

#5090.7

Drug, Alcohol, Tobacco and Inhalant Use by Students
(formerly Drugs, Alcohol, Tobacco, Inhalants, and Performance-Enhancing
Substances)

The Madison Board of Education (the “Board”) is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the unlawful use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in Connecticut General Statutes Section 21a-240, or alcohol on or off school property, on school buses, or during any school-sponsored activity is prohibited. It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the unlawful possession, distribution, sale or use of substances that affect behavior.

Tobacco

It is the policy of the Board of Education to prevent and prohibit the use or possession of tobacco, tobacco products, including chewing tobacco, or tobacco paraphernalia including electronic nicotine delivery systems or vapor products by any student in any school building, or on any school grounds, or on school-provided transportation at any time, 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, 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. Any student in the District schools found to be using or in possession of tobacco, tobacco products, including chewing tobacco or tobacco paraphernalia, will be subject to discipline / behavior consequences as outlined in the Code of Conduct.

Inhalants

34 It is the policy of the Board of Education to prevent and prohibit the use, possession, sale,
35 or distribution of an abusable glue, aerosol paint or substance containing a volatile
36 chemical by any student with intent to inhale, ingest, apply or use of these in a manner:

- 37
- 38 1. Contrary to directions for use, cautions or warnings appearing on a label of a
39 container of the glue, paint aerosol or substance; and
 - 40 2. Designed to affect the central nervous system, create or induce a condition of
41 intoxication, hallucination or elation, or change, distort, or disturb the person's
42 eyesight, thinking process, balance or coordination.

43

44 Further, no student, 18 years of age or older, shall intentionally, knowingly, or recklessly
45 deliver or sell potentially abusable inhalant materials as listed above to a minor student.

46

47 No student shall intentionally use or possess with intent to use inhalant paraphernalia to
48 inhale, ingest or otherwise introduce into the body an abusable glue, aerosol paint or
49 substance or other substance that contains a volatile chemical.

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51 Any student in the District schools found to be in possession of, using, distributing or
52 selling, potentially abusable inhalant materials will be subject to discipline / behavior
53 consequences as outlined in the Code of Conduct.

54

55 **Definitions**

- 56
- 57 1. Controlled Drugs: means those drugs which contain any quantity of a substance
58 which has been designated as subject to the federal Controlled Substances Act, [21](#)
59 [U.S.C. § 801 et seq.](#), or which has been designated as a depressant or stimulant drug
60 pursuant to federal food and drug laws, or which has been designated by the
61 Commissioner of Consumer Protection pursuant to ~~C.G.S.~~ [Connecticut General](#)
62 [Statutes](#) Section 21a-243, as having a stimulant, depressant or hallucinogenic effect
63 upon the higher functions of the central nervous system and as having a tendency to
64 promote abuse or psychological or physiological dependence, or both. Such

65 controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-
66 type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant
67 drugs. ~~C.G.S.~~ [Connecticut General Statutes](#) Section 21a-240(8).

68
69 2. Controlled Substances: means a drug, substance or immediate precursor in schedules
70 I to V, inclusive, of the Connecticut controlled substance scheduling regulations
71 adopted pursuant to ~~C.G.S.~~ [Connecticut General Statutes](#) Section 21a-243. ~~C.G.S.~~
72 [Connecticut General Statutes](#) Section 21a-240(9).

73
74 3. Drug Paraphernalia: means any equipment, products and materials of any kind which
75 are used, intended for use or designed for use in planting, propagating, cultivating,
76 growing, harvesting, manufacturing, compounding, converting, producing,
77 processing, preparing, testing, analyzing, packaging, repackaging, storing, containing
78 or concealing, or injecting, ingesting, inhaling or otherwise introducing any controlled
79 substance into the human body, including but not limited to all items specified in
80 ~~C.G.S.~~ [Connecticut General Statutes](#) Section 21a-240(20)(A), such as "bongs,"
81 pipes, "roach clips," miniature cocaine spoons, cocaine vials and any object or
82 container used, intended or designed for use in storing, concealing, possessing,
83 distributing or selling controlled substances. ~~C.G.S. Section~~ [Connecticut General](#)
84 [Statutes](#) 21a-240(20)(A).

