

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

Pursuant to the goal of the Board of Education (Board) 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 possession, sale, and/or use of behavior-altering 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.

Alcohol, tobacco, stimulants, street drugs, including but not limited to marijuana (cannabis), 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 (cannabis), 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 are defined 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; controlled substances such as marijuana (cannabis), hallucinogens, cocaine, barbiturates, amphetamines, narcotics; and non-authorized prescription drugs.

Controlled substances, for purposes of this policy shall include all controlled substances prohibited by federal and state law, look-alike drugs, alcoholic beverages, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.

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

Electronic nicotine delivery system means an electronic device that may be used to simulate smoking in the delivery of nicotine, cannabis 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.

Liquid nicotine container means a container that holds a liquid substance containing nicotine or cannabis that is sold, marketed, or intended for use in an electronic nicotine delivery system or vapor product, except "liquid nicotine container" does not include such a container that is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

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 or cannabis that is inhaled by the user of such product.

CBD, for purposes of this policy, is defined under federal law as a cannabis product with less than 0.3% tetrahydrocannabinol (THC) on a dry weight basis. It is also referred to as hemp. (Nonprescription CBD products that are available have not been approved by the U.S. Food and Drug Administration (FDA) for any use.) *(Optional definition to add to this policy)*

Privacy Rights

Student's personal privacy rights shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, 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. Privileged communication between a certified or paraprofessional employee and a student concerning drug abuse shall remain confidential except in cases where the employee is obtaining physical evidence of a controlled substance, and/or where there is an immediate threat to, or where students' health, safety, and welfare may be jeopardized.

Illegal Activities

Use, possession, sale, or distribution of drugs, including cannabis, prescription drugs, drug paraphernalia, and/or alcoholic beverages in violation of state law or Board of Education policy is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug, including cannabis, or alcohol, or engaged in the illegal activity of possessing or selling drugs, including cannabis, and/or alcohol, the police will be notified, as deemed appropriate, his/her parent(s)/guardian will be contacted, he/she will be suspended from school, referred to a Student Support Team, and considered for expulsion. In cases of illegal activity, such as possessing or selling drugs or alcohol, students may be referred to the

appropriate law enforcement authorities. If a student is arrested and is awaiting trial for possession of, or possession of with intent to sell, drugs in or on school property or at a school-sponsored event, the student will not be allowed to attend school without the permission of the Superintendent, per the guidelines outlined in Policy #5114.

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, sale, dispensing, possession, or use of controlled substances, including cannabis, other illegal drugs, performance-enhancing substances, alcohol, or tobacco, including electronic nicotine delivery systems and vapor products, 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 suspension and 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.

Disciplinary Action

Students who violate this policy will be subject to disciplinary action, which includes, but is not limited to, suspension or expulsion, and/or a program recommended by the Student Support Team. Student athletes who violate this policy, participating in CIAC-controlled activities, shall also be declared ineligible for such activities in accordance with CIAC policy and regulation. Any disciplinary actions imposed will ensure that similar violations will be treated consistently. 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.

The following guidelines for reporting alleged violations are to be followed:

1. If an employee suspects student possession, use, abuse, distribution, or sale of controlled substances, including cannabis, other illegal drugs, performance-enhancing drugs, alcohol, or tobacco/tobacco products, the employee shall immediately refer the matter to the Principal or his/her designee. The Principal or his/her designee may then search a student's person or possessions connected to that person, in accordance with Board policies and regulations, if he/she has reasonable suspicions from the inception of the search that the student has violated either the law or the substance abuse policy. The Principal or designee will notify the student's parent/guardian, recommend a specific assessment, as appropriate, and contact law enforcement personnel as appropriate.
2. If an employee obtains physical evidence of a controlled substance, including cannabis, other illegal drug, drug paraphernalia, performance-enhancing drugs, alcohol, tobacco products or tobacco paraphernalia from a student in school, on school grounds, on school provided transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school principal or designee. The Principal will notify the student's parent/guardian, recommend a specified assessment as appropriate, may notify law enforcement personnel, and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law. (not later than 3 calendar days after the receipt of such physical evidence, excluding Saturdays, Sundays, or holidays (C.G.S. 10-154a(c))
3. In conformity with the Board's 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 to the educational process, the Administration and the Board may consider, among other factors: 1) whether the drug or alcohol use occurred within proximity of a school; 2) whether other students from the school were involved; and 3) whether any injuries occurred.
4. Disciplinary action taken by District officials against a student for the use, sale, or possession of marijuana (cannabis) on school premises or at any District/school sponsored activity, on or after January 1, 2022, shall not result in any discipline, punishment, or sanction greater than that which a student would face for the use, sale, or possession of alcohol. (C.G.S. 10-221(d), as amended by P.A. 21-1, June Special Session, Section 19)

Drug-Free Awareness Program

The Superintendent shall ensure 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;
- notification of the availability of drug counseling and rehabilitation programs; and
- official penalties for drug abuse violations in schools.

