

DRUG-FREE WORKPLACE

The FSAS 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, FSAS 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.

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 another other controlled substance (as defined in scheduled I through V of section 202 of the federal Controlled Substance Act [21 U.S.C., sec. 812]; by regulation at 21 C.F.R., 1300.11 through 1300.15; and in Title 17-A MRSA, section 1101). This applies before, during and after school hours, at school or in any other school system location, defined as follows:

“School unit 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 business.”

Any employee who suspects that he or she may have an alcohol or drug 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 extent to which insurance coverage to help pay for such services is available. All voluntary referrals shall be kept confidential.

All illegal use, possession, furnishing, selling or provision of assistance in obtaining alcoholic beverages or scheduled drugs not covered by the preceding paragraph 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 Drug-Free Workplace Act of 1988, any employee is required to notify the school system 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 Executive Director, 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 system's drug and alcohol policy, up to and including termination.

Implementation

The Executive Director shall be responsible for the development and promulgation of appropriate regulations 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.

Review

The Executive Director is to oversee a biennial review of the policy and regulations to determine the programs' effectiveness, to implement changes to programs, policy and regulations, as needed, and to ensure that disciplinary sanctions are consistently enforced.

Legal References: Controlled Substances Act (21 U.S.C., Sec. 812) Sched. I-V, Section 202
21 C.F.R. 1300.11 – 1300.15
Title 17-A, MRSA, Section 1101

Cross Reference: JICH – Drug Abuse by Students

Approved: October 17, 2020