85
86 4. Tobacco and Tobacco Products: [means cigarettes, cigars, snuff, bidis, smoking](#)
87 [tobacco, smokeless tobacco, vapor product, nicotine delivering devices, chemicals, or](#)
88 [devices that produce the same flavor or physical effect of nicotine substances; and any](#)
89 [other tobacco or nicotine innovations.](#)

90
91 5. Professional Communication: **means** any communication made privately and in
92 confidence by a student to a professional employee of such student's school in the
93 course of the professional employee's employment. ~~C.G.S.~~ [Connecticut General](#)
94 [Statutes](#) Section 10-154a(a)(4).

96 6. Professional Employee: means a person employed by a school who "(A) holds a
97 certificate from the State Board of Education, (B) is a member of a faculty where
98 certification is not required, (C) is an administration officer of a school, or (D) is a
99 registered nurse or athletic trainer employed by or assigned to a school."
100 C.G.S. Connecticut General Statutes Section 10-154a(a)(2).

101
102 7. School property: means any land and all temporary and permanent structures
103 comprising the district’s school and administrative office buildings and includes, but is
104 not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields, and
105 parking lots.

106
107 8. School-sponsored activity: means any activity sponsored, recognized, or authorized by
108 a board of education and includes activities conducted on or off school property.

109
110 9. Inhalants: means, but are not limited to, the following:

111 Nitrous Oxide – Laughing Gas, Whippets, CO2 Cartridges

112 Amyl Nitrite – “Locker Room”, “Rush”, “Poppers”, “Snappers”

113 Butyl Nitrite – “Bullet”, “Climax”

114 Chlorohydrocarbons – Aerosol Paint Cans, Cleaning Fluids

115 Hydrocarbons – Aerosol Propellants, Gasoline, Glue, Butane

116
117 **Procedures**

118
119 1. Emergencies.

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121 If an emergency situation results from drug or alcohol use, the student shall be sent to
122 the school nurse or medical advisor immediately. The parent or designated
123 responsible person will be notified.

124
125 2. Prescribed Medications.

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

129
130 Students taking improper amounts of a prescribed medication, or otherwise taking
131 medication contrary to the provisions of the Board’s policy on the administration of
132 medication, will be subject to the procedures for improper drug or alcohol use
133 outlined in this policy.

134

135 3. Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

136

137 The following procedures will be followed when a student privately, and in
138 confidence, discloses to a professional employee in a professional communication
139 information concerning the student's use, possession, distribution or sale of a
140 controlled drug, controlled substance or alcohol.

141

142 (a) Professional employees are permitted, in their professional judgment, to disclose
143 any information acquired through a professional communication with a student,
144 when such information concerns alcohol or drug abuse or any alcohol or drug
145 problem of such student. In no event, however, will they be required to do so.

146 ~~C.G.S.~~ [Connecticut General Statutes](#) Section 10-154a(b).

147

148 (b) Any physical evidence obtained from such student through a professional
149 communication indicating that a crime has been or is being committed by the
150 student **must** be turned over to school administrators or law enforcement officials
151 as soon as possible, but no later than two calendar days after receipt of such
152 physical evidence, excluding Saturdays, Sundays and holidays. Employees are
153 encouraged to contact the school administrator immediately upon obtaining
154 physical evidence. In no case, however, will such employee be required to
155 disclose the name of the student from whom the evidence was obtained. C.G.S.
156 Section 10-154a(b).

157

158 (c) Any professional employee who has received a professional communication from
159 a student may obtain advice and information concerning appropriate resources and
160 refer the student accordingly, subject to the rights of the professional employee as
161 described in paragraph (a) above.

162
163 (d) If a student consents to disclosure of a professional communication concerning the
164 student's alcohol or drug problem, or if the professional employee deems
165 disclosure to be appropriate, the professional employee should report the student's
166 name and problem to the school's building administrator or designee who shall
167 refer the student to appropriate school staff members for intervention and
168 counseling.

169

170 4. Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

171

172 When a professional employee obtains information related to a student *from a source*
173 *other than the student's confidential disclosure*, that the student, on or off school
174 grounds or at a school sponsored activity, is under the influence of, or possesses, uses,
175 dispenses, distributes, administers, sells or aids in the procurement of a controlled
176 drug, controlled substance, drug paraphernalia or alcohol, that information is
177 considered to be involuntarily disclosed. In this event, the following procedures will
178 apply.

179

180 (a) The professional employee will immediately report the information to the building
181 administrator or designee. The building administrator or designee will then refer
182 the student to appropriate school staff members for intervention and counseling.