It is the policy of the Board to prevent and prohibit the use (except as duly authorized through the school nurse), possession, distribution, or sale of any drug, including cannabis, drug paraphernalia, or alcohol by any student at any time on school property, at school-sponsored events, or on school-provided transportation. The District 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, selling, distributing, in possession of or under the influence of 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 consequences as stated in the student handbook.

A breath alcohol tester is approved for use at events/activities such as dances and proms at the middle school and high school levels, where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage and then, only under the following circumstances:

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the Code of Conduct.
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the Code of Conduct's discipline/behavior regulations.

Inhalant Abuse

In addition to the prohibitions of alcohol, drugs, and tobacco contained in this policy, no student shall inhale, ingest, apply, use, or possess an abusable glue, aerosol paint, or substance containing a volatile chemical with the 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 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 student shall intentionally use or possess with the intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the body an abusable glue, aerosol paint, or substance or other substance that contains a volatile chemical.

Any student in the District schools found to be in possession of, using, distributing, or selling potentially abusable inhalant materials 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.

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. Inhalant abuse educational programs/information for parents/guardians will be offered in a manner convenient to parents/guardians.

Performance-Enhancing Drugs (including food supplements)

In addition to the prohibition of alcohol, drugs, tobacco and inhalants, the Board of Education prohibits the use, possession, distribution or sale 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/E-Cigarette Use by Students

There shall be no smoking or any other unauthorized use or possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia, and electronic nicotine delivery systems or vapor products by students in any school building or school vehicle at any time or on any school grounds during the school day, or at any time when the student is subject to the supervision of designated school personnel. Examples include, but are not limited to, when the student is at any school function, extracurricular event, field trip, or school-related activity, such as a work-study program. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including but is not limited to, cigarettes, cigars, snuff, blunts, bidis, pipes, chewing tobacco, or any other substance that contains tobacco or nicotine, and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products. In order to protect students and staff, the Board prohibits the use of tobacco or nicotine-based products in school buildings, on school grounds, in school vehicles, or at any school-related event.

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.

Prescribed Medications

Students may possess and/or self-administer medications in school in accordance with the Board's policy concerning the administration of medication in school.

Students taking improper amounts of a prescribed medication, or otherwise taking medication contrary to the provisions of the Board's policy on the administration of medication, will be subject to the procedures for improper drug or alcohol use outlined in this policy.

Medical Marijuana

The conditions which follow apply to a District student who holds a certificate authorizing the palliative use of marijuana issued by the Connecticut Department of Consumer Protection (DCP) for the medical use of marijuana as set out in P.A. 12-55, "An Act Concerning the Palliative Use of Marijuana," and as amended by P.A. 16-23.

The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana certificate holder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana certificate holder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students attending District schools. A student medical marijuana certificate holder shall not:

- Undertake any task under the influence of marijuana that would constitute negligence;
- Possess or engage in the medical use of marijuana
 - On a school bus,
 - On the grounds of any preschool, elementary, or secondary school,
 - Utilize marijuana in any form on any public transportation or in any public place.
- Operate, navigate, or be in actual physical control of any motor vehicle while under the influence of marijuana, except that a qualifying certified marijuana user for medical purposes shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment;
- Use marijuana in any manner not authorized by P.A. 12-55 as amended by P.A. 16-23;
or
- Offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school-provided vehicles, at school events, or when functioning as a representative of the school.

If District officials have a reasonable belief that a student may be under the influence, in possession of, or distributing medical marijuana, in a manner not authorized by the medical marijuana statute, law enforcement authorities will be informed.

A student who violates any portion of this policy shall be subject to disciplinary action and applicable criminal prosecution.

