

Policy Committee Meeting

Tuesday, March 15, 2022 6:30 PM

Hammonasset Room / Zoom, 10 Campus Drive, Madison, CT 06443

I. Policies to Rescind and Replace

I.A. #3100.3 - Petty Cash Accounts

I.B. #3130 - Money in School Buildings

I.C. #3281 & #3281R - Grants, Gifts & Bequests to
the District

I.D. #5141 & #5141R - Fundraising Activities

II. Policies to Rescind

III. #4112.5 - Drug Free Schools

IV. #4118.5 - Freedom of Speech/Expression

V. #4121 - Substitute Teachers

VI. #4122 - Student Teachers/Internship

VII. #4126 - Consultants

VIII. #4135 - Organizational
Development/Employee Communications

IX. #4140 - Computers: Websites/Pages

X. #4211.1 - Affirmative Action

XI. #4212.42 - Drug and Alcohol Testing for School
Bus Drivers

XII. Policies for Further Discussion

XII.A. #1150 - Prohibition Against Smoking

XII.B. #4116 - Alcohol, Tobacco & Drug Free
Workplace

XII.C. #5090.7 - Drug, Alcohol, Tobacco and
Inhalant Use by Students

XIII. *The Town of Madison does not discriminate on the basis of disability, and the meeting facilities are ADA accessible. Individuals who need assistance are invited to make their needs known by contacting Paula Carabetta at 203-245-5644 or by email at carabettap@madisonct.org at least five (5) business days prior to the meeting.*

#3100.3

Petty Cash Accounts

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The Board of Education recognizes that efficient operation of the Madison Public Schools is facilitated by the availability of petty cash funds. Monies used for this purpose by the individual schools and offices of the school district shall be handled with good and prudent business practices.

The Superintendent shall establish limits for petty cash accounts, not to exceed ~~\$250.00~~ **\$500.00**. Petty cash accounts are to be used in the payment of necessary incidental expenses needed in too short a period of time to utilize the established purchase order system.

Petty cash disbursements shall be documented by voucher. Petty cash accounts shall be replenished through the submission of a purchase order with receipts. Appropriate accounting procedures consistent throughout the school district shall be established and maintained.

Legal Reference: Connecticut General Statutes
 10-237 School Activity Accounts

Date of Adoption: June 24, 1997

#3130

Money in School Buildings

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Money collected by school system employees and by student organizations shall be handled both carefully and prudently. All monies collected shall be receipted and accounted for and directed without delay to the proper location of deposit.

In no case shall cash be left overnight in schools except in safes provided for safekeeping of valuables, and when possible, no more than ~~\$250~~ \$2,000 should be so kept. To avoid any necessity for leaving money in schools overnight, schools shall understand and use procedures for making bank deposits after regular banking hours.

Date of Adoption: June 24, 1997

#3281

**Gifts, Grants and Bequests to the District
(formerly Grants, Gifts and Donations)**

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6 Gifts of personal property to the district, including monetary donations, that meet criteria
7 set forth in the administrative regulations established in accordance with this policy are
8 welcomed and encouraged.

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10 The Superintendent of Schools shall develop administrative regulations governing the
11 acceptance of gifts and the procedure for examining and evaluating offers of gifts to the
12 district.

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14 The school principal may approve gifts to a school that are valued at \$500 or under and
15 meet criteria established by the administrative regulations established in accordance with
16 this policy. The Superintendent of Schools must accept gifts that are valued over \$1,000
17 and meet criteria established by the administrative regulations established in accordance
18 with this policy.

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20 The Superintendent, in consultation with the principals and considering the wishes of the
21 donor, may determine the school(s), program(s) or facility(ies) to which the gift shall go
22 if it is valued at more than \$1,000. The Superintendent shall inform the Board of
23 Education of any gift valued at more than \$1,000 that has been accepted by the district.

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25 If the Superintendent determines that a gift fails to meet the criteria established in the
26 administrative regulations, the Superintendent shall inform the Board of Education. Any
27 gift rejected by the Board of Education shall be returned to the donor or the donor's estate,
28 with a statement indicating the reason for rejection of such gift.

