

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.— The use of smoking cessation products such as the~~
47 ~~nicotine patch, nicotine gum, and/or nicotine lozenge are, however, permitted.~~

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

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

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57 **Definitions**

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

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

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

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

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

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

78

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

82

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

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

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

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94 **Employee Assistance**

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

99

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

104 for bona fide treatment. Such absence may be charged to the employee's accrued and unused
105 sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any
106 applicable Board policies and regulations.

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

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111 Legal References:

112

113 Connecticut General Statutes:

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

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117 Conn. Gen. Stat. § 19a-342

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119 Conn. Gen. Stat. § 19a-342a

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

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

124

125 United States Code:

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

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

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133 First Reading: April 5, 2022

134 Second Reading: April 26, 2022

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