

## **Personnel**

### **Drug and Alcohol-Free Workplace**

#### **PURPOSE**

The purpose of this policy is to establish a workplace that is free of the effects of alcohol and second-hand smoke, and free from drug use. By accomplishing this purpose, the Board also seeks to promote a safe, healthy working environment for all employees and to reduce absenteeism, tardiness, and other job performance problems which may be caused by misuse of alcohol and/or drugs. This policy is adopted in accordance with state law and the Drug Free Workplace Act.

#### **STATEMENT OF POLICY**

Employees shall not be involved with the unlawful manufacture, distribution, possession, or use of an illegal drug, controlled substance, or alcohol and shall not be under the influence of such substances while on school property or while conducting Board business on or off school property. Any employee who discovers illegal drugs or alcohol on school property shall notify the Superintendent or their designee who shall investigate the matter.

An employee must report any conviction under a criminal drug statute for violations occurring on or off school property while on Board business to the Superintendent or their designee within five (5) days after the conviction. The Board will notify any agency awarding a grant to the Board of such conviction within ten (10) days thereafter.

Employees shall only use prescription drugs on school property, or during the conduct of Board business, that have been prescribed to them by a licensed medical practitioner, and such drugs shall be used only as prescribed. However, in accordance with Conn. Gen. Stat. § 21a-408a through 408q, the Board specifically prohibits the palliative use of marijuana on school property, at a school-sponsored activity, or during the conduct of Board business, and specifically prohibits employees from being under the influence of intoxicating substances, including marijuana used for palliative purposes, during work hours. Employees are prohibited from possessing or using any product with cannabidiol (CBD), whether derived from hemp or cannabis, regardless of the amount of THC in the product or to the extent to which it is legal or illegal under state law.

The Board prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes) or vapor product, and the use of tobacco products on school property or at any school-sponsored activity. 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.

Violations of this policy may result in disciplinary action, up to and including possible termination of employment.

### **DEFINITIONS**

“School property” means any land and all temporary and permanent structures comprising the district’s school and administrative office buildings and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields, and parking lots.

“School-sponsored activity” means any activity sponsored, recognized, or authorized by a board of education and includes activities conducted on or off school property.

### **EMPLOYEE ASSISTANCE**

In appropriate circumstances, the Board shall provide an employee with an opportunity for rehabilitation in overcoming addiction to, dependence upon or other problem with alcohol or drugs.

An employee who feels he or she has developed an addiction to, dependence upon, or other problem with alcohol or drugs is encouraged to seek assistance. Certain benefits for alcoholism or drug addiction are provided under the Board's group medical insurance plan. An employee may be given an opportunity to participate in a rehabilitation program which requires absence from work for bona fide treatment. Such absence may be charged to the employee's accrued and unused sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any applicable Board policies and regulations.

Any request for assistance with a drug or alcohol problem will be treated as confidential and only those persons "needing to know" will be made aware of such request.

Legal References:

Connecticut General Statutes:

Conn. Gen. Stat. § 10-233a(h) (definition of school-sponsored activity)

**Legal References (Cont.)**

Conn. Gen. Stat. § 21a-408a through 408q (palliative use of marijuana)

Conn. Gen. Stat. § 19a-342a

P.A. 21-1 (June Spec. Session) An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis

Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. 1308.11-1308.15

Drug-Free Workplace Act of 1988, 41 U.S.C. §701 et. seq.

Drug-Free Schools and Community Act, P.L. 99 570, as amended by P.L. 101 226 (199)

Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101-71187 (as amended by Title IV - 21st Century Schools)

Drug-Free Workplace Act, 30 ILCS 580/1 et. seq.

United States Code:

Pro-Children Act of 2001, 20 U.S.C. § 7973, as amended by the Every Student Succeeds Act, Public Law 114-95, § 4001

Drug Free Workplace Act, 41 U.S.C. § 8101 et seq.

ADOPTED: November 20, 2018

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