

DRUG FREE WORKPLACE

The Gorham School Committee recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal problems. At the same time, the School Committee 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. Accordingly, the School Committee has adopted the following policy applicable to all school system employees.

The School Committee 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 district 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.

Any employee who suspects that he or she may have an alcohol or drug dependency problem is strongly encouraged to seek voluntary diagnoses and treatment. The Gorham School Department provides an Employee Assistance Plan to help staff members receive confidential help with substance abuse. Upon request, the Superintendent or designee will provide any employee with confidential referral services to an outside agency upon request, and will assist the employee in determining the extent to which insurance coverage will help pay for such services. The Superintendent or designee shall keep all voluntary referrals confidential.

Prohibited Conduct

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 any other controlled substance (as defined in schedules I-V of section 202 of the federal Controlled Substance Act (21 USC Section 812; by regulation at 21 CFR, Section 1300.11 through 1300.15; and in 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 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 illegal use, possession, furnishing, selling, or provision of assistance in obtaining alcoholic beverages or scheduled drugs not covered by the preceding paragraph is also prohibited.

In addition, employees (including coaches) are prohibited from selling, distributing, or promoting any performance-enhancing substances included on the banned substances list prepared by the Maine Department of Health and Human Services Office of Substance Abuse.

Appropriate disciplinary action shall be taken against any employee who violates this policy, up to and including dismissal. Referrals for assistance or treatment do not preclude disciplinary action being taken for violations of this policy.

As provided in the Drug-Free 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 ten 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.

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: Title 17-A Section 1101

Adopted: January 9, 1991
Reviewed: February 10, 1993
February 8, 1995
December 10, 1997
February 12, 2003
May 13, 2015
Amended: December 14, 2011