

REGULATION

VERNON TOWNSHIP
BOARD OF EDUCATION

TEACHING STAFF MEMBERS
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Substance Abuse
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R3218 SUBSTANCE ABUSE

Procedures

- A. Basic procedures to be used when an employee is suspected of having a dependency upon, possession of, distribution of or illegal use of a controlled dangerous substance, alcohol, or misuse of prescription drugs.
1. The employee's behavior shall be observed and documented by concerned staff. Such behavior as poor working performance, negative personality changes, and poor attendance could be symptomatic of a substance abuse problem. The concerned staff member shall make this report to the building principal.
 2. The Principal will notify the Superintendent of any such report(s). The Principal and Superintendent, and school nurse or Student Assistance Counselor when appropriate, will discuss their concern for the employee's health and performance to determine if further pursuance is appropriate and necessary. The County Superintendent will be made aware of any significant issues.
 3. The Principal or school nurse or Student Assistance Counselor, as determined by the Superintendent, shall discuss the suspected behavior with the employee as to the extent of the problem. The Superintendent shall keep accurate and detailed official written records of all incidents related to suspected substance abuse.
 4. If the suspected dependency or use is confirmed, the employee shall be required to obtain professional counseling or complete an appropriate rehabilitation program as determined by an individual who is certified by the New Jersey State Board of Examiners as a Certified Alcohol Counselor (CAC) or a Certified Alcohol and Drug Counselor (CADC).

If necessary, an immediate leave of absence may be granted to the employee by the Superintendent. The school nurse or Student Assistance Counselor will recommend at least two certified counseling agencies or a rehabilitation program to the Superintendent.

- B. Procedures to be followed when an employee confides to a colleague or administrator that he/she has a substance abuse problem:
1. The staff member shall encourage the employee to seek help.
 2. Report the concern about the potential substance abuse problem to the building principal.
 3. The school physician or the school nurse must report the substance abuse problem to the Principal. The Principal will then follow paragraph C of this regulation.
- C. Procedures to be followed when an employee is suspected of being under the influence of a substance during working hours:
1. Whenever it appears to any teaching staff member, school nurse, or any other employee of the school district that an employee may be under the influence of a controlled dangerous substance as defined by the New Jersey Statutes, or any chemical (including alcohol/anabolic steroids) or chemical compound which releases vapor or fumes causing condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, this situation shall be immediately reported to the Principal, the school physician, or the school nurse.
 2. The school physician or school nurse shall notify the Principal when they receive a report. The Principal shall:
 - a. Notify the Superintendent of Schools.
 - b. Arrange for the immediate examination and blood test of the employee by the school doctor or a doctor selected by the employee, or if such doctor is not immediately available, then arrange transportation to the local hospital. The employee shall be accompanied to the doctor or emergency room by a member of the school staff designated by the building principal and/or the Superintendent.

- c. A report shall be requested from the examining physician which shall set forth whether or not the employee is under the influence of a substance, or any chemical, which includes alcohol, anabolic steroids, or chemical compound. This test result must be made available within twenty-four hours of the initial report made by the Principal.
- d. The employee shall not be permitted to resume work until he/she has submitted to the Superintendent a written report from his/her personal physician or the physician who initially examined him/her certifying that he/she is physically and mentally able to return to work.
- e. If the report indicates a positive diagnosis, a Violence, Vandalism, and Substance Abuse Incident Report shall be completed by the Principal.
- f. If the report indicates a positive diagnosis, the following sanctions apply:

First offense: Provided the employee is not dismissed, the employee must report to an outside-certified agency for counseling for three required sessions. A report from the agency must be submitted to the Superintendent within one week after the third counseling session. A warning letter from the Superintendent will be placed in the employee's personnel folder.

Second offense: Provided the employee is not dismissed, the employee must report to an outside-certified agency for counseling for five sessions. A report from the agency must be submitted to the Superintendent within one week after the fifth counseling session. A letter of reprimand will be placed in the employee's personnel folder advising him/her that a third incident will result in a suspension without pay and a loss of an increment for the following year.

Third offense: Provided the employee is not dismissed, the employee must enroll in a certified rehabilitation program. A letter must be sent to the Superintendent at the conclusion of the treatment programs. Also, the employee will be suspended for a week without pay and lose his/her increment the following year.

Fourth offense: Provided the employee is not dismissed, the employee will have a hearing before the Board in which a decision will be rendered by the Board relating to the continued employment of the employee.

F. The Superintendent will notify the Board of Education of any incident involving substance abuse with a teaching staff member.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 24:21-2 et seq.

42 C.F.R. II

34 CFR 85.600 et seq.

20 U.S.C.A. 1145g, 3224a

41 U.S.C.A. 701 et seq.

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