

## **RSU 63**

- a. NEPN/NSBA Code:** GBEC
- b. Title:** Drug-Free Workplace
- c. Author:** Superintendent/Board of Directors
- d. Replaces Policy:**
- e. Date Approved:** 02/24/2020 RSU #63
- f. Previously Approved:** 04/25/2016
- g. Policy Expiration:** Review as Needed
- h. Responsible for Review:** Superintendent & Policy Committee
- i. Date Reviewed:** 02/04/2020 Superintendent  
02/04/2020 Policy Committee
- j. References:**

**Legal References: 21 U.S.C. § 812 (Controlled Substances Act)  
21 C.F.R. §§ 1300.11-1300.15  
Federal P.L. 101-226  
17-A MRSA § 1101**

**Cross Reference Policies: EEAEAA-R – Drug & Alcohol Testing of School  
Vehicle Drivers and Mechanics**

### **k. Narrative:**

The RSU 63 Board of Directors (the Board) recognizes that alcohol and drug dependency (including nicotine) are treatable diseases. Left untreated, abuse may result in serious health, 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.

- I.** 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.
- II.** No employee may distribute, dispense, possess, use, or be under the influence of any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor while on RSU 63 property. 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). There may be instances when a doctor has prescribed certain anabolic steroids or other medications that would be prohibited if possessed and used without a prescription from a doctor. In cases such as these, the individual is expected to report the possession and/or use of the substance to the Superintendent and at the time of possible testing along with proof of having

a properly prescribed prescription. The prescription will need to document if the substance could possibly affect the employee's safe job performance. This policy 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 district; or during any period of time such employee is supervising students on behalf of the school system or otherwise engaged in the district's business.”

- III.** Any employee who violates the terms of this policy may be allowed to participate in a drug abuse assistance or rehabilitation program approved by the Board. If such employee fails to satisfactorily participate in and complete such program, the employee will have appropriate disciplinary sanctions taken against him/her, up to and including termination of employment.
- IV.** Any employee who suspects he/she may have an alcohol, drug, or nicotine dependency problem is strongly encouraged to contact his/her 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 is available to help pay for such services. All voluntary referrals must be kept confidential.
- V.** Any illegal use, possession, furnishing, selling, or provision of assistance in obtaining alcoholic beverages, scheduled drugs, or nicotine not covered by the preceding paragraphs may, depending upon the circumstances, constitute sufficient grounds for discipline, up to and including termination of employment. Referrals under foregoing paragraphs of this policy will not preclude disciplinary action under this paragraph, depending on the circumstances.
- VI.** As provided in the Drug-Free Workplace Act of 1988, an employee is required to notify the district of a criminal or civil conviction for a drug violation occurring in the workplace no later than five calendar days after such conviction.
- VII.** The Superintendent is responsible for developing and administering appropriate procedures to implement this policy.
- VIII.** Copies of this policy are to be given or mailed to all current employees and to new employees at the time of their employment and posted in appropriate locations throughout the school district.