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30 Legal Reference:

31 Conn. Gen. Stat. § 10-237
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Gifts, Grants and Bequests to the District

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4 Any gift presented to the school district must be accompanied by a letter from the donor
5 identifying the subject and purpose of the gift and any restrictions that may apply for
6 official action and recognition by the Board of Education.

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8 To be accepted, a gift must be used for the educational benefit of students and satisfy the
9 following criteria:

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- 12 • Have a purpose consistent with the purposes of the school district
 - 13 • Will not begin a program that the Board of Education would be unwilling to
14 take over when the gift or grant funds are exhausted
 - 15 • Would not bring unanticipated costs to the school district
 - 16 • Will place no restrictions on the school program
 - 17 • Will be suitable for use in meeting the instructional needs of the school
 - 18 • Will not be inappropriate or harmful to the best educational interests of
19 students, as determined by the administration
 - 20 • Will not imply endorsement of any business or product
 - 21 • Will not be in conflict with any provisions of the school code or public law

22 All gifts, grants and bequests shall become school district property.

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#5141

Fundraising Activities
(formerly #3280 Fundraising)

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Students may engage in raising funds for school-sponsored activities, subject to the provisions of regulations to be developed by the Superintendent. No such fund-raising activities may involve door-to-door solicitation in the community by students.

The Board of Education will not be responsible for any fundraising activities that are not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

Any fundraising activities must comply with all applicable state and federal laws and regulations, including those provisions relating to the sale of healthy foods and beverages on school grounds or at school-sponsored events.

Legal References:

Conn. Gen. Stat. § 10-215f Certification that food meets nutrition standards

#5141R
Fundraising Activities
(formerly #3280 Fundraising)

These administrative regulations shall serve to implement the Madison Board of Education’s (the “Board”) policy pertaining to fundraising activities. The Board is not responsible for any fundraising activities that are not approved in accordance with the procedures set forth in the policy and these accompanying regulations.

Criteria for Fundraising Activities:

To be approved, a fundraising activity must be conducted for the educational benefit of students and satisfy all of the following criteria:

1. Each student, parent support or other sanctioned fundraising activity shall have one adult designated with the overall responsibility for continuing compliance with the Board’s policy and these administrative regulations pertaining to fundraising (the “Sponsor”);
2. The fundraising must have a purpose consistent with the purposes of the school district and be for the benefit of its educational programs, student groups or extra-curricular activities;
3. The fundraising must not be anticipated to bring additional costs to the school district;
4. The fundraising activity must be suitable for the age and maturity of the students involved in the fundraising activity;
5. Students may not be compelled to participate in fundraising; all such fundraising activity shall be voluntary in nature;
6. Prior to a student engaging in any fundraising activity, his/her parents shall be informed and written authorization shall be obtained to permit their children to participate;
7. The fundraising must not be inappropriate or harmful to the best educational interests of students, as determined by the administration;

- 33 8. The fundraising will not be considered an official endorsement of any business or
34 product;
- 35 9. The fundraising must not be in conflict with any provisions of the school code or
36 public law;
- 37 10. Door-to-door solicitations by students are prohibited by these regulations; and
- 38 11. The fundraising must comply with all applicable provisions of Board policy and
39 regulation relating to the sale of healthy foods and beverages on school grounds or
40 at school-sponsored events.

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42 **Prior approval required:**

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44 Fundraising activities shall not be initiated until prior approval is secured as set forth in
45 these regulations.

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47 Requests for prior approval for fundraising activities anticipated to raise funds up to
48 **[threshold amount set by district]** shall be made in advance in writing to the building
49 Principal or his/her designee, at least one (1) month prior to the commencement of the
50 activity. The Principal or his/her designee shall indicate his/her approval in writing to the
51 organization applying for approval.

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53 Requests for prior approval for fundraising activities anticipated to raise funds up to
54 **[threshold amount set by district]** shall be made in advance in writing to the Principal,
55 at least two (2) months prior to the commencement of the activity. Upon receipt of
56 approval from the Principal or his/her designee, the request shall then be forwarded to
57 Superintendent or his/her designee for approval. The Superintendent or his/her designee
58 shall indicate his/her approval in writing to the organization applying for approval.

