Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 4119.23 Proposed : 10/14/2008 Adopted : 10/28/2008 Revised : Reviewed : 05/06/2024

Employee Substance Abuse

General – All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the board of education.

For the purposes of this policy "worksite" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during 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 district.

The board of education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited.

The chief school administrator shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The (board of education) (chief school administrator) shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective

supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

Key Words

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises

Legal References:

N.J.S.A. 2C:33-16	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
N.J.S.A. 2C:35-1 et seq.	Comprehensive Drug Reform Act of 1987
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:16-2	Physical examinations; requirement
N.J.S.A. 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
N.J.S.A. 18A:36-32	Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
N.J.S.A. 26:3D-55 et seq.	New Jersey Smoke-Free Air Act
N.J.A.C. 6A:16-6.3	Reporting students or staff members to law enforcement authorities
N.J.A.C. 6A:16-6.5	Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
N.J.A.C. 6A:26-12.2(a)4	Policies and procedures for school facility operation

New Jersey Constitution, Art. IV, § VII, par. 2

Anti-Drug Abuse Act of 1988

Drug-Free Workplace Act of 1988

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References:

*1330	Use of school facilities
*1410	Local units
*3220/3230	State funds; federal funds
*3515	Smoking prohibition
*4112.4	Employee health
4117.50	Standards for staff discipline
*4219.23	Employee substance abuse
*5131.6	Drugs, alcohol, tobacco (substance abuse)

*Indicates policy is included in the Critical Policy Reference Manual.