

#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:

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- 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.

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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.

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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.

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55 **Definitions**

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- 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).

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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 Section 21a-240(9).

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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).

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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.

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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).

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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.

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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.

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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

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117 **Procedures**

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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.

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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.

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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.

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

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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.

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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. Section 10-154a(b).

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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).

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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.

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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.

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

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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. Section 10-154a(b). Because such evidence was **not** obtained  
190 through a professional communication, the name of the student must be disclosed  
191 to the building administrator or designee.

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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.

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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. Section 10-154a(c).  
207 All school employees are encouraged to contact the school administration  
208 immediately upon obtaining physical evidence.

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

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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.

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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. § 21a-240(9)), whose manufacturing, distribution,  
237 sale, prescription, dispensing, transporting, or possessing with intent to sell or  
238 dispense, offering or administering is subject to criminal penalties under Conn.  
239 Gen. Stat. §§ 21a-277 and 21a-278, the administrator will recommend such  
240 student for expulsion, in accordance with Conn. Gen. Stat. § 10-233d(a)(2) and  
241 the Board's student discipline policy.

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

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

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

Legal References:

Connecticut General Statutes:

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

- Section 10-154a
- Section 10-212a
- Section 10-221
- Sections 10-233a through 10-233f
- Section 21a-240
- Section 21a-243
- Section 21a-408a through 408q

- Date of Adoption: April 2, 1996
- Date of Revision: October 21, 1997
- Date of Revision: August 16, 2005
- Date of Revision: January 5, 2006
- Date of Revision: June 16, 2009 - Replaces Policies #5090.6 Tobacco Use by Students, #5090.7.1 Inhalant Abuse and #5090.7.2 Performance-Enhancing Drugs
- Date of Revision: April 1, 2014
- Date of Revision: October 7, 2014
- Date of Revision: March 22, 2016