

**DARIEN PUBLIC SCHOOLS**  
**Darien, Connecticut**

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**SERIES 4000: PERSONNEL**  
**POLICY 4075**

**ALCOHOL, TOBACCO AND DRUG-FREE WORKPLACE**

**PURPOSE**

The purpose of this policy is to establish a workplace which is free of the effects of alcohol and second-hand smoke, and free from drug abuse. By accomplishing this purpose, the Board also seeks to promote a safe, healthy working environment for all employees and to reduce absenteeism, tardiness and other job performance problems which 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, 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 or alcohol on school property shall notify the Superintendent or his/her 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 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.

The Board prohibits smoking, including smoking using an electronic nicotine delivery system (e.g. e-cigarettes), and the use of tobacco products on school property or at any school-sponsored activity. For purposes of this policy, the term “electronic nicotine delivery system” shall mean an electronic device that may be used to simulate smoking in

the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device.

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

### **DEFINITIONS**

“School property” means any land and all temporary and permanent structures comprising the district’s elementary and secondary schools, and administrative office building and includes, but is not limited to, classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots.

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

### **EMPLOYEE ASSISTANCE**

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

An employee who feels he or she has developed an addiction to, dependence upon or other problem with alcohol or drugs, is encouraged to seek assistance. Certain benefits for alcoholism or drug addiction are provided under the Board's group medical insurance plan. An employee may be given an opportunity to participate in a rehabilitation program which requires absence from work for bona fide treatment. Such absence may be charged to the employee's accrued and unused sick leave, subject to the provisions of the employee's collective bargaining agreement and/or any applicable Board policies and regulations.

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

Legal References:

Connecticut General Statutes:

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

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

Public Act 14-76, “An Act Concerning The Governor’s Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention”

United States Code:

Safe and Drug-Free Schools and Community Act, 41 U.S.C. Section 7101 et seq.

Pro-Children Act of 2001, Pub. L. 107-110, 115 Stat. 1174, 20 U.S.C. § 7183

APPROVED BY THE BOARD OF EDUCATION: March 11, 2015, (Effective July 1, 2015)