

Students

Drugs, Alcohol and Tobacco

The Board of Education is committed to maintaining a drug and alcohol free environment for students in the school district. It is the policy of the Board of Education to take positive action through instruction, counseling, parental involvement, medical referral and law enforcement referral, as appropriate, in handling incidents involving the possession, distribution, sale or use of drugs, alcohol and other substances that affect behavior.

In keeping with this policy, the unauthorized use, possession, sale or distribution of drugs, controlled substances, drug paraphernalia or alcoholic beverages, including the unauthorized use or possession, or the sale or distribution of a prescription drug, is prohibited on school premises or at any school sponsored activity. Students who violate this policy are subject to disciplinary measures including suspension and expulsion. In addition, the student's parents will be contacted and referrals will be made to the appropriate treatment agency and/or law enforcement agency. Students should also be aware that they are subject to mandatory expulsion proceedings if they engage in the sale or distribution of a controlled substance regardless of whether such conduct occurred on or off school grounds.

The personal privacy rights of students shall be protected as provided by law. Students are on notice that school properties, including lockers and desks, may be searched when there are reasonable grounds to suspect that the search will produce evidence that the student has violated school rules.

Students will be notified annually of the requirements of this policy and potential disciplinary sanctions through the student handbook or other appropriate means of notification.

Smoke Free Environment

There shall be no smoking or any other unauthorized use of tobacco 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, such as when the student is at any school function, field trip, extracurricular event, or school related activity such as a work-study program. For the purpose of this policy, the term "smoking" includes the use of vapor products and electronic devices that simulate smoking by delivering nicotine or other substances by the inhalation of a vapor. An ongoing program of student support and counseling will be offered to provide support for students who wish to break the smoking habit. Students who violate this policy are subject to discipline.

Definitions

For the purposes of this policy, the following definitions shall apply:

1. "Controlled Substance" is a drug, substance, or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to section 21a-243 of the Connecticut General Statutes.

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Definitions cont.

2. "Drug" is 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 section 21a-243 of the Connecticut General Statutes, 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 drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs.
3. "Drug Paraphernalia" is 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 into the human body, any controlled substance. This includes, but is not limited to objects used, intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as: metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with screens, permanent screens, hashish heads or punctured metal bowls; water pipes; carburetion tubes and devices; smoking and carburetion masks; roach clips: meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoons, and cocaine vials; chamber pipes; carburetor pipes; electric pipes; air-driven pipes; chillums; bongs or ice pipes or chillers.
4. "Professional Communication" is any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the latter's employment.
5. "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.

Disclosure or Discovery of Drug/Alcohol Problem

In this policy, it is the intent of the Board of Education to differentiate between voluntary and involuntary disclosure or of a student's substance abuse problem.

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Disclosure or Discovery of Drug/Alcohol Problem cont.

1. Voluntary Disclosure

If a student voluntarily tells a professional employee during a professional communication information concerning the student's alcohol or drug abuse, the following guidelines shall apply:

- (a) The professional employee may, but is not required, to disclose any information acquired through a professional communication with a student when such information concerns alcohol or drug abuse or any alcoholic or drug problem of such student. The professional employee may elect to disclose such information when the employee has a good faith belief that such disclosure is necessary or appropriate, including but not limited to safeguarding the health and well-being of the student. In no event is the professional employee required to do so.
- (b) The professional employee should make every effort to guide the student to obtain the kind of help he/she needs. A staff member may, without disclosing the name of the student, obtain advice and information on the resources available to students and refer the student to such resources.
- (c) If a professional employee obtains physical evidence from a student indicating that a crime has been or is being committed by the student, such employee shall be required to turn such evidence over to school administrators or law enforcement officials within two school days after receipt of such physical evidence. In no such case shall the employee be required to disclose the name of the student from whom he obtained such evidence.
- (d) Any physical evidence surrendered to a school administration pursuant to this section shall be turned over by such school administrator to the Commissioner of Consumer Protection or the appropriate law enforcement agency within three school days after receipt of such physical evidence, for its proper disposition.
- (e) No parent or legal guardian shall be entitled to information concerning drug and alcohol abuse that is considered to be a privileged communication between a student and a professional employee.
- (f) If a student consents to the disclosure of his/her alcohol or drug abuse problem, or if the professional employee deems disclosure to be necessary to safeguard the health and well-being of the student, such employee will make a report to the student's guidance counselor or Department of Student Services mental health professional and the building Principal.

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Disclosure or Discovery of Drug/Alcohol Problem cont.

