

SCOTLAND BOARD OF EDUCATION
Board Policy

Students

Alcohol Use, Drugs, and Tobacco (including Performance Enhancing Substances)

Pursuant to the goal of the Board of Education to maintain a drug, tobacco and alcohol-free school district, and consistent with its no tolerance policy, schools shall take positive action through education, counseling, parental involvement, and medical and police referral in handling incidents in the schools involving possession, sale, and/or use of behavior affecting substances. These substances shall include but not be limited to alcohol and controlled substances as defined in the Penal Code of the State of Connecticut.

Alcohol, inhalants, stimulants, street drugs, including but not limited to marijuana, heroin and cocaine; anabolic steroids, hormones and analogues, diuretics and other performance enhancing substances; including supplements and Creatine, are addressed by this policy and accompanying administrative regulations.

In furtherance of the no tolerance policy of alcohol, drugs and tobacco, no school-sponsored function shall be held while alcohol is being served.

Privacy Rights

Personal privacy rights of students shall be protected as provided by law. School properties may be inspected by school authorities to maintain health and safety. Searches to locate drugs, narcotics, liquor, weapons, poisons, and missing properties are matters relating to health and safety and may be regarded as reasonable grounds for searches by school personnel. Privileged communication between a certified or paraprofessional employee and a student concerning drug abuse shall remain confidential between student and professional, except in cases where the employee is obtaining physical evidence of a controlled substance, and/or where there is an immediate threat to, or where students' health, safety, and welfare may be jeopardized.

Illegal Activities

Use, possession, sale or distribution of drugs, including prescription drugs, drug paraphernalia and/or alcoholic beverages in violation of state law or Board of Education policy is prohibited at any time on school premises or at any school-sponsored activity. If a student is under the influence of a drug or alcohol, or engaged in the illegal activity of possessing or selling drugs and/or alcohol, the police will be notified, his/her parent(s)/guardian will be contacted, he/she will be suspended from school, referred to the Crisis Intervention Team, and considered for expulsion. In cases of the illegal activity of possessing or selling drugs or alcohol, students will be referred to the appropriate law enforcement authorities. If a student is arrested and is awaiting trial for possession of, or possession of with intent to sell drugs in or on school property or at a school-sponsored event, the student will not be allowed to attend school without the permission of the Superintendent, per the guidelines set forth in Policy #5114.

SCOTLAND BOARD OF EDUCATION
Board Policy

Alcohol Use, Drugs, and Tobacco (Continued)

Notification of Policy

Annually, students will be notified through the student handbook, or through other means, of disciplinary sanctions for violation of this policy.

The Principal shall include statements in the school handbook to the effect that:

1. the unlawful manufacture, distribution, dispensing, possession or use of controlled substances, other illegal drugs or alcohol is prohibited in school, on school grounds, on school transportation and at school sponsored activities;
2. compliance with the standards of conduct stated in the handbook is mandatory;
3. a violation of its provisions will subject students to disciplinary action up to and including expulsion and referral for prosecution.

Disciplinary Action

Students who violate this policy will be subject to disciplinary action which includes, but is not limited to, suspension or expulsion. Student athletes who violate this policy, participating in CIAC-controlled activities shall also be declared ineligible for such activities in accordance with CIAC policy and regulation. Any disciplinary actions imposed will ensure that similar violations will be treated consistently. The Superintendent shall propose and the Board of Education shall approve procedures and regulations to ensure that any student violating this policy is subjected to disciplinary action, and that any disciplinary actions imposed for similar violations are treated consistently.

The following guidelines for reporting alleged violations are to be followed:

1. If a certified or non-certified employee suspects student drug abuse, the employee shall refer the matter to the Principal or his/her designee. Following an investigation, disciplinary action may be imposed if the situation warrants.
2. If a certified or non-certified employee obtains physical evidence of controlled substances from a student in school, on school grounds, on school transportation or at a school sponsored event, the employee shall turn the student and the controlled substance over to the school Principal or designee. The Principal will notify law enforcement personnel and shall surrender possession of the controlled substance to the proper authorities within the time period required by state law.

SCOTLAND BOARD OF EDUCATION
Board Policy

Alcohol Use, Drugs, and Tobacco (continued)

- (cf. 5114 - Suspension/Expulsion)
- (cf. 5131 – Conduct)
- (cf. 5131.61 – Inhalant Abuse)
- (cf. 5131.62 – Steroid Use)
- (cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)
- (cf. 5131.8 – Out of School Grounds Misconduct)
- (cf. 5131.92 – Corporal Punishment)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.12 – Search and Seizure)
- (cf. 5145.121 – Vehicle Searches on School Grounds)
- (cf. 5145.122 – Use of Dogs to Search School Property)
- (cf. 5145.124 – Breathalyzer Testing)
- (cf. 5145.125 – Drug Testing-Extracurricular Activities)
- (cf. 6164.11 – Drugs, Alcohol, Tobacco)

- Legal Reference:
- Connecticut General Statutes
 - 1-21b Smoking prohibited in certain places
 - 10-19 Teaching about alcohol, nicotine or tobacco, drugs and acquired immune deficiency syndrome. Training of personnel.
 - 10-154a Professional communications between teacher or nurse and student. Surrender or physical evidence obtained from students.
 - 10-220b Policy statement on drugs
 - 10-221(d) Boards of education to prescribe rules, policies and procedures re sale or possession of alcohol or controlled drugs
 - 21a-240 Definitions dependency producing drugs.
 - 21a -240(8) Definitions “Controlled Drugs,” dependency producing drugs
 - 21a-240(9) Definitions “controlled substance”
 - 21a-243 Regulation re schedules of controlled substances.
 - 53-198 Smoking in motor buses, railroad cars and school buses
 - Federal Regulation 34 CFR Part 85 Drug-free Schools & Communities Act
 - 20 U.S.C. Section 7181 et. seq., No Child Left Behind Act
 - New Jersey v. T.L.O.*, 469 U.S. 325 (1985)
 - Veronia School District 47J v. Acton*, 515 U.S. 646 (1995)
 - Board of Education of Independent School District No 92 of Pottawatomie County v. Earls* 01-332 U.S. (2002)