

ROSEVILLE AREA SCHOOLS
Independent School District No. 623

Policy 404 – Alcohol Chemical Use Employee

1.0 Philosophy

Roseville Area Schools, District 623, recognizes that alcohol or other chemical abuse is a significant social problem with the potential for adversely affecting job performance. The District believes it has a responsibility to maintain a drug-free work place to ensure that the students and program participants receive instruction and services in a safe, positive, and effective manner. The District also has a responsibility to assure that the employees perform their jobs efficiently, safely, and in a professional, business-like manner. The District realizes that alcohol or other drug dependency is a treatable illness and will provide direction to employees who are deemed in need of assessment, treatment, or other resources. Consistent with this understanding, Roseville Schools has an obligation to provide a set of expectations associated with alcohol or chemical use.

2.0 Purpose

All school districts are required to establish certification under the “Drug-Free Schools and Community Act.” To accomplish this, each district is required to maintain measures to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on school premises or as part of any school activities. (Information regarding certification in the “Drug-Free School and Communities Act as it pertains to students can be found in Policy 512.) Roseville Area Schools - District 623 must certify to the Minnesota Department of Education that it has adopted and implemented policies, procedures, programs or curriculum which, at a minimum, include the following:

- 2.1 Standards of conduct for employees that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as part of any school activities.
- 2.2 A clear statement that disciplinary sanctions (consistent with local, state and federal law) up to and including termination of employment and referral for prosecution, will be imposed on employees who violate the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.
- 2.3 Information about any drug or alcohol counseling, rehabilitation, or re-entry programs that are available to employees.
- 2.4 A requirement that employees be given a copy of the standards of conduct and the statement of disciplinary sanctions, i.e., a copy of this policy.
- 2.5 Notification to employees that compliance with the standards of conduct is mandatory.

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3.0 Compliance Behaviors

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 or unlawfully manufacture, distribute, dispense, possess or 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 Controlled Substances Act (21USC Paragraph 812) and as further defined by regulation at 21CFR 1300.11–1300.15, before, during or after school hours at school or in any other school district location.

- 3.1 School District Location means “any school building or on any school premises; on 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 district; or during any period of time such employee is supervising students on behalf of the school district.”
- 3.2 Any employee who violates the terms of this policy is subject to disciplinary action, including non-renewal, suspension or termination as deemed appropriate by the School Board.
- 3.3 In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Said employee who fails to satisfactorily participate in and complete such a program is subject to non-renewal, suspension or termination as deemed appropriate by the School Board.
- 3.4 Sanctions against employees including non-renewal, suspension and termination, shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements and/or school district policies. Each employee shall have access to a copy of this policy.
- 3.5 When an employee is taking medically authorized drugs or other substances that may alter job performance, the employee should notify the appropriate supervisor of his/her temporary inability to perform the duties of the position.
- 3.6 The District shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in his/her possession at work.
- 3.7 Employees shall not consume alcoholic beverages during lunch or dinner meals when returning immediately thereafter to perform work on behalf of the Roseville Schools. In any after hour company-sponsored affairs or other

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social affairs where an employee is representing the District, conduct should be kept at a professional and responsible level at all times.

4.0 Following are the Definitions of Statements Used in the Policy

- 4.1 “Adversely affects work performance” and “under the influence” shall be determined to be present if the employee's condition or behavior presents the appearance of unprofessional and/or irresponsible conduct detrimental to the public's perception of District 623 as determined by the supervisor or others observing the employee.
- 4.2 “Controlled substances” means those substances whose distribution is controlled by regulation or statute including, but not limited to, narcotics, depressants, stimulants, hallucinogens, or cannabis.
- 4.3 “Alter” means changed behavior that may limit an employee's ability to safely and efficiently perform his/her job duties, or poses a threat to the safety of the employee or to others.

5.0 Administrative Procedures

- 5.1 When there is reason to believe that an employee maybe using chemicals, such that the employee's job performance is affected, the superintendent or his/her designated agent may order an evaluation by appropriate individuals – at the employer's expense.
- 5.2 All referrals will be kept in confidence.
- 5.3 Conferences and referrals will be made with the specific purpose of changing the non-compliance behaviors that do not create an efficient, safe, professional work place.
- 5.4 Any employee needing information or referral because of concern about problems associated with chemical abuse (or other personal or family problems) that may adversely affect work performance may request service for referral from the District's sponsored Employee Assistance Program or from the Director of Human Resources. Such a request may be made out of concern for self, family members or other employees displaying non-compliance behaviors.
- 5.5 District employees who are evaluated by appropriate individuals and determined to have a chemical use problem shall receive the same consideration and opportunity for treatment, which is extended to the employees with other types of illnesses. It may be necessary to remove an employee from his/her assignment if work is materially affected or students and/or other employees are affected.

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- 5.6 If an employee who has been evaluated to be chemically dependent refuses further evaluation and treatment and/or refuses to cooperate with the treatment agency, or if repeated treatment is unsuccessful, or if such chemical use/dependency interferes with the individual's performance, he/she will be subject to disciplinary procedures, including dismissal.

Adopted: 12/16/76
Revised: 1/22/91