

ALCOHOL AND DRUG ABUSE REGARDING EMPLOYEES**1. Purpose**

To provide Board policy concerning employees who are involved with alcohol or drug abuse on school property or at school functions.

No employee will unlawfully manufacture, distribute, dispense, possess or use alcohol or any drug on or in the workplace. "Drug" means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal statute or regulation.

"Workplace" means the site for the performance of work for the school district, including any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. It 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.

As a condition of employment, each employee will notify the Superintendent in writing of his or her conviction of any criminal drug statute for a violation occurring on or in the workplace as defined above. The employee must notify the Superintendent no later than five days after such conviction. Entry of a nolo contendere plea shall constitute a conviction for purposes of this policy, as will any judicial finding of guilt or imposition of sentence. Within ten days of notification from an employee, or receipt of actual notice of an alcohol or drug conviction, the Superintendent will notify any federal or state officers or agencies legally entitled to such notification.

As a condition of employment, each employee must abide by the terms of the school district policy respecting an alcohol and drug-free workplace.

An employee who violates the terms of this policy will be subject to disciplinary action, including but not limited to satisfactory participation and completion in an alcohol or

drug abuse assistance or rehabilitation program approved by the Board, nonrenewal, suspension or termination at the discretion of the Board.

The Board will take such action in accordance with district policies and regulations as well as applicable state and federal law.

The Superintendent will establish an alcohol and drug-free awareness program in the district to include information on the dangers of drug abuse in the workplace, the district's policy on an alcohol and drug-free workplace and any alcohol or drug counseling available to employees as well as any available rehabilitation and employee assistance programs.

A copy of this policy will be given by the Superintendent or his or her designee to each district employee.

The Superintendent or his or her designee will conduct a biennial review of the district's student and employee drug prevention programs as required by the Drug-Free Schools and Communities Act. The review will determine the effectiveness of the prevention programs and the consistency of the enforcement of disciplinary sanctions. Following each review, required changes will be implemented.

2. Philosophy

The Board strongly supports programs which raise awareness, prevent involvement with alcohol and drugs, assist and support those who are involved or affected, and cooperate with those who seek help. Additionally, we will provide a consistent alcohol and drug disciplinary policy. Due process and rights of confidentiality of all school community members shall be carried out according to State and Federal law.

We believe that the school should provide a positive learning experience and be an environment free from use of alcohol and other drugs, except as ordered by a physician.

We also believe that it is necessary to provide appropriate information and instruction concerning use of controlled substances and make referrals to local agencies when deemed appropriate.

The physical condition of the user, his/her effect on the school community, and his/her previous record of involvement

with controlled substances will be considered in any action taken by the administration.

3. Prohibition

The Board hereby declares that it prohibits the provision, sale, possession, use or abuse of drugs, drug paraphernalia, and/or alcohol on school property and at school-sponsored activities. The Board will not tolerate presence on school premises/attendance in class or at any school activities for persons possessing or showing evidence of recent use or abuse of these products. Violation of these rules may be cause for dismissal.

It is the policy of the Castleton/Hubbardton School District to work cooperatively with local health agencies, professional specialists, and law enforcement authorities.

4. Definitions

A. Alcohol - "Alcohol" means the product of distillation of any fermented liquor, rectified either once or more often whatever may be the origin thereof, and includes ethyl alcohol and alcohol which is considered non-potable.

B. Substance Abuse - "Substance abuse" means the ingestion of a substance in such a way that it interferes with a person's ability to perform physically, intellectually, emotionally, or socially.

C. Regulated Drugs - A "regulated drug" means any illegal drug, including a narcotic drug, a depressant or stimulant drug, a hallucinogenic drug, or marijuana.

D. Drug Paraphernalia - "Drug paraphernalia" shall mean any material or item intended for use in the manufacture, production, sale, possession or use of controlled or illegal drug substances and shall include, but not be limited to, rolling papers, pipes, syringes, needles, etc.

E. Possession - "Possession" means the detention and control, or the manual or the physical custody of, a container or containers of a beverage or regulated drug for which possession is prohibited or illegal.

F. Providing - "Providing" means the passing from one person to another of any amount of a controlled or illegal substance or alcohol.

G. Selling - "Selling" means the barter, exchange, gift, or offer to sell of a controlled or illegal substance or alcohol, whether or not such sale is for money or other valuable consideration.

5. **Procedures**

Use or Abuse

When a person has reasonable cause to believe that an employee is under the influence of alcohol and/or regulated drugs, this person should notify the Principal or the person in charge who will determine appropriate action to be taken. The School Nurse will also be contacted to determine if medical attention is required. In a crisis situation, the employee will be transported to Rutland Regional Medical Center by a rescue vehicle. Police should be notified if the employee poses a physical threat to either himself or to others and needs to be restrained. As soon as practicable, intervention activities will proceed.

Suspected Possession/Provision/Sale

The following procedure will be used whenever there is reasonable cause to believe that an employee has alcohol, regulated drugs, and/or drug paraphernalia in his/her possession or is involved in the sale or distribution of same:

- Step #1 The employee will be questioned by the Principal or person in charge, in the presence of an adult witness, preferably a member of the school staff.
- Step #2 All physical evidence obtained will be confiscated.
- Step #3 If possession, sale, or provision is confirmed, the following will be notified: a) Superintendent of Schools, b) legal authorities. School officials will cooperate with legal authorities as required by law.
- Step #4 If possession, provision or sale is confirmed, intervention activities will proceed.

6. Intervention

The employee may be encouraged to enroll in a counseling program sponsored by, but not limited to, Rutland Mental Health, Inc., Addison County Counseling Service, Alcohol Information and Referral Service, Youth and Family Services, State and local Police, and local professional counselors in dealing with employees who have drug or alcohol related problems.

Disciplinary action in regard to alcohol/drug abuse incidents will be handled on an individual basis and in accordance with State law. In all cases which may involve the commission of a crime, whether a felony or misdemeanor, the Castleton/Hubbardton School District may notify the Vermont State Police, the Castleton Police Department or such other local or county law enforcement agency as may be deemed appropriate.

APPROVED: August 2, 1995

CASTLETON/HUBBARDTON SCHOOL DISTRICT