

#4116

**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 ~~the use or possession of tobacco or tobacco products, smoking, including~~  
37 ~~smoking using an including the use of an~~ electronic nicotine delivery system, ~~electronic cannabis~~  
38 ~~delivery system or vapor products in any area of a school building, on school property, including~~  
39 ~~property owned, leased, contracted for or utilized by the Board, or at any school-sponsored~~  
40 ~~activity, at any time. Tobacco and tobacco products include, but are not limited to cigarettes,~~  
41 ~~cigars, snuff, bidis, smoking tobacco, smokeless tobacco, vapor product, nicotine delivering~~  
42 ~~devices, chemicals, or devices that produce the same flavor or physical effect of nicotine~~  
43 ~~substances; and any other tobacco or nicotine innovations. (e.g., e-cigarettes), electronic cannabis~~  
44 ~~delivery system, or vapor product, and the use of tobacco products in any area of a school~~  
45 ~~building, on school property, including property owned, leased, contracted for, or utilized by the~~  
46 ~~Board, or at any school-sponsored activity.~~

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

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

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56 **Definitions**

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58 “Any area” shall mean the interior of a school building and the outside area within twenty-five  
59 feet of any doorway, operable window or air intake vent of a school building.

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61 “Cannabis” shall mean marijuana, as defined in Conn. Gen. Stat. § 21a-240.

62  
63 “Controlled substance” shall mean a controlled substance in schedules I through V of section 202  
64 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 ([21 U.S.C. 812](#)),  
65 including marijuana.

66  
67 “Electronic cannabis delivery system” shall mean an electronic device that may be used to  
68 simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is

69 not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any  
70 cartridge or other component of such device.

71

72 “Electronic nicotine delivery system” shall mean an electronic device used in the delivery of  
73 nicotine to a person inhaling from the device, and includes, but is not limited to, an electronic  
74 cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any  
75 related device and any cartridge or other component of such device, including, but not limited to,  
76 electronic cigarette liquid or synthetic nicotine.

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

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81 “School-sponsored activity” shall mean any activity sponsored, recognized, or authorized by a  
82 board of education and includes activities conducted on or off school property.

83

84 “Smoke” or “smoking” shall mean the burning of a lighted cigar, cigarette, pipe or any other  
85 similar device, whether containing, wholly or in part, tobacco, cannabis or hemp.

86

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

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92 **Employee Assistance**

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

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98 Employees who feel they have developed an addiction to, dependence upon, or other problem  
99 with alcohol or drugs are encouraged to seek assistance. Certain benefits for alcoholism or drug  
100 addiction are provided under the Board's group medical insurance plan. An employee may be  
101 given an opportunity to participate in a rehabilitation program that requires absence from work  
102 for bona fide treatment. Such absence may be charged to the employee's accrued and unused

103 sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any  
104 applicable Board policies and regulations.

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

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109 Legal References:

110

111 Connecticut General Statutes:

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

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115 Conn. Gen. Stat. § 19a-342

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117 Conn. Gen. Stat. § 19a-342a

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

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

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123 United States Code:

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

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

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131 First Reading: March 1, 2022

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