

# POLICY

SOMERSET COUNTY  
BOARD OF EDUCATION

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**Subject:**  
  
Drug and Alcohol  
Free Workplace

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## 1. PURPOSE

The Board seeks to maintain a safe, healthy, and productive environment free of drug and alcohol use for the safety of students, employees and visitors and hereby establishes a drug and alcohol-free environment. The possession, distribution, sale, or misuse of prescription drugs, or use of alcohol, or any illegal or illicit drug, in any form, on school property at any time is prohibited.

## 2. PROCEDURE

- A. The Somerset County Public School System shall notify employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- B. The System shall establish a drug and alcohol free awareness program to inform employees about:
  - (1) The dangers of drug and alcohol abuse in the workplace.
  - (2) The grantees policy of maintaining a drug and alcohol free workplace.
  - (3) Any available drug and alcohol counseling and rehabilitation referrals.
  - (4) A procedure for reasonable suspicion drug determination and an alcohol test.
  - (5) The penalties that may be imposed upon employees for drug and alcohol violations occurring in the workplace which shall include, but not limited to, such employee being required to submit to a fitness for duty medical examination when there is reasonable suspicion of illegal or illicit drug or alcohol use in the workplace, or under the influence upon the start of any shift.

- C. The System shall provide all employees with a copy of the administrative procedure set forth in (A) above.
- D. The System shall notify the employee in the statement required by paragraph (A) that, as a condition of employment, the employee will:
  - (1) Abide by the terms of the statement - respecting a drug and alcohol-free workplace.
  - (2) Notify the Human Resources Supervisor of any criminal drug or alcohol arrest no later than three (3) days after such arrest.
  - (3) Notify the Human Resources Supervisor of any criminal drug or alcohol statute conviction for a violation no later than three (3) days after such conviction.
- E. The System shall, after receiving notice of a criminal drug or alcohol related conviction, take appropriate personnel action against the employee and/or require that the employee participate satisfactorily in an approved drug abuse assistance or rehabilitation program as a condition of continued employment. Repeat offenders may not have the employer option of a drug abuse assistance or rehabilitation program.
- F. The System shall take one of the following actions within 30 days of receiving notice under subparagraph (D) (2), with respect to any employee who is so convicted:
  - (1) An employee who violated the terms of this drug-free workplace policy may be subject to disciplinary action up to and including termination.
  - (2) Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, Employee Assistance Program, or other appropriate agency.
- G. The System shall make a good faith effort to continue to maintain a drug and alcohol free workplace through implementation of this policy.

**3. SUSPENSION OR DISMISSAL:**

The Board of Education may, on the recommendation of the superintendent, suspend or dismiss any professional certificated staff for unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and/or alcohol. The Superintendent shall inform the Board of any suspensions or dismissals of non-certificated staff that involves violations of this policy.

The charge must be stated, in writing, to such person and such person will be given an opportunity to be heard by the Board of Education upon not less than ten days notice; that such person be allowed to bring counsel and witnesses, if so desired; and further that an appeal from the Board's decision may be made to the State Board of Education.

The System shall provide all employees with a copy of the statement set forth in (A) above.

**Reference:** Education Article Section 6-202, Md. Annotated Code  
Family Article 5-903, Maryland Annotated Code  
Drug Free Workplace Act of 1988