

Adopted: August 14, 2014

Revised: March 11, 2024

## **COMMUNITY OF PEACE ACADEMY POLICY No. 5.5.2 DRUG-FREE WORKPLACE / DRUG-FREE SCHOOL**

### **I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances without a physician's prescription.

### **II. POLICY STATEMENT**

It is a violation of this policy for any student, teacher, administrator, other school district personnel, or member of the public to use alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances in any school location or at any school function. Community of Peace Academy will discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

### **III. ENFORCEMENT**

- A. Students. A student who violates the terms of this policy is subject to discipline in accordance with Community of Peace Academy's discipline policy up to and including suspension or expulsion. Community of Peace Academy may also refer the student to a drug or alcohol assistance program and/or to law enforcement officials when appropriate.
- B. Employees. Community of Peace Academy employees must abide by the terms of this policy. An employee who violates the terms of this policy is subject to appropriate disciplinary action up to and including discharge. Community of Peace Academy may also require an employee who violates the terms of this policy to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school. An employee's failure to satisfactorily participate in and complete such a program may result in nonrenewal, suspension, or termination as deemed appropriate by the Director or the Board.
- C. An employee must notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring on Community of Peace Academy property or in any place where Community of Peace Academy work is performed. This

notice must be provided no later than five calendar days after the employee's conviction.

- D. Employees representing Community of Peace Academy at meetings, conferences, or other events must not unlawfully use drugs or other controlled substances or use alcohol in a manner that results in impaired judgment or performance, reflects negatively on the school, or poses a risk to self or others. This prohibition applies even if students are not present to observe the behavior.

#### **IV. STUDENT MEDICATION**

The provisions governing student medication in school are set forth in Community of Peace Academy Policy 5.5.8 (Student Medicine in School).

#### **V. STAFF MEDICATION**

An employee who has a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoids are permitted to possess such controlled substance and associated necessary paraphernalia such as an inhaler or syringe on school property after informing their supervisor. The employee may be required to provide a copy of the prescription to the Director.

#### **VI. EXCEPTIONS**

It is not a violation of this policy when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.

It is not a violation of this policy for a person to possess an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. §624.701, subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder) and has been approved by the Board of Directors.

A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

## **VII. NOTICE**

Each employee will be provided written notice of this Drug-Free Workplace/Drug-Free School policy and must acknowledge receipt of the policy.

## **VIII. DEFINITIONS**

A. For purposes of this policy, the following terms shall mean:

1. “Alcohol” includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
2. “Controlled substances” include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. §812, including analogs and look-alike drugs.
3. “Edible cannabinoid product” means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients and is not a drug.
4. “Nonintoxicating cannabinoid” means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.
5. “Medical cannabis” means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health (“Commissioner”).
6. “Toxic substances” include glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
7. “Use” includes selling, buying, manufacturing, distributing, dispensing, possessing, using, or being under the influence of alcohol and/or controlled substances, whether or not receiving remuneration or consideration.
8. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.

9. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school; or during any time such employee is supervising students on behalf of the school otherwise engaged in school business.

***Legal References:*** Minn. Stat. §124E (Minnesota Charter School Law)  
Minn. Stat. §624.701 (Liquor in Certain Buildings or Grounds)  
41 U.S.C. §§8101-8106 (Drug-Free Workplace Act)  
20 U.S.C. §§7101-7165 (Safe and Drug-Free Schools and Communities Act)  
21 U.S.C. §812 (Schedules of Controlled Substances)  
21 C.F.R. §§1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 84