

GBEC - DRUG-FREE WORKPLACE

The Cape Elizabeth School Board recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal and family problems. At the same time, the Board is also seriously concerned about the effects of alcohol and drug dependency upon an employee's job performance and ability to serve as a role model for our students.

The Board believes strongly that all employees and students should be able to work and learn in an environment free from alcohol and drug abuse. Accordingly, the Board expects all employees to report for work and to perform their duties in a manner which does not jeopardize the health, safety, and well-being of co-workers and students.

PROHIBITED CONDUCT

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 synthetic hallucinogen, narcotic drug, hallucinogenic drug, bath salts, 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 department; or during any period of time the employee is supervising students on behalf of the school system or otherwise engaged in school department business.

Any employee who suspects that he/she may have an alcohol or drug dependency problem is strongly encouraged to contact his/her supervisor to seek voluntary diagnosis and treatment. The employee will be provided confidential referral services to an outside agency upon request and assisted in determining the extent to which insurance coverage to help pay for such services is available. All voluntary referrals shall be kept confidential.

Any illegal use, possession, furnishing, selling, or provision of assistance in obtaining alcoholic beverages or scheduled drugs not covered by the preceding paragraph is also prohibited and may, depending upon the circumstances, constitute sufficient grounds for discipline, up to and including dismissal. Seeking voluntary diagnosis & treat prior, will not preclude disciplinary action under this paragraph, depending on the circumstances.

In addition, employees (including coaches) are prohibited from selling, distributing, or promoting any performance-enhancing substances included on the banned substances list prepared by the Maine Department of Health and Human Services Office of Substance Abuse.

As provided in the Drug-Free Workplace Act of 1988, any employee is required to notify the school unit of a criminal or civil conviction for a drug violation occurring in the workplace no later than five calendar days after such conviction. In turn, the Superintendent, within 10 calendar days of learning of such a conviction, shall give written notification to the U.S. Department of Education and to any other federal agency from which the unit receives grant funds.

Appropriate disciplinary sanctions shall be taken against any employee who violates the terms of this school unit's drug and alcohol policy, up to and including dismissal.

IMPLEMENTATION

The Superintendent is responsible for implementing administrative procedures to implement this policy.

COMMUNICATION

A copy of this policy is to be given or mailed to all current employees and to new employees at the time of their employment and is to be posted in appropriate locations throughout the school system.

Legal Reference:

- 26 USC Sec. 7101 et seq. (Safe and Drug-Free Schools and Communities Act)
- 21 USC Sec. 812 (Controlled Substances Act)
- 21 CFR Sec. 1300.11-1300.15
- Fed P.L. 101-226
- 17-A MRSA Sec. 1101
- 22 MRSA Sec. 2390-2394

Cross-Reference:

- [JICH](#) - Drug and Alcohol Use By Students
- [GBN](#) - Family and Medical Leave Act

Adopted:

- November 10, 1998

Revised:

- December 14, 2004
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