(cf. 5114 – Suspension/Expulsion)

(cf. 5131.61 – Inhalant Abuse)

(cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)

(cf. 5131.62 – Steroid Use)

(cf. 5131.8 – Out of School Grounds Misconduct)

(cf. 5131.92 – Corporal Punishment)

(cf. 5145.12 – Search and Seizure)

(cf. 5145.121 – Vehicle Searches on School Grounds)

(cf. 5145.122 – Use of Dogs to Search School Property)

(cf. 5145.124 – Breathalyzer Testing)

(cf. 5145.125 – Drug Testing-Extracurricular Activities)

(cf. 6164.11 – Drugs, Alcohol, Tobacco)

Legal References: 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.

10-220b 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. (as amended by P.A. 21-1, June Special Session, Section 19)

21a-240 Definitions dependency producing drugs.

21a-240(8) Definitions “Controlled Drugs,” dependency producing drugs.

21a-240(9) Definitions “controlled substance.”

21a-243 Regulation re schedules of controlled substances.

21a-408 et. seq. Palliative Uses of Marijuana (as amended by P.A. 16-23)

53-198 Smoking in motor buses, railroad cars and school buses.

P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum.

P.A. 12-55 An Act Concerning the Palliative Use of Marijuana.

P.A. 16-23 An Act Concerning the Palliative Use of Marijuana

P.A. 14-76 An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.

P.A. 15-206 An Act Regulating Electronic Nicotine Delivery Systems and Vapor Products

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

Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act.

PL 114-95 Every Student Succeeds Act, Section 8573

Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation 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).

Policy adopted: 5/13/26

Students**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 Substances includes any alcohol or malt beverage, any drug listed as a controlled substance, including marijuana (cannabis), chemical abuse substance, or medication for which a prescription is required under the law, and/or any substance which is intended to alter mood. This includes controlled drugs as defined in C.G.S. 21a-240(8) and would not include any drug for which a student has a prescription. Examples of the above include, but are not limited to, cocaine, cocaine derivatives, "crack," "ice," beer, wine, liquor, marijuana, hashish, chemical solvents, glue, look-alike substances and ANY capsules or pills not registered with the school nurse, annotated within the student's health record and given in accordance with the District's policy for the administration of medication to students in school.

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;

6. Any substance that is known to mask adverse effects or detect the presence 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, determined to be illegal under state and federal laws, as defined by this regulation, from one person to another or to aid in its use.

Possession or Use of Controlled Substances means to possess or hold or be under the influence of, any alcohol, drug, including cannabis, inhalants, 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 includes any instrument, utensil, or item, in the school administrator's judgment, that can be associated with the use of drugs, including cannabis, alcohol, or mood-altering substances. Examples include, but are not limited to, bongs, roach clips, pipes, miniature cocaine spoons, crack cocaine vials, tobacco rolling paper, and bowls. Reference should be made to C.G.S. 21a-240 (20)(A).

Substance-Abuse Assessment is an evaluation conducted by a professional to determine the student's overall health and condition in relation to the use of a controlled substance or drug.

Student Support Team is a designated and specifically trained team of school staff members, typically including, but not limited to, an administrator, school nurse, guidance counselor, school psychologist, social worker, and teacher(s).

CBD is defined under federal law as a cannabis product with less than 0.3% tetrahydrocannabinol (THC) on a dry weight basis. It is also referred to as hemp.

(Nonprescription CBD products that are available have not been approved by the U. S. Food and Drug Administration (FDA) for any use.) (Optional definition to add to this regulation.)

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

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

Any student in District schools found to be using or in possession of or under the influence of 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 consequences. These consequences apply to all students, including all student athletes and those students involved in co-curricular and extra-curricular activities.

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-altering 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, including cannabis, alcohol, and drug paraphernalia are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel.

The Board of Education has approved the use of a breath alcohol tester as an option for students at the middle school and the high school, and for all high school dances, proms, and other such events/activities. The breath alcohol tester will be considered for use where, in the judgment of the school administrator, there exists reasonable suspicion that a student has consumed an alcoholic beverage, and then, only under the following circumstances:

- The student denies to an administrator that he/she has consumed alcoholic beverages and wishes to establish his/her innocence. Should the student register a positive reading on the breath alcohol tester, consequences will be administered as outlined in the discipline/behavior regulations in the student handbook.
- The student denies to an administrator that he/she has consumed alcoholic beverages and elects not to utilize the breath alcohol tester to establish his/her innocence. The judgment of the administrator will then be utilized to determine if the student has consumed an alcoholic beverage. In this instance, consequences will be administered as outlined in the discipline/behavior regulations in the student handbook.

