

Alcohol, Tobacco & Drug Free Workplace
(formerly Alcohol, Drugs & Tobacco)

Purpose

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

Statement of Policy

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

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

Employees shall only use prescription drugs on school property, or during the conduct of Board business, that have been prescribed to them by a licensed medical practitioner, and such drugs shall be used only as prescribed. However, in accordance with Conn. Gen. Stat. § 21a-408a through 408q, the Board specifically prohibits the palliative use of marijuana on school property, at a school-sponsored activity, or during the conduct of Board business, and specifically prohibits employees from being under the influence of intoxicating substances, including marijuana used for palliative purposes, during work hours.

36 The Board prohibits smoking, including smoking using an electronic nicotine delivery system
37 (e.g., e-cigarettes), electronic cannabis delivery system, or vapor product, and the use of tobacco
38 products in any area of a school building, on school property, including property owned, leased,
39 contracted for, or utilized by the Board, or at any school-sponsored activity.

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41 While Connecticut law allows for the legal use of marijuana under certain circumstances,
42 because marijuana use is still prohibited under federal law, the use of marijuana at work, or
43 outside of work if it impairs an employee’s ability to perform their job, constitutes a violation of
44 this policy.

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

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49 **Definitions**

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51 “Any area” means the interior of a school building and the outside area within twenty-five feet of
52 any doorway, operable window or air intake vent of a school building.

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54 “Cannabis” means marijuana, as defined in Conn. Gen. Stat. § 21a-240.

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56 “Controlled substance” means a controlled substance in schedules I through V of section 202 of
57 the Comprehensive Drug Abuse Prevention and Control Act of 1970 ([21 U.S.C. 812](#)), including
58 marijuana.

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60 “Electronic cannabis delivery system” means an electronic device that may be used to simulate
61 smoking in the delivery of cannabis to a person inhaling the device and includes, but is not
62 limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any
63 cartridge or other component of such device.

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65 “Electronic nicotine delivery system” means an electronic device used in the delivery of nicotine
66 to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette,
67 electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device
68 and any cartridge or other component of such device, including, but not limited to, electronic
69 cigarette liquid or synthetic nicotine.

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

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

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77 “Smoke” or “smoking” means the burning of a lighted cigar, cigarette, pipe or any other similar
78 device, whether containing, wholly or in part, tobacco, cannabis or hemp.

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80 “Vapor product” means any product that employs a heating element, power source, electronic
81 circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce
82 a vapor that may or may not include nicotine or cannabis and is inhaled by the user of such
83 product.

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85 **Employee Assistance**

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

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91 Employees who feel they have developed an addiction to, dependence upon, or other problem
92 with alcohol or drugs are encouraged to seek assistance. Certain benefits for alcoholism or drug
93 addiction are provided under the Board's group medical insurance plan. An employee may be
94 given an opportunity to participate in a rehabilitation program that requires absence from work
95 for bona fide treatment. Such absence may be charged to the employee's accrued and unused
96 sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any
97 applicable Board policies and regulations.

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

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102 Legal References:

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104 Connecticut General Statutes:

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

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108 Conn. Gen. Stat. § 19a-342

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110 Conn. Gen. Stat. § 19a-342a

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

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114 June Special Session, Public Act No. 21-1

115

116 United States Code:

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

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

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124 First Reading:

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