDENT ATHLETES AND
STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES**

Policy Statement

The Board participates in the Connecticut Interscholastic Athletic Conference ("CIAC"). In accordance with CIAC participation rules and the Board's obligation under state and federal law, the Board prohibits the use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, performance enhancing substances or alcohol during any school sponsored activity, whether occurring on or off school property, including but not limited to athletic activities. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents by Darien High School student athletes and Darien High School students participating in extracurricular activities involving the possession, distribution, sale or use of substances that affect behavior, including performance enhancing substances. The Board further prohibits Darien High School student athletes and Darien High School students participating in extracurricular activities from using any form of tobacco including smoking using an electronic nicotine delivery system (e.g., e-cigarettes) or vapor products. This policy applies to all Darien High School student athletes participating in school sponsored athletics, whether or not such athletes are participating in CIAC controlled activities, and to all Darien High School students participating in extracurricular activities.

Definitions

- (1) 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 Connecticut General Statutes 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.
- (2) 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 Connecticut General Statutes Sections 21a-243 and 21a-240(9).

- (3) 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 Connecticut General Statutes 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.
- (4) 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.
- (5) Performance Enhancing Substances: means any anabolic steroid, hormone or analogue, diuretic or other substance designed to enhance a student's performance in athletic competition, including creatine, androstenedione, ephedrine or other performance enhancing nutritional supplements as defined by the World Anti-Doping Agency (WADA www.wada-ama.org, except when used under the care and direction of a licensed medical professional and only then in the manner prescribed by the medical professional and manufacturer's recommendations.
- (6) Professional Communication: means 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. Connecticut General Statutes Section 10-154a(a)(4).
- (7) 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." Connecticut General Statutes Section 10-154a(a)(2).
- (8) Student Athlete: means any student participating in an extracurricular school-sponsored athletic activity, whether interscholastic or intramural, including but not limited to student athletes who are participating in CIAC controlled activities.
- (9) Extracurricular Activity: means any activity that occurs outside the regular school day at Darien High School that cannot be used to attain credit toward graduation.
- (10) 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.

(1) Discretionary Nature of Student Athletics and Extracurricular Activities

The Board sponsors athletic programs and other activities as part of its extracurricular program. The opportunity to participate in extracurricular activities such as student athletics is a privilege, not a right. The Board may remove students from participation in athletics activities and any other extracurricular activity in its discretion.

All student athletes, students participating in athletics and extracurricular activities and their parent(s)/guardian(s) must acknowledge electronically that they have read the Darien High School handbook, which contains this Policy and rules and regulations concerning participation in athletic and other extracurricular activities.

(2) Emergencies:-

If an emergency situation results from the use of drugs, performance enhancing substances or alcohol, the student athlete shall be sent to the school nurse or medical advisor immediately, or emergency medical personnel will be notified. The parent or designated responsible person will also be notified as soon as possible.

(3) Prescribed Medications:-

The parent or guardian of any student athlete or student participating in extracurricular activities who is required to take any prescribed medication during student athletic or extracurricular activities 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 Connecticut General Statute Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

Student athletes or students participating in extracurricular activities 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.

Student athletes or students participating in extracurricular activities with a documented medical history demonstrating the need for regular use of performance enhancing substances for therapeutic purposes shall not be considered to be in violation of this policy when such substances are properly prescribed and taken by the student athlete in accordance Connecticut General Statute Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration.

Student athletes with a documented medical history demonstrating the need for regular, palliative use of marijuana shall not be considered to be in violation of this policy when such substance is properly prescribed and taken by the student athlete in accordance with Connecticut General Statutes Sections 21a-408a through 408q. Under no circumstances shall the school nurse or designee administer to the student, or permit the palliative use of marijuana by the student, on a school bus, school grounds or property, in public places, or in the presence of persons under the age of eighteen.

(4) 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. Connecticut General Statutes 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 athlete from whom the evidence was obtained. Connecticut General Statutes 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 athlete 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.