- (g) The guidance counselor or Department of Student Services mental health professional will, upon confirmation of an alcohol or drug abuse problem by a student under the age of eighteen hold a conference with the parent. Corrective plans will be developed with the cooperation and consent of the parents and student. The parents will be given a written copy of the conference minutes and recommendations for corrective plans.
- (h) Copies of the conference minutes will be kept in the guidance counselor or Department of Student Services worker's professional file. The counselor or Department of Student Services mental health professional will maintain contact with the student and his/her family regarding the problem.
- (i) The building principal will be informed of all activity relative to assisting the student to solve his/her alcohol or drug abuse problem.

2. Involuntary Disclosure

When a professional employee obtains information related to a student who, on or off school grounds or at a school sponsored activity, is under the influence of or possesses, uses, dispenses, distributes or sells a controlled substance, drug paraphernalia, or alcohol from a source other than the student's confidential disclosure, such information is considered to have been disclosed involuntarily and the following guidelines apply:

- (a) The employee will report the information immediately to the building principal.
- (b) Any physical evidence in the form of alcohol or drugs obtained from a student must be turned over to the building principal immediately. Because the discovery of the student's drug or alcohol problem was made without the voluntary disclosure of the student, the professional employee must disclose the name of the student from whom evidence was obtained.
- (c) Any physical evidence surrendered to a school administrator pursuant to this section shall be turned over by such school administrator to the Commissioner of Consumer Protection or the appropriate law enforcement agency within three school days after receipt of such physical evidence, for its proper disposition.
- (d) Students found in possession and/or use of a drug, controlled substance, or alcoholic beverage in school or on school property are subject to arrest. In the event that a student is to be arrested, the building principal or his/her designee will attempt to contact the parent prior to calling the police and inform them of the potential arrest.

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Disclosure or Discovery of Drug/Alcohol Problem cont.

- (e) Students found to have been in possession and/or use of a drug, controlled substance or alcoholic beverage in school are required to meet with the building principal or his/her designee along with the student's parents or guardian, guidance counselor, Department of Student Services mental health professional and school nurse. Corrective plans will be recommended with written notification to the parents. Arrangements for further follow-up will be made. The counselor or Department of Social Services mental health professional will maintain contact with the student and his/her parents regarding the problem.

The preceding provisions of this section shall not apply in instances where a professional employee learns of a student's lawful use of medical marijuana pursuant to their status as a qualifying medical marijuana patient under state law. Medical marijuana usage is prohibited on school grounds during school sponsored activities and on school buses.

Use of Alcohol Detection Devices

1. Introduction

In order to promote a safe environment for our students at school and on school buses and for students and their guests at school sponsored and/or Board-authorized activities and events, the school administration is authorized to employ the use of both "passive" and/or active alcohol detection devices.

The Superintendent shall develop a process and timeline to reasonably ensure reliability of the screening instrument used according to manufacturer's guidelines, appropriate training of administrators and designated personnel, and student privacy during the taking of the sample and security of the sample once obtained. Results of any breathalyzer testing will be maintained in a confidential manner, to the extent practicable.

If the Principal and/or other administrator or any law enforcement officer has reasonable suspicion that a student or a guest is under the influence of alcohol, then the trained administrator or law enforcement officer may employ the use of an alcohol detection device.

2. Definitions

- a. Reasonable suspicion shall include, but not be limited to, any of the following:
- Observed use or possession of alcohol; or
 - Odor of an alcoholic beverage or the presence of an alcohol container; or
 - Slurred speech, unsteady gait, lack of coordination, bloodshot or glazed eyes or otherwise impaired motor functions; or

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- Marked change in personal behavior not attributable to other factors; or
 - Behavior that is risky, aggressive or disruptive; or
 - Involvement in or contribution to, an accident where the use of alcohol is reasonably suspected or student involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury.
- b. A passive alcohol sensor device is a non-invasive high-speed breath alcohol-screening instrument which can be used as a “sniffer” for overt or covert alcohol detection. This device may be used to sample a student’s breath in order to detect alcohol use. An active breathalyzer test is administered when the result of a passive alcohol sensor screening is positive.
- c. A guest is any person who is accompanying a student to a school-sponsored or Board-authorized activity or event. When a guest is a parent/guardian of the student and there is a reasonable basis to believe that the parent/guardian’s condition could jeopardize the safety of the student, police shall be notified and shall administer the alcohol screening when the police deem that such screening is warranted.

3. Screening Procedures

When an administrator has reasonable suspicion that a student or guest is under the influence of alcohol at school, on a school bus or a school-sponsored event, the student or guest shall be given a passive alcohol sensor screening. If the student or guest fails the passive assessment, he/she will be given a fifteen minute wait period after which the passive screening will be re-administered. If screening results are negative, no action shall be taken. However, if the student or guest tests positive, he/she will be given an active breathalyzer test. If the student declines to take the screening, when reasonable suspicion exists, or if such screening proves positive he/she shall be subject to appropriate disciplinary action as set out in the Board’s disciplinary policies.

