

<p align="center"><b>DANBURY PUBLIC SCHOOLS</b> Danbury, Connecticut</p>	<p align="center"><b>REGULATIONS</b></p>	
<p align="center"><b><i>ALCOHOL AND DRUG ABUSE – STUDENTS</i></b></p>	<p>Reviewed: 6/13/07</p>	<p>Policy No. 7-131.2  Page</p>
<p>A.     <u>DEFINITIONS</u></p> <ol style="list-style-type: none"> <li>1.     <i>Controlled Drugs:</i> Controlled drugs are those drugs which contain any quality of a substance which has been designated as subject to federal narcotic laws, or which has been designated as a depressant or stimulant drug pursuant to federal drug laws, or which has been designated by the public health council and Commission of Consumer Protection pursuant to section 21a-243 of the Connecticut General Statutes as having a stimulant, depressant or hallucinogenic effect upon the higher function of the central nervous system and has having a tendency to promote abuse and/or psychological dependence(Connecticut General Statutes Section 21a-240(8).</li>   <li>2.     <i>Professional Communication:</i> Any communication made privately and in confidence by a student to a professional employee of such student’s school in the course of the latter’s employment (Connecticut General Statutes section 10-154(a) (4).</li>   <li>3.     <i>Professional Employee:</i> A person employed by a school that holds a certificate from the State Board of Education; is a member of a faculty where certification is not required; is an administration officer of a school, or is a registered nurse employed by or assigned to a school (Connecticut General Statutes 10-154a(a) (2).</li>   <li>4.     <i>Drug Paraphernalia:</i> Any object or device used, intended for use, or designed for use in ingesting, inhaling, injecting, or otherwise introducing controlled or restricted substances into the human body (i.e. bonds, pipes, roach clips, miniature cocaine spoons, crack vials, tobacco rolling papers) or any object or container used, intended for use, or designed for use in storing, concealing, or distributing controlled substances.</li>   <li>5.     <i>Performance Enhancing Substances –</i> Substances identified as banned by the NCAA and The USOC. These include but are not limited to: Anabolic agents, diuretics, peptide hormones and analogues.</li> </ol>		

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<p><b>B.     <u>PROCEDURES</u></b></p> <p>A student who, on school grounds, during a school session, or anywhere at a school-sponsored activity is under the influence of or possesses, uses, dispenses, sells or aids in the procurement of a controlled substance, non-prescription anabolic steroid, hormone, analogue, diuretic, other performance enhancing substances not prescribed to the student by a licensed medical provider or alcohol shall be subject to discipline pursuant to the procedures outlined below:</p> <p>1.     <i>Prescribed Medications:</i> The parent(s)/guardian(s) of any student who is required to take prescribed medication during the school day shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student under the supervision of the school nurse or the designee.</p> <p>Students taking improper amount of a prescribed medication or taking the prescribed medication without proper notification and supervision of a school nurse or designee will be subject to the procedures for drug use outlined below</p> <p>2.     <i>Voluntary Disclosure of Drug/Alcohol Problem (self-referral):</i> The following procedures will be followed when a student privately and in confidence discloses to a professional employee their use, possession, sale of a controlled substance, performance enhancing drugs or alcohol.</p> <p>The following procedures will be followed when a student privately and in confidence discloses to a professional employee their use, possession, or sale of a controlled substance or alcohol.</p> <p>    a.     Any such professional employee shall not be required to disclose any information acquired through a professional communication with a student, when such information concerns alcoholic drug abuse or any alcoholic or drug problem of such student (Connecticut General Statutes, Section 10-154a(b)).</p>		

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<p>b. Any physical evidence obtained from such student indicating that a crime has been or is being committed by the student must be turned over to school administrators or law enforcement</p> <p>officials within two school days after receipt of such physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained (Connecticut General Statutes, Section 10-154a(b)).</p> <p>c. Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly.</p> <p>d. If the student will allow for disclosure of the professional communication concerning the student’s use, possession or sale of a controlled substance or alcohol, or if in the discretion of the professional employee such disclosure is necessary, the professional employee may report the student’s name and problem to the school’s student assistance team and the building administrator or the designee.</p> <p>e. If an emergency situation results from drug use or if confirmation of drug use is required, the professional employee may send the student to the school nurse or medical advisor.</p> <p>3. <i>Involuntary disclosure of drug/alcohol problem(s):</i> Confidentiality does not apply to instances of involuntary disclosure. When a professional employee obtains information from a source other than a student’s disclosure and is relative to a student’s use, possession, or sale of a controlled substance, performance enhancing drug or alcohol during the school day, at any school-sponsored activity, or while on school property, the information is considered to be involuntarily disclosed.</p>		

