

DRUG-FREE WORKPLACE POLICY

It is the policy of Maine School Administrative District #15 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 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 that all employees and students should be able to work and learn in an environment free from alcohol and drug abuse. Accordingly, the Board expects all employees to report for work, free from the influences of alcohol and drugs, and to perform their duties in a manner, which does not jeopardize the health, safety, and well-being of co-workers and students.

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. Nor shall an employee unlawfully manufacture, distribute, dispense, possess, use or be under the influence 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 Controlled Substance Act [21 USC § 812]; by regulation at 21 CFR, § 1300.11 through 1300.15; and in 17-A MRSA, § 1101), nor any look-alike drug (or substance purported to be a prohibited substance) and/or paraphernalia used to distribute or consume a prohibited substance. No employee shall misuse over-the-counter medications or prescription drugs.

A teacher, athletic director, sports coach or other school official or employee may not sell, distribute or promote a performance-enhancing substance on the list of banned substances developed and maintained under MRSA 20-A § 6621.

Employees are prohibited from smoking and use of all tobacco products and from selling, distributing or dispensing tobacco products to students.

These prohibitions apply 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 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, 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.

47 **Voluntary Referrals**

48 Any employee who suspects that he/she may have an alcohol or drug dependency problem is
49 strongly encouraged to contact his/her supervisor to seek voluntary diagnosis and treatment. The
50 employee will be provided confidential referral services to an outside agency upon request and
51 assisted in determining the extent to which insurance coverage to help pay for such services is
52 available. All voluntary referrals shall be kept confidential, but will not preclude disciplinary
53 actions depending on the circumstances.

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55 Any illegal use, possession, furnishing, selling or provision of assistance in obtaining alcoholic
56 beverages or scheduled drugs not covered by the preceding paragraph may, depending upon the
57 circumstances, constitute sufficient grounds for discipline, up to and including dismissal.

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

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

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69 **Implementation**

70 The Superintendent shall be responsible for implementing this policy and any necessary
71 procedures.

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73 **Communication**

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

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78 Legal Reference: 21 U.S.C. § 812 (Controlled Substances Act)
79 21 C.F.R. §§ 1300.11-1300.15
80 Fed. P.L. 101-226
81 17-A MRSA § 1101
82 22 MRSA § 1578-B
83 Me. P.L. 470
84 20 USC § 4301 et seq.
85 MRSA 20-A § 6621
86 MRSA 20-A § 6623

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88 **Cross Reference:**

89 JICH Student Drug, Alcohol and Tobacco Use Policy
90 ADC Tobacco Use & Possession on School Property