4. Prior Notification

It is the responsibility of the school administration to provide prior notice of the use of alcohol detection devices to the attendees of Board authorized events. Prior notice will include, but is not limited to, notification in the student/parent-guardian handbook, notification at school-wide assemblies, notification on event specific advertisements and/or tickets, and notification on guest permission forms.

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5. Refusal to Screen

Students and/or their guests who refuse to submit to alcohol detection screening at events where prior notice has been given will not be permitted to attend the Board authorized activity. No refunds will be provided to these students or their guests. Parents/Guardians of these students will be contacted and informed of their refusal to screen. Students will be subject to disciplinary action consistent with Board policies and regulations.

6. Testing Positive

Students and/or their guests who test positive for consumption of alcoholic and/or intoxicating beverages will not be allowed to attend the Board-authorized activity. Students will be subject to disciplinary action consistent with Board policies and regulations. Parents/Guardians will be called to pick the student up from school or from the school-sponsored event.

7. Maintenance of Screening Devices and Training

All devices used to screen students shall be checked for accuracy and for full calibration at least as frequently as recommended by the manufacturer. Designated school personnel and/or the school resource officer(s) shall be trained in the use of such devices.

Consequences for the Possession, Use, Sale or Distribution of Drugs, Controlled Substances or Alcohol

1. Any student found to have engaged in the unauthorized use, possession, sale, distribution or procurement of drugs, controlled substances, drug paraphernalia or alcohol either on or off school grounds or at a school sponsored function is subject to discipline up to and including expulsion pursuant to the Board's student discipline policy.
2. Students who are expelled for violating this policy may be referred to appropriate counseling and rehabilitation agencies. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
3. Law enforcement officials will be contacted by the building principal in cases where a student is found to have distributed or sold drugs, controlled substances or alcohol on school property or at a school sponsored activity. In all cases of emergency or of clear danger, the schools will cooperate with local law enforcement officials.

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Emergencies

1. If an emergency situation results from a student's drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or guardian will be notified.
2. If the student is in need of immediate medical attention, the student will be transported to an area hospital.
3. If immediate medical attention is not necessary, the parent or guardian will be asked to take the student home.
4. The building principal will be immediately notified when an emergency involving a student's use of drugs or alcohol arises. The school nurse will advise the principal of the severity of the emergency. Written records of the incident will be kept in the principal's confidential file.
5. In the event that a student is hospitalized for alcohol, drug or substance abuse related problems, school personnel will consult with the student's medical and/or psychiatric advisers, his/her parents or guardian and, if feasible, the student to determine an appropriate plan of action. The Board of Education will assume only legitimate educational costs.

Drug Free Awareness Program

The Superintendent of Schools shall direct a drug free awareness program for students regarding the following topics:

1. Dangers of drug abuse;
2. Board of Education policy of maintaining drug free schools;
3. Availability of drug counseling and rehabilitation programs;
4. Penalties for violating the drug and alcohol policy in school.

Instruction

1. The program of instruction in the schools shall include the subject matter of substance abuse prevention.
2. Annually, the teachers in each grade shall emphasize the effect of alcohol, nicotine, tobacco and drugs on health, character and personality development wherever appropriate in the health education program and other such contexts which touch upon the subject.
3. The professional staff shall become more aware of substance abuse issues among students and learn to recognize and address the symptoms of such problems.

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Instruction cont.

4. The administration may make use of in-service training sessions for both certified and non-certified staff in order to achieve the goals of this policy.

Legal Reference: Connecticut General Statutes

§ 10-15b Access of parent or guardian to student's records.

§ 10-16b Prescribed courses of study

§ 10-19 Teaching about alcohol, nicotine or tobacco, drugs and AIDS

§ 10-154 Professional communications between teacher or nurse and student.

§ 10-221(d) Boards of Education to prescribe rules, policies and procedures

§ 10-233d Expulsion of students

§ 19a-342 Smoking prohibited in public buildings

§ 21a-240 Definitions

§ 21a-243 Regulations re: schedules of controlled substances

§ 21a-277 Penalty for illegal manufacture, distribution, sale, prescription, dispensing.

§ 21a-278 Penalty for illegal manufacture, distribution, sale, prescription or administration by non-drug-dependent person.

§ 31-40q Smoking in the workplace.

§ 58-198 Smoking in motor buses, railroad cars and school buses

Public Act 16-23: An Act concerning th Palliative Use of Marijuana

20 U.S.C.A. § 7101 *et seq.*, Safe and Drug-Free Schools and Communities Act

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