

1:0 STAFF - DRUG FREE WORKPLACE POLICY

2:0 POLICY STATEMENT

2:1 It is the policy of the Fairhaven Public Schools, to maintain an alcohol-free and drug-free workplace. The unlawful manufacture, distribution, dispensation, possession or use of controlled substances or alcohol is prohibited while on duty or on school department property. Any violations of this policy will be grounds for disciplinary action up to and including immediate suspension and dismissal.

Pursuant to federal law, the Drug-Free Workplace Act, requires the Fairhaven Public Schools to certify that it maintains a drug-free workplace. The requirements of this law gives the Fairhaven Public Schools the opportunity to reaffirm the following policy and its commitment to a workplace free of drugs and alcohol.

As a condition of continuing employment, all employees are required to abide by this policy. Pursuant to applicable federal law, they shall be required to notify the Superintendent of Schools in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction; the school district shall then notify in writing all agencies from which it receives federal grants of such conviction within ten (10) days after receiving notice.

3:0 PROCEDURES

3:1 The consequences for a first offense shall be:

3:1.1 An immediate five (5) day suspension.

3:1.2 A hearing before the Superintendent in accordance with federal and state regulations and/or the collective bargaining agreement. The school district shall/may take appropriate action up to and including termination of employment against any employee who violates this policy.

3:1.3 In any meeting with the Superintendent/building principal, the employee shall be afforded the right to be represented by counsel.

3:1.4 Any employee found under the influence of alcohol and/or drugs may be required to participate satisfactorily in a substance abuse treatment program.

3:1.5 Where probable cause exists to believe that an employee has abused illegal drugs or alcohol, he or she may be asked to consent voluntarily to alcohol or drug testing. Such testing shall be arranged and paid for by the school district.

3:1.6 Any employee needing medical care or professional counseling for drug or alcohol dependence should consult the Employee Assistance Program (EAP). It is the policy of the school district to assist any employee in need of counseling. Use of the EAP is strictly confidential. Further information on available services shall be made available to all staff through the offices of the Director of Pupil Personnel.

3:2 The consequences for subsequent offenses shall be:

3:2.1 An immediate ten (10) day suspension.

3:2.2 A hearing before the Superintendent in accordance with federal and state regulations and/or the collective bargaining agreement. The school district shall/may take appropriate action up to and including termination of employment against any employee who violates this policy.

3:2.3 In any meeting with the Superintendent/building principal, the employee shall be afforded the right to be represented by counsel.

3:2.4 Any employee found under the influence of alcohol and/or drugs may be required to participate satisfactorily in a substance abuse treatment program.

3:2.5 Where probable cause exists to believe that an employee has abused illegal drugs or alcohol, he or she may be asked to consent voluntarily to alcohol or drug testing. Such testing shall be arranged and paid for by the school district.

3:2.6 Any employee needing medical care or professional counseling for drug or alcohol dependence should consult the Employee Assistance Program (EAP). It is the policy of the school district to assist any employee in need of counseling. Use of the EAP is strictly confidential. Further information on available services shall be made available to all staff.

Adopted: Jwanuary 16, 1997

Effective: September 1, 1997