

## **Employee Drug Regulations**

### Statement

The Torrington Board of Education is committed to providing a drug and alcohol free workplace. Therefore, the manufacture, dispensation, use, possession, or distribution of illicit drugs and alcohol by employees is prohibited in the workplace.

### Employee Drug Regulations

GOAL: To eliminate illicit drug and alcohol manufacture, dispensation, use, possession, and distribution in the workplace.

#### A. Actions to be Taken on Report of Suspected Use

If the administrator notes or is made aware of one or more of the symptoms of illicit drug or alcohol manufacture, dispensation, use, possession or distribution (see "Definitions of Reasonable Suspicion") he/she must meet immediately with the employee. Upon request, the employee may have the assistance of a union representative at this meeting. At the meeting the administrator shall:

1. Inform the employee why the school suspects he/she manufactured, dispensed, used, possessed or distributed illicit drugs or alcohol and/or drug paraphernalia.
2. Inform the employee of the Board's policy and regulations.
3. Ask the employee whether he/she possesses, is using and/or distributing, manufacturing or dispensing illegal drugs or alcohol or drug paraphernalia. If the employee answers affirmatively, or if the administrator reasonably believes this to be the case, the administration shall investigate and proceed with Section B of this policy.
4. Ask the employee to deliver any illicit drugs, alcohol or drug paraphernalia that are stored in or on the Board of Education property and grounds, including automobiles.
5. Discuss other services that the employee may raise questions about or have need of.

#### B. Actions to be Taken on Report of Actual Illicit Drug and Alcohol Manufacture, Dispensation, Use, Possession, or Distribution.

When the administrator comes upon an actual incident of illicit drug and alcohol manufacture, dispensation, use, possession, or distribution, he/she must meet immediately with the employee. Upon request, the employee may have the assistance of a union representative at this meeting.

In the case of an employee apparently under the influence of drugs or alcohol, the nurse will be called to evaluate the employee's medical condition and make recommendations as to whether or not medical intervention is required.

At the meeting the administrator shall:

1. Explain the policy and regulations.
2. Attempt to gain the cooperation of the employee and have the employee give him/her any illicit drug and alcohol and/or drug paraphernalia on his/her person or stored anywhere on Board of Education property and grounds, including automobiles.
3. Explain to the employee that in cases where illegal drugs and alcohol are used, possessed, or distributed, the incident will be reported to the police and charges pressed.
4. Turn over to the police for disposition, any illicit drugs and alcohol or drug paraphernalia discovered by the administrator or given to the administrator by the employee.
5. Describe the assistance programs available and resources available.
6. Inform the employee that a letter will go into his/her file. Such letter will indicate the details of the incident with a statement that this incident could involve disciplinary action, up to and including termination.
7. Send a second letter to the employee, notifying him/her that if he/she is convicted of any criminal drug-related or alcohol activity that occurred in the workplace, he/she must notify the Superintendent of Schools no later than five days after such conviction. Failure to do so could result in disciplinary action, up to and including termination.
8. As a condition of employment, employees shall abide by the terms of this policy and shall notify the Torrington Board of Education of any criminal drug statute conviction for a violation occurring in the workplace within five days of the conviction. The federal agency(ies) which grants() funds to the Torrington Board of Education will be notified of the conviction within ten days, and appropriate personnel action will be taken against the employee within thirty days as set forth in the Board's employee drug regulations for employees who perform services connected with a federal or state grant.
9. Upon determination that an employee has been drinking or taking illicit drugs on the job or that his/her actions are affected by drugs or alcohol, suspend the employee with pay pending investigation and action by the Superintendent.
10. If there is a question regarding the employee's safety or ability to walk or drive home, take appropriate action.
11. If the employee becomes abusive or if the administrator does not feel he/she can handle the situation, notify the police.

C. Drug Free Awareness Program

Drug and alcohol awareness, education and prevention programs for employees shall be adopted and maintained, teaching that the use of illicit drugs and the unlawful possession and use of alcohol on school premises is wrong and harmful. The employee program shall include information about the dangers of drug abuse in the workplace, the

Policy 4001: Employee Drug Relations Policy  
- Adopted February 5, 1992; Revised November 17, 2010.

Board's policy of maintaining a drug-free workplace, the availability of any drug counseling, rehabilitation, and the employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

D. Counseling and Rehabilitation Programs

The school administration will make available information on assistance programs to all employees.

E. Referrals

If employees need assistance, the following professionals may be called upon to make appropriate referrals for assistance:

School physician  
School nurse  
Town medical officer  
School psychologists  
School social workers

F. Notice to Employees

Copies of this policy shall be provided to all employees.

G. Program Review

The Board will review its program biennially to determine its effectiveness, to implement changes to the program if they are needed, and to ensure that the sanctions set forth in the administrative regulations are consistently enforced.

H. Terms

1. Drug: Includes illicit drugs and alcohol.
2. Drug Paraphernalia: any object or device used, intended for use, designed for use in ingesting, inhaling, injecting or otherwise introducing controlled substances into the human body.
3. Possession: Any possession which is unlawful under Connecticut State Law.
4. Distribution: To give possession of an illicit drug or alcohol to another person, whether or not for compensation.
5. Use: To ingest, inject or otherwise cause an illicit drug or alcohol to reach the bloodstream or digestive tract.

6. Confiscation: When there are reasonable grounds to believe that an employee is in possession of illicit drugs or alcohol, there is an obligation on the part of the administrator to search for and seize such illicit drugs or alcohol. Such search and seizure may involve lockers, cars on school property where the administrator reasonably suspects drugs may be located. Reasonable efforts will be made to secure the employee's voluntary agreement to the search and to have the employee present at the time of the search. All illicit drugs or alcohol confiscated will be turned over to the police.

7. Work Place: Includes all school premises and other locations where any school activities are taking place.

#### I. Definitions of Reasonable Suspicions

Any of the following, alone or in combination, may constitute "reasonable suspicion:"

- Odor: Smell of alcohol or illicit drug evident on the individual's breath or around the person.
- Speech: "Thick" speech or speech which is abnormally slow, slurred, incoherent, disfigured in any way.
- Appearance: Glassy or bloodshot eyes, flushed or red face.
- Movement: Uncoordinated or clumsy movement. Person may weave or stagger, move in a slow or deliberate manner or be wobbly and unsteady on his/her feet.
- Manner: Boisterous, loud, profane, or belligerent behavior; or unusually quiet, lethargic behavior--in any event, an affect different from the individual's normal manner.

In addition to the physical symptoms described above, other indications of illicit drug or alcohol problems may appear before an employee is discovered to be impaired on the job. These include such things as:

- Increased absenteeism.
- Substandard work performance, including an increase in the number of errors or low productivity.
- Increase in disciplinary incidents.
- Deteriorating work relationships with other employees, students, or supervisors.
- General unhappiness.
- Increased inattentiveness and absentmindedness.
- Increased hostility toward students and/or staff.
- Frequent need for work breaks.
- Behavior which is so unusual that it warrants summoning a supervisor for assistance.
- Information obtained from a reliable person with personal knowledge.

As a general rule, the more of these symptoms an employee exhibits and the more pronounced they appear to be, the more credible a supervisor's judgment that the employee is under the influence.