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60 *If desired:*

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62 *Requests for prior approval for fundraising activities anticipated to raise funds up to*
63 ***[threshold amount set by district]** shall be made in advance in writing to the*

64 Superintendent or his/her designee, at least four (4) months prior to the commencement
65 of the activity. If the Superintendent or his/her designee determines that the fundraising
66 activity meets the criteria set forth herein, the Superintendent or his/her designee shall
67 forward the request for approval to the Board for action.

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69 **[OPTIONAL SECTION ON CROWDFUNDING:**

70 **SELECT EITHER**

71 *Use of Crowdfunding Activities*

72 **OR**

73 *Prohibition on Crowdfunding Activities]*

74

75 **[Use of Crowdfunding Activities**

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77 *Prior to engaging in any crowdfunding activities (e.g. DonorsChoose, Kickstarter,*
78 *GoFundMe, etc.) for the Board, its schools, classes, or extracurricular teams or clubs, an*
79 *employee, student, parent support or other fundraising group must first apply in writing*
80 *to the building Principal and receive prior approval for the crowdfunding activity as*
81 *outlined above. However, requests to the building Principal for prior approval of*
82 *crowdfunding activities must also include the name of the website or application to be*
83 *utilized, a full description of the reason for the crowdfunding activity, a copy of the*
84 *proposed personal profile to be listed on the site/application, and the proposed content to*
85 *be uploaded to the crowdfunding website or application, including images.*

86

87 *In addition to following the procedures outlined below for the handling of funds and*
88 *record-keeping, the following additional regulations apply to funds received from*
89 *crowdfunding activities. Any funds received from crowdfunding activities must be*
90 *deposited directly into a school activity fund and may not first be received by the*
91 *employee, student, parent group or other fundraising group. Crowdfunding activities*
92 *must comply with all Board policies, regulations and procedures, and shall not include*
93 *photos of students or the sharing of any confidential student information.*

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95 **OR** *[Both of these sections may not be used together in the same policy]*

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97 **Prohibition on Crowdfunding Activities**

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99 *Employees, students, parent support or other fundraising groups are prohibited from*
100 *fundraising using crowdfunding (e.g. the use of websites or applications such as*
101 *DonorsChoose, Kickstarter, GoFundMe, etc.) on behalf of the Board, its schools, classes,*
102 *or extracurricular teams or clubs.]*

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105 **Handling of Funds and Record-Keeping:**

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107 The fundraising activity must comply with all applicable policies and procedures with
108 respect to the processing of monies by staff members and/or students (e.g. school activity
109 fund regulations and regulations pertaining to maintaining cash within classrooms or
110 school buildings).

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112 Student, parent support or other sanctioned fundraising groups shall keep detailed and
113 accurate contemporaneous records of the fundraising activity, with the Sponsor
114 responsible for ensuring compliance with this requirement.

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116 Such detailed and accurate records shall be subject to inspection by school officials at any
117 time.

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119 At the end of the activity, the Sponsor shall produce a final report showing the amount of
120 money raised, the number of students who participated, the purposes for which the
121 designated funds will be used, and any other information as may be required by the
122 Principal and/or Superintendent of Schools.

I. ALL PERSONNEL

The following Employee Standard of Conduct shall apply to all employees of the Madison Public Schools. Employees shall not use, distribute, or possess controlled substances or alcoholic beverages in the building, on the grounds, on transportation provided by the Board, or at any event, trip or activity sponsored by the school or under supervision of the Board, other than as medically prescribed, and as set forth in the regulation of 5141.4, Administration of Medication. The Superintendent shall develop sanctions for employees violating the Standard of Conduct.

**II. FEDERAL GRANT RELATED PERSONNEL:
DRUG-FREE WORKPLACE ACT**

No employee engaged in work related to a federal grant shall unlawfully manufacture, distribute, dispense, possess or use at the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CRF 1300.11 through 1300.15.

The "workplace" is defined to mean the site for the performance of work done in connection with a federal grant. That includes any school building or any school premises; any school-owned vehicle or any other school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.

The Board of Education will establish a drug-free awareness program to inform employees about the danger of drug abuse in the workplace and provide information regarding available drug counseling.

