

## **DRUG FREE WORKPLACE**

The RSU No. 5 Board of Directors recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal and family problems. 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 use. Accordingly, the RSU No. 5 School Department expects all employees to report for work and to perform their duties in a manner which does not jeopardize the health, safety and wellbeing of coworkers 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 "bath salts" or other synthetic hallucinogen 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 § 8 12]; by regulation at 21 CFR, § 1300.11 through 1300.15; and in 17A 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 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 employee who suspects that they may have an alcohol or drug dependency problem is strongly encouraged to contact their supervisor or the Human Resource Coordinator 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 shall be kept as confidential as possible given the situation.

Any illegal use, possession, furnishing, selling or provision of assistance in obtaining "bath salts," alcoholic beverages or scheduled drugs not covered above 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.

As provided in the DrugFree 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 personnel 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 U.S.C. § 812 (Controlled Substances Act)  
                                 21 C.F.R. §§ 1300.111300.15  
                                 Fed. P.L. 101226  
                                 17A MRSA § 1101  
                                 22 MRSA § 2390-2394

Cross Reference:        JICH - Drug and Alcohol Use by Students

Adopted: June 24, 2009  
Revised: December 14, 2011  
Revised: January 25, 2017  
Revised: October 23, 2024