

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: July 14, 2009

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 4001: PERSONNEL: GENERAL – DRUG-FREE WORKPLACE**

ORIGINATOR: J. Robert Haines, Esq., Deputy Superintendent

RESOURCE PERSON(S): Michele Prumo, Executive Director,
Dept. of Planning and Support Operations

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 4001.
This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 4001

**Policy Analysis for
Board of Education Policy 4001
Drug-Free Workplace**

Statement of Issues or Questions Addressed:

Policy (4001) establishes a drug-free workplace for Baltimore County Public Schools in compliance with federal and state regulations.

Cost Analysis and Fiscal Impact on School System:

There is no fiscal impact on the system as a result of the revised policy and rule. Not having the policy and the procedures to implement the policy would result in non-compliance with federal and state regulations.

Relationship to Other Board of Education Policies:

Board of Education Policy 1300, *Use of School Facilities*

Board of Education Policy 2372, *Administrative Operations*

Board of Education Policy 5540, *Alcoholic Beverages and Drugs*

Legal Requirements:

Annotated Code of Maryland, Health General Article, Section 17-214

Drug-Free Workplace Act of 1988, 41 U.S.C. Section 701

Safe and Drug Free Schools and Community Act of 1994, 20 U.S. C., Section 7101

Similar policies adopted by Other School Systems:

Anne Arundel County, Board of Education Policy 800.03, *Drug, Alcohol and Tobacco-Free Work Environment*

Howard County, Board of Education Policies 7040, *Abuse of Alcohol and Other Controlled Substances* and 7050, *Prohibition of Illegal Drugs and Drug Paraphernalia for Employees*

Carroll County, Board of Education Policy, GBEC, *Drug/Alcohol-Free Workplace*

Draft of Proposed Policy:

Attached

Other Alternative Considered by Staff:

No other alternatives are viable due to federal and state regulations.

Timeline:

First reading – May 19, 2009

Public comment – June 9, 2009

Third reading – July 14, 2009

PERSONNEL: General

Drug-Free Workplace

- I. [Since] Employees of the Baltimore County Public Schools (BCPS) are expected to act as role models for students[.]. [the use of illegal drugs and intoxicants in the workplace will not be tolerated. The Board of Education will continue its efforts to make employees aware of the harmful effects and legal consequences of the use of illegal drugs and intoxicants. This may be accomplished through the wellness and employee assistance programs.] THE UNLAWFUL MANUFACTURE, DISTRIBUTION, POSSESSION, OR USE OF A CONTROLLED SUBSTANCE OR ALCOHOL IN ANY QUANTITY IN THE WORKPLACE OR AT ANY SCHOOL-SPONSORED EVENT IS PROHIBITED.

- II. CONSISTENT WITH THE BOARD’S GOAL TO PROVIDE A SAFE AND ORDERLY LEARNING ENVIRONMENT, THE SUPERINTENDENT SHALL ESTABLISH ADMINISTRATIVE PROCEDURES TO ADDRESS ANY VIOLATION OF LAW OR THIS POLICY.

Policy
Adopted: 5/11/89
Revised: 6/27/95
REVISED: _____

Board of Education