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<p>a. When a professional employee obtains such knowledge of a student’s use, possession, or sale of a controlled substance or alcohol, he/she will immediately report the information to the building administrator or the designee. The building administrator or the designee will then contact the school’s student assistance team.</p> <p>Any physical evidence (i.e. alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or the designee or law enforcement officials within two school days after receipt of such physical evidence (Connecticut General Statutes, Section 10-154a(b)). Because the physical evidence was <u>not</u> obtained through a confidential disclosure, the name of the student must be disclosed to the building administrator or the designee</p> <p>b. Search and Seizure of Students and/or Possessions: The Fourth Amendment’s prohibition of unreasonable searches and seizures applies to searches conducted by public school officials. Professional employees who reasonably suspect that a student is violating a state/federal law or a school substance abuse policy should immediately report their suspicion to the building administrator or the designee.</p> <p>c. The building administrator or the designee may then search a student’s person, or possessions connected to that person, if they have reasonable suspicion from the inception of the search that the student has violated or is violating either the law or the school’s substance abuse policy. Such a search is permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. <u>New Jersey vs. T.L.O.</u> 53 U.S.L.W. 4083 (1985).</p> <p>d. Students shall be informed that desks and lockers are school property and are subject to search. Consistent with the</p>		

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<p>preceding paragraph, the building administrator or the designee may search a student’s desk or locker in order to maintain discipline and protect the welfare of all students in that building.</p> <p>e. Any physical evidence obtained in the search of a student or their possessions by an administrator indicating that a crime is being or has been committed, <u>must</u> be turned over to the law enforcement officials within three school days after receipt of such evidence (Connecticut General Statutes, Section 10-154a(c)).</p> <p>4. <i>Consequence for the use, sale or possession of controlled substances, other drugs or alcohol:</i> Any student using, possessing, manufacturing, distributing, or selling controlled substances, non-prescription anabolic steroids, hormones, analogues, diuretics, other performance enhancing substances not prescribed to the student by a licensed medical provider, alcohol or drug paraphernalia on school property, during the school day, or at a school sponsored activity shall automatically be subject to the following actions. Any student who is expelled for sale or distribution of a controlled substance shall be referred to an appropriate state agency for rehabilitation, intervention or job training.</p> <p>5. <i>First Violation:</i> Any student found to be in violation of this policy for the first time will be referred by the building administrator to an appropriate agency licensed to assess and treat drug/alcohol involved individuals. In cases of distribution, sale or possession, law enforcement officials will be notified. The violator will also be subject to one of the following procedures:</p> <p>6. <i>Referral for expulsion:</i></p> <p>a. Suspension for up to ten days</p> <p>b. A structured five day out-of-school suspension, which may be waived if a student voluntarily agrees to be assessed by a</p>		

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<p>licensed drug/alcohol agency and completes the program prescribed by the agency in coordination with the school’s student assistance team. Completion of a prescribed program involves:</p> <ol style="list-style-type: none"> <li>1. Verification of program completion signed by the treatment agency; and</li> <li>2. The scheduling of a meeting with the school’s student assistance team, school administrator, student and parent(s)/guardian(s) to discuss the school’s drug policy and after-care program.</li> </ol> <p>If the student does <u>not</u> agree to be assessed and participate in an agency program or agrees and then fails to complete the program prescribed by the agency in coordination with the school’s student assistance team, the structured five-day out of school suspension shall be imposed. Upon returning to school, the student meets with the crisis counselor.</p> <ol style="list-style-type: none"> <li>7. <i>Distributing and/or selling controlled substances or other drugs:</i> <ol style="list-style-type: none"> <li>a. 10 days out of school suspension</li> <li>b. Police referral</li> <li>c. Expulsion</li> </ol> </li> <li>8. <i>Using, possessing, controlled substances: alcohol, drugs or paraphernalia:</i> <ol style="list-style-type: none"> <li>a. 10 days out of school suspension</li> <li>b. 5 days for first offenders who agree to counseling with crisis counselor</li> <li>c. Police referral</li> <li>d. CST</li> <li>e. Possible expulsion</li> </ol> </li> </ol>		

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<p>f. Report of athlete’s infraction to Connecticut Interscholastic Association of Connecticut (CIAC) who may impose further sanctions.</p>		