As a condition of employment in any federal grant, each employee who is engaged in performance of a federal grant, shall notify his or her supervisor of his or her conviction for a drug related offense occurring in the workplace as defined above, no later than 5 days after such conviction.

As a condition of employment in any federal grant, each employee who is engaged in performance of a federal grant, shall abide by the terms of the school district policy respecting a drug-free workplace.

An employee who violates the terms of this policy may be nonrenewed or his or her employment may be suspended or terminated, at the discretion of the Board.

Procedural due process shall be provided in all disciplinary actions.

#4112.5 (continued)

Legal Reference: Connecticut General Statutes

1-21b Smoking prohibited in certain places.

21a-240 Definitions for dependency producing drugs

Drug-Free Workplace Act. 102 Stat. 4305-4308.

Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226 (199)

21 U.S.C. 812, Controlled Substances Act, I through V, 202.

21 C.F.R. 1300.11 through 1300.15 regulation.

54 Fed. Reg. 4946 (1989) Notice regarding government-wide implementation of the Drug-Free Workplace Act of 1988.

Date of Adoption: May 7, 1991
Date of Revision: January 5, 2006

Freedom of Speech / Expression

Academic freedom is the freedom to teach and to learn. With freedom comes responsibility; with rights come obligations. Accordingly, academic freedom in our schools is subject to certain limitations. Therefore, the Board of Education affirms that academic freedom in the Madison Public Schools shall be properly defined within the context of law and the constraints of mutual respect among individuals. Therefore, access to ideas and opportunities to consider the broad range of questions and experiences which constitute the proper preparation for a life of responsible citizenship must not be defined by the interests of any single viewpoint. Educators must be free to select instructional and research materials appropriate to the maturity level of their students.

An inevitable consequence of academic freedom is that it leads to consideration of issues which may be considered controversial. Controversial issues are those problems, subjects, or questions about which there are significant differences of opinion. Learning to deal with such controversial issues is one of the basic competencies that all students should acquire. In order for students to learn these competencies, teachers must be free to help students to identify and evaluate relevant information, to learn the techniques of critical analysis, and to make independent judgments. Although teachers have the right to express their own viewpoints and opinions, they do not have the right to indoctrinate students with their personal views.

Finally, the Board of Education affirms that the purpose of public education is the pursuit of knowledge and the preparation of our children for responsible citizenship in a society that respects differences and shared freedom.

Policy Adopted: June 7, 1994

#4121
Substitute Teachers

A substitute teacher in the Madison Public Schools shall be a graduate of a four-year college who is employed for periods of time in the absence of a regular teacher.

The Board shall only hire applicants for substitute teaching positions who comply with the reference and background checks as detailed in Policy #4111.1 and who comply with the disclosure requirements and after requesting information from the applicant's prior employers and SDE. The following criteria shall be met by any individual substituting:

1. Verification of a Bachelor's degree shall be submitted to the Superintendent's office.
2. Proof of eligibility to work in the United States.
3. Evidence of a tuberculin test (intradermal PPD) and chest x-ray if positive.
4. Submission of a Department of Children & Families (DCF) Release of Information form.

The Superintendent is to provide for suitable programs for recruiting, training, assigning, orienting and evaluating substitute teachers.

Retired teachers may be employed as substitute teachers without jeopardizing their retirement benefits within the limits as prescribed by State law.

The Superintendent shall be responsible for determining the type of substitute required in any given situation.

Legal Reference: Connecticut General Statutes

Section 10-183v Re-employment of teachers.

June 19 Special Session, Public Act No. 09-1 An Act Implementing the Provisions of the Budget Concerning Education, Authorizing State Grant Commitments for School Building Projects and Making changes to the Statutes Concerning School Building Projects and Other Education Statutes. (Section 48) Public Act No. 09-6 September Special Session.

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal. (as amended by PA 16-67)

10-222c Hiring policy (as amended by PA 16-67)

Date of Adoption: January 17, 1972
Date of Revision: June 2, 1992
Date of Revision: December 2, 2008
Date of Revision: March 7, 2017

The Madison Board of Education recognizes the value of consultants to the school district when it is clearly demonstrated they can provide valuable and necessary specialized services which cannot be provided by school personnel due to limitations of time, experience, funds, or knowledge. Consultants shall be employed for a prescribed purpose and period of time.