Student found to be in possession of or use of controlled substances (drugs, alcohol, inhalants) shall be subject to the following disciplinary actions:

Disciplinary action taken by District officials against a student for the use, sale, or possession of marijuana (cannabis) on school premises or at any District/school sponsored activity, on or after January 1, 2022, shall not result in any discipline, punishment, or sanction greater than that which a student would face for the use, sale, or possession of alcohol. (C.G.S. 10-221(d), as amended by P.A. 21-1, June Special Session, Section 19)

First Offense:

- up to 10 days in-school suspension (for students grades 7-12), unless the administration determines the student poses such a danger to persons or property, or such a disruption of the educational process, or based on past disciplinary problems that an out-of-school suspension is appropriate
- parent or guardian notification
- superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- meeting with the student's parent/guardian, a guidance counselor, a mental health specialist, and a school nurse to be held. Corrective plans will be recommended.
- A PPT to be held if the student is hospitalized to plan an individualized education program (IEP). Readmission into school will be based on the advice of the student's medical or psychiatric consultant(s).

Second and Subsequent Offenses:

- 10 days in-school suspension (for students in grades 7-12), unless the administration determines the student poses such a danger to persons or property, or such a disruption of the educational process, or based on past disciplinary problems, that an out-of-school suspension is appropriate
- parent or guardian notification
- superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- must successfully complete substance abuse education and assessment program prescribed by the administration
- recommendation considered by the Board of Education for expulsion of 30-180 days

- must attend alternative education program per Board expulsion decision
- excluded from all co-curricular and extracurricular activities concurrent with expulsion
- must participate, along with parent/guardian, in school-approved substance abuse counseling/family education program(s) prior to reentry to school
- police referral
- A PPT to be held if the student is hospitalized to plan an individualized education program (IEP). Readmission into school will be based on the advice of the student's medical or psychiatric consultant(s).

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

Performance-enhancing substances used by young people are a concern to our society at large because of the potential adverse health consequences and the effects such practices have on the 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, 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 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 this policy and is seriously disruptive of the educational process shall be subject to consequences. These consequences apply to all students, including all student athletes and all students involved or not involved in co-curricular and extracurricular activities.

Student found to be in possession of or use of performance-enhancing drugs shall be subject to the following disciplinary actions:

First Offense:

- up to 10 days in-school suspension (for students grades 3-12), unless the administration determines the student poses such a danger to persons or property, or such a disruption of the educational process, or based on past disciplinary problems, that an out-of-school suspension is appropriate
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

- must successfully complete a substance abuse education and assessment program prescribed by the administration
- excluded from athletic programs for one hundred eighty (180) school days until the documented anniversary date of the first offense (Note: Reinstatement of the athlete may be requested by the school to the CIAC Board of Control for extenuating circumstances. Such consideration shall be determined in part by a medically validated drug test, which validates that the student-athlete is chemical-free. Such a test must have been completed within the last 30 days.)
- police referral

Second and Subsequent Offenses:

- up to 10 days in-school suspension (for students grades 3-12), unless the administration determines the student poses such a danger to persons or property, or such a disruption of the educational process, or based on past disciplinary problems that an out-of-school suspension is appropriate
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- recommended to the Board of Education for expulsion of 30-180 school days
- excluded from all co-curricular and extracurricular activities concurrent with expulsion
- attend alternative education program(s) per Board policy and expulsion requirement
- excluded from athletic programs for one hundred eighty (180) school days until the documented anniversary date of the second or subsequent offense. (Note: Reinstatement of the athlete may be requested by the school to the CIAC Board of Control for extenuating circumstances. Such consideration shall be determined in part by a medically validated drug test, which validates that the student-athlete is chemical-free. Such test must have been completed within the last 30 days.)
- must participate, along with parent or guardian, in school-approved substance abuse counseling/family education program(s) prior to re-entry to school
- police referral

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, including cannabis, at any time on school property, 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.

Any student in District schools found to be selling or distributing any controlled substance, including cannabis, 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 consequences apply to all students, including all student athletes, and those students involved or not involved in co-curricular and extracurricular activities.

