

Drug Free Workplace

The Board of Directors 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 and drug abuse. Accordingly, the Board expects all employees to report for work and to perform their duties in a manner which does not jeopardize the health, safety and well-being of co-workers and students.

Any employee who suspects that they may have an alcohol or drug dependency problem is strongly encouraged to contact their supervisor to seek voluntary diagnosis and treatment. The employee will be provided confidential referral services to an outside agency upon request and assisted in determining the extent to which insurance coverage to help pay for such services is available. All voluntary referrals will be kept confidential.

Prohibited Conduct

No employee will distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor. Nor will 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 federal Controlled Substance Act [21 USC §812]; by regulation at 21 CFR, §1300.11 through 1300.15; and in 17-A MRSA, §1101). 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 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 period of time such employee is supervising students on behalf of the school system or otherwise engaged in school business.

Any illegal use, possession, furnishing, selling or provision of assistance in obtaining alcoholic beverages or scheduled drugs not covered by the preceding paragraph is also

prohibited.

In addition, employees (including coaches) are prohibited from selling, distributing or promoting any performance-enhancing substances included on the banned substances list prepared by the Maine Department of Health and Human Services Office of Substance Abuse.

Appropriate disciplinary action will be taken against any employee who violates this policy, up to and including dismissal. Referrals for assistance or treatment do not preclude disciplinary action being taken for violations of this policy.

As provided in the Drug-Free Workplace Act of 1988, any employee is required to notify RSU 40 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.

Implementation

The Superintendent will 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: 21 U.S.C. §812 (Controlled Substances Act)
21 C.F.R. §§1300.11-1300.15
Fed. P.L. 101-226
17-A M.R.S.A. §1101
20-A M.R.S.A. §6621 et seq.

Cross Reference: JICH - Drug and Alcohol Use by Students

This is a required policy.

Adopted: November 1, 1993

Revised: June 19, 2013
March 16, 2017
March 4, 2021