

## **Policy ~~3170~~ 546 – Substance Abuse**

**Revised policy and repeal of Policy 3170.01 (Employee Assistance Program), Policy 4170 (Substance Abuse), Policy 4170.01 (Employee Assistance Program) effective July 1, 2019**

*1<sup>st</sup> reading*      May 23, 2019

*2<sup>nd</sup> reading*

*3<sup>rd</sup> reading*

**Statutory authority**      (none)

### **Administrative Guidelines**

(none)

The Board of Education recognizes alcoholism and drug abuse may impair the performance of professional staff members. When appropriate, and in the sole discretion of the Board, the Board may assist such employees in a manner recommended by appropriate specialists in the treatment of those illnesses. However, in no case whatsoever shall an employee's use and/or abuse of alcohol and/or drugs prevent disciplinary action from being taken against an employee for his/her actions by the Board where the same arises out of, either directly or indirectly, said employee's use and/or abuse of alcohol and/or drugs. Furthermore, this policy in no way obligates the Board to provide any particular health care or other treatment or to become responsible for payment of the same.

The responsibility to correct unsatisfactory job performance, attendance or behavioral problems resulting from a suspected health problem rests with the professional staff member. Additionally, regardless of whether a professional staff member has an illness or other problem relating to the use of alcohol or other drugs it remains the responsibility of the professional staff member to report to work and perform his/her duties in a fit and appropriate condition at all times. Being under the influence of alcohol or other drugs while on duty, on school property, or at a school related activity/event is not acceptable. Failure to correct unsatisfactory job performance, attendance or behavior and/or working or reporting to work under the influence of alcohol or other drugs will result in appropriate corrective or disciplinary action as determined by the Board, up to and including termination.

No professional staff member will have his/her job security or promotion opportunities jeopardized by his/her voluntary request for counseling or referral assistance.

Professional Staff members who suspect they may have an alcohol or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting resources available for such service.

~~Rehabilitation Act of 1973, 29 U.S.C. 794~~

### *Employee Assistance Program*

The Board of Education believes that early recognition and treatment of illegal drug use, controlled substance abuse, or alcohol abuse is important for successful rehabilitation, return to productive work, and reduced personal, family, and social disruption.

The County Schools encourages the earliest possible diagnosis and treatment for illegal drug use or controlled substance abuse and supports sound treatment efforts. Whenever feasible, the County Schools will assist staff members in

overcoming illegal drug use or controlled substance abuse. However, the decision to seek diagnosis and accept treatment for illegal drug use or controlled substance abuse is primarily the individual staff member's responsibility. Any costs associated with treatment in excess of those costs covered by the staff member's medical insurance plan shall be borne by the individual.

Staff members with personal drug or controlled substance abuse problems should request assistance from the School Health Nurse. Assistance will be provided on a confidential basis, and each staff member will be referred to the appropriate treatment and counseling services.

Although the County Schools will assist a staff member to the extent feasible through the Employee Assistance Program, employees need to understand that the use of illegal drugs or abuse of alcohol or controlled substances may impact adversely the staff member's employment status and/or result in disciplinary procedures.

#### *Substance Abuse*

~~The Board of Education recognizes alcoholism and drug abuse may impair the performance of service personnel staff members. When appropriate, and in the sole discretion of the Board, the Board may assist such employees in a manner recommended by appropriate specialists in the treatment of those illnesses. However, in no case whatsoever shall an employee's use and/or abuse of alcohol and/or drugs prevent disciplinary action from being taken against an employee for his/her actions by the Board where the same arises out of, either directly or indirectly, said employee's use and/or abuse of alcohol and/or drugs. Furthermore, this policy in no way obligates the Board to provide any particular health care or other treatment or to become responsible for payment of the same.~~

~~The responsibility to correct unsatisfactory job performance, attendance or behavioral problems resulting from a suspected health problem rests with the service personnel staff member. Additionally, regardless of whether a service personnel staff member has an illness or other problem relating to the use of alcohol or other drugs it remains the responsibility of the service personnel staff member to report to work and perform his/her duties in a fit and appropriate condition at all times. Being under the influence of alcohol or other drugs while on duty, on school property, or at a school related activity/event is not acceptable. Failure to correct unsatisfactory job performance, attendance or behavior and/or working or reporting to work under the influence of alcohol or other drugs will result in appropriate corrective or disciplinary action as determined by the Board, up to and including termination.~~

~~No service personnel staff member will have his/her job security or promotion opportunities jeopardized by his/her voluntary request for counseling or referral assistance.~~

~~Service personnel staff members who suspect they may have an alcohol or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting resources available for such service.~~

~~Rehabilitation Act of 1973, 29 U.S.C. 794~~

#### *Employee Assistance Program*

~~The County believes that early recognition and treatment of illegal drug use, controlled substance abuse, alcohol abuse, or mental or emotional problems is important for successful rehabilitation, return to productive work, and reduced personal, family, and social disruption.~~

~~The County encourages the earliest possible diagnosis and treatment and supports sound treatment efforts. Whenever feasible, the County will assist staff members in overcoming illegal drug use, controlled substance abuse, alcohol abuse, or mental or emotional problems. However, the decision to seek diagnosis and accept treatment is primarily the individual staff member's responsibility. Any costs associated with treatment in excess of those costs covered by the staff member's medical insurance plan shall be borne by the individual.~~

Although the County will assist a staff member to the extent feasible through the Employee Assistance Program, the Board cannot guarantee that the staff member's resulting job performance deficiencies will not impact adversely the staff member's employment status through disciplinary procedures.