School properties are allowed to be inspected by school authorities to preserve the health and safety of students. 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.

Student found to be involved in the sale or distribution of controlled substances (drugs, alcohol, inhalants, and performance-enhancing drugs) shall be subject to the following disciplinary actions:

First and Subsequent Offenses:

- 10 days in-school suspension (for students grades 3-12), unless the administration determines the student poses such a danger to persons or property, or such a disruption of the educational process, or based on past disciplinary problems that an out-of-school suspension is appropriate
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- mandatory expulsion, with administrative recommendation to the Board of Education for 30-180 school days

- attend a district-assigned alternative educational program per Board policy and the expulsion requirement
- excluded from all co-curricular and extracurricular activities concurrent with the expulsion and may be further excluded from any or all co-curricular and extracurricular activities beyond the academic expulsion period per action of the Board of Education
- must participate, along with parent or guardian, in school-approved substance abuse counseling/family education program(s) prior to reentry to school
- police referral

In addition to the above, 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 a test must be completed at least thirty days prior to a request for participation. All costs for testing will be incurred by the student, parent or guardian.

Use of CBD or THC Products

Students are prohibited from possessing, using, selling, delivering, manufacturing, or being under the influence of any substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC.)

Possession of Tobacco, Smoking Paraphernalia

Student found to be in possession of tobacco or smoking paraphernalia shall be subject to the following disciplinary actions:

First Offense:

- Detention or 1-day in-school suspension
- Parent or guardian notification
- Recommended cessation program

Second Offense:

- 2 days in-school suspension
- parent or guardian notification
- recommended cessation program

- excluded from all co-curricular and extracurricular activities concurrent with suspension

Third and Subsequent Offenses:

- In-school suspension (length to be determined by administrator based on details of the infraction) unless the administration determines the student poses such a danger to persons or property, or such a disruption of the educational process, or based on past disciplinary problems that an out-of-school suspension is appropriate
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- required cessation program

Smoking, Chewing Tobacco, or Using Tobacco Paraphernalia

Student found to be smoking, chewing tobacco, or using tobacco paraphernalia shall be subject to the following disciplinary actions:

First Offense:

- In-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Second Offense:

- In-school suspension (increased duration)
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Third and Subsequent Offenses:

- 5 days in-school suspension unless the administration determines the student poses such a danger to persons or property, or such a disruption of the educational process, or based on past disciplinary problems, that an out-of-school suspension is appropriate
- parent or guardian notification

- excluded from all co-curricular and extracurricular activities concurrent with suspension
- potential police referral

(cf. 5114 - Suspension/Expulsion)

(cf. 5131.61 – Inhalant Abuse)

(cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)

(cf. 5131.62 – Steroid Use)

(cf. 5131.8 – Out of School Grounds Misconduct)

(cf. 5131.92 – Corporal Punishment)

(cf. 5145.12 – Search and Seizure)

(cf. 5145.121 – Vehicle Searches on School Grounds)

(cf. 5145.122 – Use of Dogs to Search School Property)

(cf. 5145.124 – Breathalyzer Testing)

(cf. 5145.125 – Drug Testing-Extracurricular Activities)

(cf. 6164.11 – Drugs, Alcohol, Tobacco)

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.

10-221(d) Boards of education to prescribe rules, policies and procedures re use, sale or possession of alcohol or controlled drugs (as amended by PA 21-1, June Special Session, Section 19)

21a-240 Definitions dependency producing drugs.

21a-240(8) Definitions "Controlled Drugs," dependency producing drugs

21a-240(9) Definitions "controlled substance"

21a-243 Regulation re schedules of controlled substances.

53-198 Smoking in motor buses, railroad cars and school buses

P.A. 11-73 An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum

P.A. 21-2 (June Special Session) An Act Concerning Responsible and Equitable Regulation of Adult-use Cannabis)

Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act

Synthetic Drug Abuse Prevention Act of 2012. (part of s.3187, the Food and Drug Administration Safety and Innovation Act)

New Jersey v. T.L.O, 469 U.S. 325 (1985)

Veronia School District 47J v. Acton, 515 U.S. (1995)

Board of Education of Independent School District No 92 of Pottawatomie County v. Earls 01-332 U.S. (2002)

Public Act 24-45 An Act Concerning Education Mandate Relief, School Discipline and Disconnected Youth, Sections 13-14

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