

R 4218 SUBSTANCE ABUSE (M)

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Substance Abuse

No employee at any work site will possess, manufacture, use, sell, or distribute any quantity of any controlled substance, lawful or unlawful, which in sufficient quantity could result in impaired performance, with the exception of substances administered by or under the instructions of a physician.

If a staff member is suspected of drug use or detected to be under the actual influence of alcohol or drugs, the role of the administrator shall be to render assistance to the staff member.

Violations

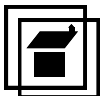
Any violation of this policy may result in discipline, up to and including termination.

Prohibited Substances

The presence, manufacture, transportation, possession, distribution, or use of a controlled dangerous substance, or drug paraphernalia, as defined by the New Jersey Statutes (N.J.S. 2C:35, N.J.S. 2C:36), or any chemical (including alcohol/anabolic steroids) or chemical compound which releases vapor or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system is prohibited.

Suspicion of a Staff Member Behavior Influenced By Drug/Alcohol

Anyone who observes what appear to be behaviors of concern on the part of a fellow staff member shall report that behavior to an administrator. Any educational staff member or other professional to whom it appears that a staff member may be currently under the influence of alcohol or other drugs either on school property or a school function, shall report the matter as soon as possible to an administrator, who will come to the area immediately to remove the staff member to the medical office or another protective environment where the school nurse will examine the employee to determine if



REGULATION

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immediate emergency care is required. The school Superintendent/Designee also shall be notified promptly.

Following the determination made by the school nurse, Arrangements shall be made for the immediate medical examination of the staff member for the purpose of providing appropriate health care for the staff member and for determining whether the staff member is under the influence of alcohol or other drugs. A physician licensed to practice medicine or osteopathy, shall perform the medical examination. The Black Horse Pike Regional School District (BHPKSD) has established the minimum requirements of an examination by a physician, which shall include a 10-panel urine drug screen and/or a breath alcohol test as one component of the examination.

~~The staff member shall be given the option of seeking the medical examination from a physician of their choice, or utilizing~~ The services with which the BHPKSD has contracted shall be used to test employees. When a physician selected by the staff member conducts the medical examination, the examination shall be at the expense of the staff member and shall not be Testing shall be at the expense of the district Board of Education. ~~If the physician chosen by the staff member is not immediately available, and~~ If the school's contracted agency is closed, the staff member shall be sent to the nearest hospital emergency room for examination. An administrator shall accompany the staff member in all instances. If the written report of the medical examination is not submitted to the Superintendent/Designee within twenty-four hours of the referral of the staff member for suspected drug or alcohol use, the staff member shall not be allowed to return to work until such time as a positive determination of alcohol or other drug use is received from the physician. If the written report of the medical examination verifies that alcohol or other drugs are not present the staff member shall be immediately returned to work. If there is a positive determination from the medical examination indicating that the staff member has alcohol or other illegal drugs in their system the Superintendent will make a recommendation to the Board of Education. The recommendation can be up to from the Superintendent and could may include medical treatment, suspension and/or termination of employment.

Random Testing

The BHPKSD reserves the right to conduct employee alcohol and/or controlled substance testing on an unannounced and random. Random testing will be spread throughout any given calendar year.



Refusal to Submit

If an employee refuses to submit to the alcohol and/or controlled substance testing, a positive test result will be assumed, and appropriate action by the Superintendent/Designee will be taken. An employee will be deemed as refusing to take the test if he/she:

1. Fails to appear for any test after being directed to do so;
2. Fails to remain at the testing site until the testing process is complete;
3. Fails to provide a urine specimen for any test required by this policy;
4. Fails to permit the observation or monitoring of providing a specimen in the case of a directly observed or monitored collection in a drug test;
5. Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Fails or declines to take a second test if directed to do so;
7. Fails to undergo a medical examination or evaluation, as directed to do so;
8. Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process); or

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