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

When any school staff member, or a coach or volunteer responsible for or involved in student athletic programs or extracurricular activities, obtains information related to a student athlete or student participating in extracurricular activities 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 substance, drug paraphernalia, performance enhancing substances or alcohol, that information is considered to be involuntarily disclosed. In this event, the following procedures will apply:

- (a) The staff member, coach or volunteer 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, drug paraphernalia or performance enhancing substances) 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. Connecticut General Statutes Section 10-154a(b). The name of the student must be disclosed to the building administrator or designee.
- (c) Search and Seizure of Students and/or Possessions: A staff member, coach or volunteer who reasonably suspects that a student athlete or student participating in extracurricular activities is violating a state/federal law, school substance abuse policy or this chemical health 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, a school substance abuse policy, or this chemical health 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. Connecticut General Statutes Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

- (6) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia, Performance Enhancing Substances, Alcohol or Tobacco (including smoking using an electronic nicotine delivery system or vapor products)
 - (a) Any Darien High School student athlete or Darien High School student participating in extracurricular activities using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia, tobacco, including electronic nicotine delivery systems or vapor products, performance enhancing substances 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 Sections 21a – 408a, is subject to discipline up to and including expulsion pursuant to the Board's Student Discipline Policy.
 - (b) In addition to discipline in accordance with the Student Discipline Policy, the administration may restrict participation in athletics and/or extracurricular activities of a Darien High School student if a student is found in violation of this Policy. Restriction from athletics and/or extracurricular activities will be issued only for violations of this Policy that occur on school grounds or at a school-sponsored activity, except as related to use of performance enhancing

substances in accordance with Subsection 8(d) below. Restrictions shall be determined by consideration of all the relevant facts and circumstances of the particular situation and are at the discretion of school administrators, but shall include as a minimum the following penalties:

- (1) First offense in a school year for any extracurricular activity or athletic season: The student will be suspended from membership and participation in all activities related to that extracurricular or athletic team (including team practice) for fourteen (14) calendar days. The student will also be required to meet with a drug and alcohol counselor prior to re-entry into the activity or team from which he/she was suspended.
 - (2) Second offense in a school year for any extracurricular activity or athletic season:
 - (i) For athletics, if the second offense occurs within the same season as the first offense, the student will be suspended for the remainder of that season and is required to meet with a drug and alcohol counselor weekly for the rest of the season.
 - (ii) For athletics, if the second offense occurs in a different season than the first offense, the student will be suspended from participation in any athletics or extracurricular activities (including practice) for twenty- eight (28) calendar days and will be required to meet with a drug and alcohol counselor weekly during the twenty-eight (28) day suspension.
 - (iii) For extracurricular activities, no matter when the second offense occurs, the student will be suspended from all extracurricular activities for twenty-eight (28) calendar days and will be required to meet with a drug and alcohol counselor weekly during the twenty-eight (28) day suspension.
 - (3) Third offense during a school year for any extracurricular activity or athletic season: The student will be suspended from all extracurricular and athletic participation for the remainder of the school year.
- (c) If a student violates this Policy during a time period when the student is not actively participating in athletics or an extracurricular activity, such Policy violation will be considered an “offense” for purposes of Paragraph (b) above.
 - (d) A student athlete found by the administration to have used performance enhancing substances shall receive a minimum penalty of revocation of athletic participation privileges for one hundred eighty (180) days. The Board shall report the violation to the CIAC.
 - (e) The Board recognizes that the CIAC may impose additional sanctions on student athletes participating in CIAC controlled activities who are found to have violated this policy.

(7) Prohibition on the Promotion or Dispensing of Performance Enhancing Substances by School Staff Members, Coaches or Volunteers-

- (a) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall dispense any drug, medication (prescription or non-prescription), or food supplement to any student athlete except under the supervision of the school nurse or designee in accordance with Connecticut General Statute Sections 10-212a and the applicable regulations, and in accordance with any Board policies and regulations concerning medication administration.
- (b) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall encourage the use of any drug, medication (prescription or non-prescription), or food supplement in a manner not described by the manufacturer.
- (c) No school staff member, coach or volunteer responsible for or involved in student athletic programs shall supply, recommend, or knowingly permit student athletes to use any drug, medication (prescription or non-prescription), or food supplement for the specific purpose of enhancing their athletic performance.

A school staff member, or coach responsible for or involved in student athletic programs, who violates the terms of this policy shall be subject to discipline, up to and including termination of employment. The Board may also report violations of this policy by employees to parents of student athletes and/or state and local authorities.

- (d) The Board shall immediately terminate a volunteer responsible for or involved in student athletic programs who violates the terms of this policy. The Board may also report violations of this policy by volunteers to parents of student athletes and/or state and local authorities.

(8) Publication of Illegal Substance and Tobacco Policy for Athletics and Extracurricular Activities to School Staff Members, Coaches, Volunteers and Student Athletes

- (a) The Board shall publish this Policy to all school staff members, coaches and volunteers responsible for or involved in student athletic programs.
- (b) The Board shall publish this Policy to all Darien High School students and their parents/guardians.

Legal References:

Connecticut General Statutes:

Section 10-154a
Section 10-212a
Section 10-221
Section 21a-240
Section 21a-243
Sections 21a-408a
through 408q

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