

THE RYE CITY SCHOOL DISTRICT
RYE, NEW YORK

9610

STAFF SUBSTANCE ABUSE

The Board of Education, the District collective bargaining units, (the Associations’), and at will and other non-bargaining unit contractual employees recognize that the use and possession of intoxicants and controlled substances in the workplace constitute a serious threat to the health and safety of all staff members and to members of the public. The Board and the Associations are further aware of the special obligation of all staff members to refrain from the illegal use of controlled substances, and the absolute right of the public to have staff members perform their duties and responsibilities free from the effects of alcohol and drugs. The Board and the Associations are desirous of maintaining a safe, healthy and productive work environment for all staff members and the community.

The Board and the Associations recognize that an effective employee assistance program is a crucial component of the substance abuse policy. Therefore, in collaboration with the Associations, the Board has established and will maintain an Employee Assistance Program (EAP) that will provide appropriate and confidential prevention, intervention, assessment, referral, support and follow-up services for District staff. Staff members will be informed of such services and shall be encouraged to seek such help voluntarily. The Board agrees not to take disciplinary action against a staff member for substance abuse for a first time voluntary self-referral to the EAP. Staff members with substance abuse problems are strongly encouraged to voluntarily seek the assistance of the EAP. Staff members with substance abuse problems who do not voluntarily seek the assistance of the EAP and are found in violation of the Board’s policy shall be subject to discipline as provided by applicable law.

No employee shall be subjected to any form of drug testing without reasonable individualized suspicion that the employee has been using an illegal drug or alcohol. Failure to submit to required drug testing based on reasonable individualized suspicion that the employee has been using any illegal drug or alcohol is grounds for disciplinary action up to and including dismissal. At all times, the District shall cooperate with local, state and/or federal law enforcement agencies.

This policy applies to all non-bargaining unit employees as well as all bargaining unit employees.

Cross Ref: 9610-R

*Ref: Drug-Free Schools and Communities Act, 20 U.S.C. §§ 3171 et seq.
Omnibus Transportation Employee Testing Act of 1991, Civil Service Law § 75
Education Law §§ 3012; 3020-a
Patchogue-Medford Congress of Teachers v. Board of Education, 70 NY2d 57 (1987)
Appeal of Board of Education of Community School District 19, 32 EDR 354 (1992)*

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