Funds for consultants should be part of planning specific projects or programs. The fee shall be within budget and charged to the appropriate budget account.

Date Adopted: 4/21/92

#4135

Organizational Development / Employee Communications

The Madison Board of Education recognizes that the competence and satisfaction of all its employees affects the quality of the Madison Public Schools. Furthermore, the Board of Education recognizes that the competence and satisfaction of all its employees are related to the extent to which the ideas, suggestions, commendations, criticisms and needs of its employees regarding the operation of the Madison Public Schools are considered.

The Board desires to establish a systematic process for employee expression of ideas, suggestions, commendations, criticisms and needs regarding districtwide operations, group specific issues, and individual issues, and to develop programs which address these areas and monitor responses to them.

Furthermore, the Board desires to support a climate in which the district's employees participate in a process which plans systematically for problem solving, and enhances communication among all employees and employee groups.

Therefore, the Board recognizes its obligation to provide support and opportunity to carry out such organizational development and employee communication programs as integral parts of the total school district operation, and directs the Superintendent of Schools to implement such a program.

Policy Adopted: June 7, 1994

Computers: Web Sites / Pages

The Board of Education encourages the administration and staff to create and maintain World Wide Web sites for the district and individual schools for educational purposes. The web sites shall serve as avenues for educating the community, providing information about our schools and communicating with the extended school community. District and individual school web sites shall be used to share information relating to our schools and our mission. Web sites may also provide instructional resources for staff and students.

Materials displayed on web sites are published on the Internet. Therefore, the content should be professional quality and consistent with the education mission of the school system. Web sites shall follow standards for ethical behavior with regard to information and technology by showing respect for the principles of intellectual freedom, intellectual property rights and the responsible use of information and technology. Pages shall reflect an understanding that both internal and external audiences will be viewing the information.

Any pages or links representing the school district shall follow guidelines and responsibilities pertaining to content standards, student records, copyright, and technical standards which are contained in the administrative regulations which accompany this policy.

Additionally, all provisions of this policy must comply with existing Board of Education policies.

(cf. 5180.1 - Student Records)

(cf. 5090.4.2 - Freedom of Speech / Expression)

(cf. 6100.10 - Guidelines for Evaluation / Selection of Instructional Materials)

(cf. 6100.14.3 - Resource Centers / Media Centers / School Libraries)

Legal Reference: Connecticut General Statutes
 1-19(b)(11) Access to public records. Exempt records.
 10-15b Access of parent or guardians to student's records.
 10-209 Records not to be public.

#4140 (continued)

11-8a Retention, destruction and transfer of documents

11-8b Transfer or disposal of public records. State Library Board to adopt regs.

46b-56 (e) Access to Records of Minors.

Ct Public Records Administration Schedule V - Disposition of Educ. Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of PL 93-568, codified at 20 U.S.C.1232g.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. Provisions act (20 U.S.C.

1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et. seq.

Date of Adoption: May 18, 1999

#4212.42

Drug and Alcohol Testing for School Bus Drivers

In a continuing effort to prevent accidents and injuries resulting from the use of drugs and misuse of alcohol by drivers of commercial vehicles, the Madison Public Schools is committed to ensure that contracts for student transportation services include a drug and alcohol testing program that meet the requirements of federal regulations, and state law pertaining to a required pre-employment and random drug testing program for drivers of school buses and school transportation vehicles (STVs) that carry ten or fewer students. The student transportation services provider shall agree to actively enforce the federal and state requirements. The program shall meet the requirements of the Omnibus Transportation Employee Testing Act of 1991 and C.G.S. 14-276a.

This policy applies to all drivers and applicants for driver positions for the District who must have a Commercial Drivers License (CDL) to operate school vehicles.

