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MAINE SCHOOL ADMINISTRATIVE DISTRICT #53/MCI Burnham – Detroit – Pittsfield

Employee Chemical Abuse and Chemical Dependency

M.S.A.D. #53 recognizes chemical dependency as a treatable illness. Employees who have symptoms of this illness are urged to seek help. The governing boards and administration are committed to establishing a helping relationship with those employees who endeavor to recover from this illness or who wish to discuss the possibility that they MAY have a chemical use problem. District employees who are diagnosed shall receive the same consideration and opportunity for treatment which is extended to employees with other types of illnesses. While under treatment, employees with the illness of chemical dependency shall qualify for the same medically certified illness with established employee benefit plans and programs. Medical records will be strictly confidential.

No employee shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage, 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 through V of section 202 of the federal Controlled Substance Act [21 USC § 812]; by regulation at 21 CFR, § 1300.11 through 1300.15; and in 17-A MRSA, § 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.

A. Self-Reported Alcohol and/or Drug Problems

1. If a faculty member or other district employee voluntarily seeks help the primary role of the administrator who receives the request is to direct the person to the appropriate resource. Steps in this helping process shall include the following:

- a. The individual employee shall be referred directly to a mutually agreed upon substance abuse counselor. The individual (and where possible other members of the family) shall meet with the substance abuse counselor (list of approved substance abuse counselors and treatment centers has been developed) to determine the nature and severity of the substance abuse and related problems. This assessment meeting should result in an initial treatment plan agreed to by all parties who are to be involved. The assessment and initial treatment planning process may include other school personnel who will be a part of the individual's treatment program.
 - b. Treatment may involve one or more of the following services:
 - (1) support groups (A.A., Alanon, ACOA, NA, etc.)
 - (2) individual and/or family counseling
 - (3) outpatient treatment
 - (4) residential treatment
 - c. Where necessary, the district shall develop a relationship with outside agencies that can provide such services and will facilitate the contact and arrangement of services between the individual and the service agency.
2. M.S.A.D.#53 shall work cooperatively with employees who readily admit that they have a substance abuse problem and willingly commit themselves to treatment. After the individual enters treatment and so long as he/she continues to make progress with the treatment plan, every effort will be made to support that individual.

B. Suspected or Confirmed Substance Use and/or Abuse

1. Any employee, who violates drug-related law, must notify the superintendent within five working days. In a situation whereby substance use and/or use by an individual is reported to the school, but there has been no breach of school policy, school officials may refer the individual to an outside agency. The school will not be directly involved in follow-up at this stage.
2. If the situation involves a violation of school policy or affects the performance of the individual at his or her job in the district, school officials shall attempt to find out as many facts as possible to verify the nature and severity of the problem and/or violation. Verification of substance use and/or abuse shall lead to the following steps:
 - a. An employee who appears on the job with the physical signs of intoxication shall be transported to a safe environment immediately by his or her supervisor or appropriate designee. Such an incident will result in disciplinary action i.e., oral reprimand, written

reprimand, suspension without pay, pending a drug and alcohol screening by a qualified individual. Failure to involve oneself with the screening process may result in termination of employment.

- b. If on returning to the job, the individual with a substance use or abuse problem willingly discusses the nature and extent of the problem and agrees to seek appropriate treatment, then the appropriate school officials shall proceed according to the policy outlined under self-reported alcohol and/or drug problems.
- c. If on returning to work, the employee denies any problem or any responsibility for substance use and/or abuse, then the appropriate officials for M.S.A.D. #53 shall initiate proceedings according to the following policy.
 1. The employee shall receive written notice to appear before the Superintendent with the reason for the meeting outlined in the letter. The employee has a right to be represented by the Association or the Union and by legal counsel.
 2. If it is determined that the employee's substance use and/or abuse places children's safety and/or educational welfare in jeopardy, the employee will be suspended pending a hearing with the Board. After the case, the Board may dismiss or reinstate the employee.

C. Selling or Furnishing of Illicit Chemicals or Alcohol

1. Any employee of M.S.A.D. #53 engaging in the selling or furnishing of illicit chemicals or alcohol will immediately be suspended without pay. The individual will be referred to proper law enforcement officials, and a recommendation will be made that he/she be permanently removed from his/her position.
2. Because the safety and welfare of students is of paramount importance, it may be necessary to alter a person's responsibilities due to his chemical dependency. This policy does not preclude the nonrenewal of an employee's contract or the dismissal of an employee on grounds of his/her inability to perform assigned job responsibilities.

Amended: 4/12/99

Amended: May 15, 2008