183

184 (b) Any physical evidence (for example, alcohol, drugs or drug paraphernalia)
185 obtained from a student indicating that a crime has been or is being committed by
186 the student must be turned over to the building administrator or designee or to law
187 enforcement officials as soon as possible, but no later than within two calendar
188 days after receipt of such physical evidence, excluding Saturdays, Sundays and

189 holidays. [C.G.S.— Connecticut General Statutes](#) Section 10-154a(b). Because
190 such evidence was **not** obtained through a professional communication, the name
191 of the student must be disclosed to the building administrator or designee.

192

193 (c) Search and Seizure of Students and/or Possessions: A professional employee who
194 reasonably suspects that a student is violating a state/federal law or a school
195 substance abuse policy must **immediately** report such suspicion to the building
196 administrator or designee. The building administrator or designee may then
197 search a student's person or possessions connected to that person, in accordance
198 with the Board's policies and regulations if the administrator or designee has
199 reasonable suspicion from the inception of the search that the student has violated
200 or is violating either the law or a school substance abuse policy.

201

202 Any physical evidence obtained in the search of a student, or a student's
203 possessions, indicating that the student is violating or has violated a state or
204 federal law **must** be turned over to law enforcement officials as soon as possible,
205 but not later than within three calendar days after receipt of such physical
206 evidence, excluding Saturdays, Sundays and holidays. [C.G.S.— Connecticut](#)
207 [General Statutes](#) Section 10-154a(c). All school employees are encouraged to
208 contact the school administration immediately upon obtaining physical evidence.

209

210 5. Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs,
211 Controlled Substances, Drug Paraphernalia or Alcohol.

212

213 (a) Any student in the Madison Public Schools using, consuming, possessing, being
214 under the influence of, manufacturing, distributing, selling or aiding in the
215 procurement of controlled drugs, controlled substances, drug paraphernalia or
216 alcohol either on or off school property, or at a school-sponsored activity, except
217 as such use or possession is in accordance with Connecticut General Statutes §
218 21a-408a through 408q, is subject to discipline up to and including expulsion
219 pursuant to the Board's student discipline policy. On and after January 1, 2022, a

220 student shall not face greater discipline or sanction for the use, sale, or possession
221 of cannabis on school property than a student would face for the use, sale, or
222 possession of alcohol on school property, except as otherwise required by
223 applicable law.

224

225 (b) In conformity with the Board’s student discipline policy, students may be
226 suspended or expelled for drug or alcohol use off school grounds if such drug or
227 alcohol use is considered seriously disruptive of the educational process. In
228 determining whether the conduct is seriously disruptive of the educational
229 process, the Administration and the Board may consider, among other factors: 1)
230 whether the drug or alcohol use occurred within close proximity of a school; 2)
231 whether other students from the school were involved; and 3) whether any injuries
232 occurred.

233

234 (c) If a school administrator has reason to believe that any student was engaged, on or
235 off school grounds, in offering for sale or distribution a controlled substance (as
236 defined by ~~Conn. Gen. Stat.~~ [Connecticut General Statutes](#) § 21a-240(9)), whose
237 manufacturing, distribution, sale, prescription, dispensing, transporting, or
238 possessing with intent to sell or dispense, offering or administering is subject to
239 criminal penalties under ~~Conn. Gen. Stat.~~ [Connecticut General Statutes](#) §§ 21a-
240 277 and 21a-278, the administrator will recommend such student for expulsion, in
241 accordance with ~~Conn. Gen. Stat.~~ [Connecticut General Statutes](#) § 10-233d(a)(2)
242 and the Board’s student discipline policy.

243

244 (d) Students found to be in violation of this policy may be referred by the building
245 administrator to an appropriate agency licensed to assess and treat drug and
246 alcohol involved individuals. In such event, assessment and treatment costs will
247 be the responsibility of the parent or guardian.

248

249 (e) A meeting may be scheduled with appropriate school staff members for the
250 purpose of discussing the school's drug and alcohol policy with the student and
251 parent or guardian.

252

253 (f) Law enforcement officials may be contacted by the building administrator in the
254 case of suspected involvement in the use, sale or distribution of controlled drugs,
255 controlled substances, drug paraphernalia or alcohol.

256

257 Legal References:

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259 Connecticut General Statutes:

260

261 June Special Session, Public Act No. 21-1, An Act Concerning Responsible and
262 Equitable Regulation of Adult-Use Cannabis

263

264

265 Section 10-154a

266 Section 10-212a

267 Section 10-221

268 Sections 10-233a through 10-233f

269 Section 21a-240

270 Section 21a-243

271 Section 21a-408a through 408q

272

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282

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