Sec. 1. DRUG- AND ALCOHOL-FREE WORKPLACE

Midland Academy Charter intends to provide a safe and drug- and alcohol-free environment for employees and students. With this goal in mind, Midland Academy Charter expressly prohibits:

1. The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on Midland Academy Charter property or while performing an assignment.
2. Being impaired or under the influence of legal or illegal drugs or alcohol away from Midland Academy Charter, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or put at risk Midland Academy Charter's reputation.
3. Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from Midland Academy Charter, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk Midland Academy Charter's reputation.
4. The presence of any detectable amount of prohibited substances in the employee's system while at work, while on Midland Academy Charter property, or while on Midland Academy Charter-related business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

Sec. 2. DRUG AND ALCOHOL TESTING

Midland Academy Charter will conduct drug and/or alcohol testing under any of the following circumstances:

a) *School Drivers*

Employees who drive Midland Academy Charter-owned or leased vehicle(s) on school-related business may be subject to drug and/or alcohol testing as determined necessary by the Midland Academy Charter administration.

b) *Random Testing*

Employees may be selected at random for drug and/or alcohol testing at any interval determined by Midland Academy Charter.

c) *For-Cause Testing*

Midland Academy Charter may direct an employee to submit to a drug and/or alcohol test at any time Midland Academy Charter believes that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:

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1. Evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity;
2. Unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol;
3. Negative performance patterns; or
4. Excessive and unexplained absenteeism or tardiness.

d) ***Post-Accident Testing***

Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

Sec. 3. POLICY VIOLATIONS

An employee is subject to disciplinary sanctions under this policy if:

1. The employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy;
2. The employee is tested for drugs or alcohol in accordance with this policy and the results indicate a violation of this policy; and/or
3. The employee refuses to submit to testing under this policy.

Disciplinary sanctions for violations of this policy may include, but are not limited to:

1. Referral to drug and/or alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Referral to appropriate law enforcement officials for prosecution;
4. Removal from safety-sensitive functions;
5. Employment actions, up to and including termination of employment; and/or
6. Any other form of disciplinary sanction deemed appropriate by Midland Academy Charter.

Sec. 4. DRUG-FREE AWARENESS PROGRAM

The Superintendent shall establish, as needed, a drug-free awareness program complying with legal requirements. The program shall provide relevant information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.
2. Midland Academy Charter's drug-free workplace policy.

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3. Counseling, rehabilitation, and other assistance programs available to employees in the community, if any.
4. Consequences on employment for violating Midland Academy Charter's drug use and abuse prohibitions.

The employee shall be responsible for all fees or charges related to drug/alcohol counseling or rehabilitation, if any.

Sec. 5. TOBACCO USE

Midland Academy Charter further intends to provide a tobacco-free environment for employees and students. Smoking (including, but not limited to cigarettes, cigars, and pipes) and the use of tobacco by employees is prohibited on all Midland Academy Charter-owned property, in Midland Academy Charter-owned vehicles, and while supervising students during school-related events.

Midland Academy Charter also prohibits the use of any "vapor products"—meaning electronic cigarettes (e-cigarettes) or any other device that uses a mechanical heating element, battery, or electronic circuit to deliver vapor that may include nicotine to the individual inhaling from the device; any substance used to fill or refill the device-cigarette; inhalants; electronic cigarette devices; and/or other devices or paraphernalia used with vapor products, other inhalants, or chemicals—at all times on Midland Academy Charter property, at any Midland Academy Charter event or activity (whether or not on school property), or in Midland Academy Charter vehicles.

An employee who violates this tobacco use policy is subject to disciplinary action, up to and including termination from employment.

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