

Students

Alcohol, Drugs and Tobacco

It is the policy of the schools to take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined by the Penal Code of the State of Connecticut *and inhalable substances (including gases, solvents, butane propane, adhesives)*.

Alcohol, tobacco, stimulants, 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.

In the event that the student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, he/she will be suspended from school (in accordance with regulation 5131.6), referred to the appropriate treatment agency, possibly considered for expulsion and the parents will be contacted. In cases of the illegal activity of possessing or selling drugs or alcohol, he/she will be referred to the police department.

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 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.

School properties may be inspected by school authorities in the interest of maintenance, health and safety. Inspections for the location of drugs, narcotics, liquor, weapons, poisons and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel. (cf. 5145.12 - Search and Seizure)

Students

Alcohol, Drugs and Tobacco (continued)

The Board is also concerned that other substances, not listed as “controlled substances,” such as contained in common household items and inhalants, if purposely used inappropriately, can also have a stimulant, depressant or hallucinogenic effect on students. Inappropriate use, possession, sale or distribution of these non-controlled substances will result in disciplinary action, including but not limited to, suspension and/or expulsion. Further, grade level appropriate education pertaining to proper use of these materials and the danger of abuse shall be presented.

Illegal Activities

Use, possession, sale or distribution of drugs, including 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 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 will be suspended from school, referred to a Student Support Team, and 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. 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 set forth in Policy #[5114](#).

Smoking is prohibited by law in the school building while classes are in session or student activities are occurring.

Legal Reference: Connecticut General Statutes
 1-21b Smoking prohibited in certain places.
 10a-18 Programs to be offered on effects of drugs and alcohol.
 10-221(d) boards of education to prescribe rules re use, sale of possession.
 21a-240 Definitions, dependency producing drugs.
 21a-243 Regulation re schedules of controlled substances.
 20 U.S.C. Section 7181 et. seq., No Child Left Behind Act

Policy adopted:

THOMASTON PUBLIC SCHOOLS
Thomaston, Connecticut

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

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 not be limited to, alcoholic beverages; controlled substances such as marijuana, 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 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 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 that is inhaled by the user of such product.

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.

Students

Alcohol Use, Drugs, and Tobacco

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 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 includes any instrument, utensil or item, which in the school administrator’s judgment can be associated with the use of drugs, alcohol, or mood altering substances. Examples include, but are not limited to, roach clips, pipes, and bowls. Reference should be made to C.G.S. 21a-240.

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

Students

Alcohol Use, Drugs, and Tobacco

Definitions (continued)

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).

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 (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 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 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.

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:

Students

Alcohol Use, Drugs, and Tobacco

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

- 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:

First Offense:

- 10 days out-of-school suspension under supervision of his/her parent or guardian
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Second and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian, pending expulsion hearing
- 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
- recommended to 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

Students

Alcohol Use, Drugs, and Tobacco

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, 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:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian
- 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 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 test must have been completed within the last 30 days.)
- police referral

Second and Subsequent Offenses:

- 10 days out-of-school suspension under the supervision of his/her parent or guardian, pending expulsion hearing
- parent or guardian notification
- Superintendent notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension

Students**Alcohol Use, Drugs, and Tobacco****Controlled Substances: Use or Possession of Performance-Enhancing Drugs or Substances**
(continued)**Second and Subsequent Offenses:** (continued)

- recommended to 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 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 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.

Students

Alcohol Use, Drugs, and Tobacco

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

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 out-of-school suspension under the supervision of his/her parent or guardian
- 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 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 update 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

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

First Offense:

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

Students

Alcohol Use, Drugs, and Tobacco

Possession of Tobacco, Smoking Paraphernalia (continued)

Second Offense:

- 5 day 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:

- 10 day out-of-school suspension under the supervision of his/her parent/guardian
- 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:

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

Second Offense:

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

Third and Subsequent Offenses:

- 10 days out-of-school suspension
- parent or guardian notification
- excluded from all co-curricular and extracurricular activities concurrent with suspension
- potential police referral

Students

Alcohol Use, Drugs, and Tobacco (continued)

- (cf. 5114 - Suspension/Expulsion)
- (cf. 5131 – Conduct)
- (cf. 5131.61 – Inhalant Abuse)
- (cf. 5131.62 – Steroid Use)
- (cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)
- (cf. 5131.8 – Out of School Grounds Misconduct)
- (cf. 5131.92 – Corporal Punishment)
- (cf. 5144 – Discipline/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.
10-220b Policy statement on drugs
10-221(d) Boards of education to prescribe rules, policies and procedures re use, sale or possession of alcohol or controlled drugs
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
Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act
20 U.S.C. Section 7181 et. seq., No Child Left Behind 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)

Regulation approved:

THOMASTON PUBLIC SCHOOLS
Thomaston, Connecticut