

Brick Township Board of Education District Policy Manual 1

Instructional Personnel

Series 4000

Drug-Free Workplace

Policy 4119.232

Date Adopted:

Date Revised:

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Date Reviewed: 1st Reading June 30, 2016

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to NJSA 2C:51-2.

An employee who is convicted of a drug-related offense must report the conviction to the Superintendent of Schools within five days of its occurrence.

The Board directs the Superintendent of Schools to establish and maintain a program to:

- A. Alert employees as to the dangers of drug abuse in the workplace;
- B. Inform employees of the prohibitions against drugs set forth in this policy;
- C. Inform employees of available drug counseling, rehabilitation, and assistance programs;
and,
- D. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil who violates this policy will be treated in accordance with law.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

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Legal References

- NJSA 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation
- New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law
Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)