

STAFF SUBSTANCE ABUSE

The Board of Education strongly believes that all staff members are perceived, consciously or unconsciously, as role models in the school and in the community. The Board believes that school employees must exemplify the positive benefits of a drug-free lifestyle. The Board, therefore, will not tolerate the use, possession, sale, manufacture, distribution, and/or dispensation of alcohol or other substance(s) (as defined in District policy 9320, Drug-Free Workplace), nor the use or possession of drug paraphernalia in the workplace (as defined in District policy 9320), except drugs as legally prescribed for the employee by a physician. Staff members shall not be under the influence, either in the workplace or at any time when the effects of such alcohol or other substance(s) may impair the performance of their duties.

As noted in District policy 9320, the District shall maintain an employee awareness program, including information regarding substance abuse rehabilitation programs provided by local agencies.

As a condition of employment, each employee shall abide by the terms of all District policies, regulations, and/or procedures respecting a drug-free workplace.

If an employee is found to have violated the terms of this policy or any other District policy relating to maintaining a drug-free workplace, said employee may be subject to a range of penalties including non-renewal, suspension, and, up to and including, dismissal. Such employee may be required to participate in a substance abuse rehabilitation program in lieu of disciplinary action.

Employee Assistance Program

The Board recognizes that the problems of alcohol and other substance use/abuse affect every segment of society. Therefore, in collaboration with District collective bargaining units, the Board will establish an employee assistance program (“EAP”) that will provide appropriate and confidential prevention, intervention, assessment, referral, support, and follow-up services for District staff. Staff members will be informed of such services and shall be encouraged to seek such help either voluntarily or in lieu of disciplinary action.

In general, the Board shall only intervene if an employee's personal problems adversely affect job performance.

Drug Testing of Employees

No employee shall be subjected to urinalysis or other form of drug testing without reasonable suspicion that the employee has been using alcohol or other substance(s).

Cross-Ref: 5300, Code of Conduct
9320, Drug-Free Workplace
9320 R, Drug-Free Workplace Regulation

Ref: Drug-Free Workplace Act (DWFA), 41 U.S.C. §§8101-8106
Civil Service Law §75
Education Law §3020-a

Patchogue-Medford Congress of Teachers v. Board of Education, 70 NY2d 57 (1987)

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