

DRUG-FREE WORKPLACE

The RSU 26 Board recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal and family problems. At the same time, the Board is also seriously concerned about the effects of alcohol and drug dependency upon an employee's job performance and ability to serve as a role model for our students.

The Board believes strongly that all employees and students should be able to work and learn in an environment free from alcohol, marijuana without a valid prescription, and drugs that are restricted by state law (Title 17-A §1102) without a valid prescription drug abuse. Accordingly, the Board expects all employees to report for work and to perform their duties in a manner that does not jeopardize the health, safety and well-being of co-workers and students.

No shall an employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of "bath salts" or of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance (as defined in schedules I through V of section 202 of the federal Controlled Substance Act [21 USC § 812]; by regulation at 21 CFR, § 1300.11 through 1300.15; and in 17-A MRSA, § 1101). No employee shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor. This applies before, during and after school hours, at school or in any other school system location, defined as follows:

"School system location" means in any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transports 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 unit; or during any period of time such employee is supervising students on behalf of the school system or otherwise engaged in school unit business.

Any illegal use, possession, furnishing, selling or provision of assistance in obtaining "bath salts," alcoholic beverages or scheduled drugs not covered by the preceding paragraph may, depending upon the circumstances, constitute sufficient grounds for discipline, up to and including dismissal. Referrals under foregoing paragraphs of this policy will not preclude disciplinary action under this paragraph, depending on the circumstances.

RSU 26 recognizes that chemical substance dependency may adversely affect job performance. RSU 26 will be supportive of any employee who seeks assistance or is asked to seek assistance for such problem. The first point of contact for an employee seeking assistance should be the RSU 26 EAP (Employee Assistance Program) which is available to all employees under the terms of the appropriate collective bargaining agreements. Seeking assistance from the EAP program will not be placed in an

employee's personnel file and interactions with the EAP program are confidential between the contractor and the employee unless the employee wishes otherwise.

As provided in the Drug-Free Workplace Act of 1988, any employee is required to notify the school unit of a criminal or civil conviction for a drug violation occurring in the workplace no later than five calendar days after such conviction. In turn, the Superintendent, within 10 calendar days of learning of such a conviction, is to give written notification to the U.S. Department of Education and to any other federal agency from which the unit receives grant funds.

Appropriate disciplinary sanctions shall be taken against any employee who violates the terms of this school unit's drug and alcohol policy, up to and including dismissal.

Implementation

The Superintendent shall be responsible for developing and administering appropriate procedures to implement this policy.

Communication

A copy of this policy is to be given or mailed to all current employees and to new employees at the time of their employment and is to be posted in appropriate locations throughout the school system.

Legal Reference: 20 USC § 7101 et seq. (Safe and Drug-Free Schools and Communities Act)

21 USC § 812 (Controlled Substances Act)

21 CFR § 1300.11-1300.15

Federal P.L. 101-226

17-A MRSA § 1101

22 MRSA § 2390-2394

Cross Reference: JICH - Drug and Alcohol Use by Students Adopted: March

29, 2016