Legal Reference: United States Code, Title 49
 2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)
 Code of Federal Regulations, Title 49
 40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs
 382 Controlled Substance and Alcohol Use and Testing
 395 Hours of Service Drivers
 Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540.
 International Brotherhood of Teamsters v. Department of Transportation
 932 F. 2d 1292 (1991)
 American Trucking Association, Inc. v. Federal Highway Administration, (1995) WL 136022 (4th circuit)
 Connecticut General Statutes
 14-261b Drug and alcohol testing of drivers of certain vehicles, mechanics and forklift operators
 14-276a Regulations re school bus operators and operators of student transportation vehicles; qualifications; training. Pre-employment drug test required for operators

Policy adopted: June 17, 2014

Prohibition Against Smoking

The Madison Board of Education (“Board”) prohibits smoking of tobacco or tobacco products, including smoking using an electronic nicotine delivery system (e.g., e-cigarettes), electronic cannabis delivery system, or vapor product, within any of its schools, including in any area of a school building, including but not limited to any indoor facility owned or leased or contracted for, and utilized by the Board for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children, or on the grounds of such school, or at any school-sponsored activity.

The following definitions shall apply to this policy~~For purposes of this policy, the term~~

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

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

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

“Electronic cannabis delivery system” shall mean an electronic device that may be used to simulate smoking in the delivery of cannabis to a person inhaling the device and includes, but is not limited to, a vaporizer, electronic pipe, electronic hookah and any related device and any cartridge or other component of such device.

“Electronic nicotine delivery system” shall mean an electronic device used in the delivery of nicotine or other substances 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, including, but not limited to, electronic cigarette liquid or synthetic nicotine.

Community/School Relations

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

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38 “School-sponsored activity” shall mean any activity sponsored, recognized or authorized by the Board
39 and includes activities conducted on or off school property.

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

43 Tobacco

44 It is the policy of the Board of Education to prevent and prohibit the use or possession of tobacco,
45 tobacco products, including chewing tobacco, or tobacco paraphernalia including electronic nicotine
46 delivery systems or vapor products in any school building, or on any school grounds, at any time.
47 Tobacco and tobacco products include, but are not limited to cigarettes, cigars, snuff, bidis, smoking
48 tobacco, smokeless tobacco, vapor product, nicotine delivering devices, chemicals, or devices that
49 produce the same flavor or physical effect of nicotine substances; and any other tobacco or nicotine
50 innovations.

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53 ~~The term “vapor product” shall mean any product that employs a heating element, power source,~~
54 ~~electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to~~
55 ~~produce a vapor that may or may not include nicotine or cannabis and is inhaled by the user of such~~
56 ~~product. The term “school-sponsored activity” shall mean any activity sponsored, recognized or~~
57 ~~authorized by the Board and includes activities conducted on or off school property.~~

58
59 The Board further prohibits smoking including smoking using an electronic nicotine delivery system
60 (e.g., e-cigarettes) electronic cannabis delivery system, or vapor product on the ~~real~~ school property of
61 any administrative office building. ~~Real property means the land and all temporary and permanent~~
62 ~~structures comprising the district’s administrative office building(s) and includes, but is not limited to~~
63 ~~storage facilities and parking lots.~~

64 Legal References:

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66 ~~Public Act 19-13~~
67 Conn. Gen. Stat. § 10-233a(h)
68 Conn. Gen. Stat. § 19a-342

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Conn. Gen. Stat. § 19a-342a

Conn. Gen. Stat. § 53-344b

June Special Session, Public Act No. 21-1

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

Date of Adoption: December 15, 2020

First Reading: March 1, 2022

**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.~~

47
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.

52
53 Violations of this policy may result in disciplinary action, up to and including possible
54 termination of employment.

55
56 **Definitions**

57
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.

60
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.

80

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.

91

92 **Employee Assistance**

93

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.

97

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.

105

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.

108

109 Legal References:

110

111 Connecticut General Statutes:

112

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

114

115 Conn. Gen. Stat. § 19a-342

116

117 Conn. Gen. Stat. § 19a-342a

118

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

120

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

122

123 United States Code:

124

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

127

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

129

130

131 First Reading: March 1, 2022

132

133

#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:

- 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.

43
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.

46
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.

50
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.

54
55 **Definitions**

- 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).

68
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).

73
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).

85
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.

90
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).

101
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.

106
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.

109
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

116
117 **Procedures**

118
119 1. Emergencies.

120
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.

124
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.

129
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.

134

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

136

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.

141

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).

147

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).

157

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.

162
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.

169

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

171

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.

192

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.

201

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.

209

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

212

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.

224

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.

242

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.

247

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