

Brevard Academy - A Challenge Foundation Academy (BA-CFA) is committed to providing a safe, efficient, and productive work environment that is free from illegal drug use, sale, possession or distribution. To accomplish this goal, a confidential drug screening may be conducted not only during the pre-employment process but also when reasonable cause exists to suspect an employee of being under the influence of illegal drugs and for accidents that occur at work.

Reporting to work under the influence of alcohol or illegal drugs is prohibited, as is the use, sale, manufacture, possession or distribution of alcohol or illegal drugs. Violations will result in termination of employment with Brevard Academy - A Challenge Foundation Academy (BA-CFA) and may have legal consequences.

To enforce this policy, Brevard Academy - A Challenge Foundation Academy (BA-CFA) reserves the right to request employees to participate in random, periodic tests for illegal substances and alcohol abuse.

PURSUANT TO THE DRUG FREE WORKPLACE ACT OF 1988, THE SCHOOL SPECIFICALLY MAKES COMPLIANCE WITH THIS POLICY A CONDITION OF EMPLOYMENT. AN EMPLOYEE WHO VIOLATES THIS POLICY WILL BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING DISCHARGE.

Employees who believe they may have a drug or alcohol abuse problem are urged to request confidential assistance from the School Director. The School Director will provide assistance on a strictly confidential basis and will refer the employee to the appropriate treatment and counseling services.

THE COSTS OF SUCH SERVICES ARE STRICTLY THOSE OF THE EMPLOYEE. EMPLOYEES WHO VOLUNTARILY REQUEST ASSISTANCE WILL NOT PREVENT DISCIPLINARY ACTION FOR VIOLATION OF THE SCHOOL'S POLICY. EMPLOYEES WHO UNDERGO VOLUNTARY COUNSELING OR TREATMENT PURSUANT TO REFERRAL BY THE ADMINISTRATION AND WHO CONTINUE TO WORK MUST MEET ALL ESTABLISHED STANDARDS OF CONDUCT AND JOB PERFORMANCE.

The School has a continuing objective to provide the highest quality performance and service to our students.

Possessing, using, purchasing, distributing, selling, or being under the influence of controlled substances without a prescription is strictly prohibited. Self-administering prescribed drugs in improper dosages or consuming alcohol during the workday on School property or while conducting School business is prohibited. Violation of this policy may result in disciplinary action up to and including discharge.

As used in this policy, the term “controlled substance” includes illegal drugs that are not authorized for sale, possession, or distribution under either federal or state Law, legal substances, either prescribed or over-the-counter, taken in a dosage or combination that results in mental/physical impairment.

All school employees, including administrators, teachers, teacher aides, school secretaries, counselors, bus drivers, etc. are considered employees holding safety sensitive positions and any lapse in attention or judgment on the part of these employees could result in an immediate threat to a child’s safety.

Applicants for these positions may be tested after they have been offered a job. Full time employment is contingent upon a negative screening result. Each applicant will be given a copy of the policy in advance of the physical and are to sign an acknowledgment prior to the substance screening permitting the summary result to be transmitted to the school administration. An applicant refusing to complete any part of the drug testing procedure will not be considered a valid candidate for employment with the school and such refusal will be considered as a withdrawal of the individual’s application for employment.

If the substance screening shows a confirmed positive result for which there is no current physician’s prescription, a second confirming test may be requested by the school administration or the employee. If the first or any requested second confirming test is positive, any job offer will be revoked.

Whenever the school administration through its School Director or the person authorized to act on behalf of the School Director reasonably suspects that an employee’s work performance or on the job behavior may have been affected in any way by illegal drugs or alcohol, or that an employee has otherwise violated the school’s drug free workplace substance abuse policy, the employee may be required to submit to a breath and/or urine sample for drug and alcohol testing. When an employee is observed exhibiting behavior that leads fellow employees and/or administration to reasonably conclude that the employee is in violation of the substance abuse policy, the employee may be required to submit to the testing based upon reasonable suspicion. If the employee refuses to submit to the testing, the employee will be charged with insubordination and subject to disciplinary sanctions up to and including termination.

Further, an employee testing positive on a reasonable suspicion test will be found to be in violation of the policy and such a violation will constitute grounds for termination. Only a quorum of the Board of Directors, the School Director or a person authorized by the School Director are authorized to make a determination that reasonable suspicion or cause exists and to subsequently order a drug screening of the employee.

The two types of cases for which reasonable suspicion procedures may be invoked:

1. Chronic case – Deteriorating job performance or changes in personal traits, characteristics, where the use of alcohol or drugs may be reasonably suspected as the cause. These cases may develop over a fairly long period of time.

2. Acute case – The appearance, in a specific incident or observation, of being under the present influence of alcohol and/or drugs regardless of previous history.

Circumstances under which substance screening may be considered, which include, but is not limited to, the following:

1. Observed use, possession or sale of illegal drugs and/or use, possession, sale or abuse of alcohol and/or the illegal use or sale of prescription drugs.
2. Apparent physical state of impairment of motor functions.
3. Marked changes in personal behavior not attributable to other factors.
4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury.
5. Employee involvement or contribution to a crime involving alcohol or drugs where civil and/or criminal charges have been filed.
6. Violations of civil and criminal laws applying to the use, distribution, selling, trafficking or possession of illegal drugs, alcohol, or non-prescribed drugs.

The school reserves the right to discipline or terminate employees convicted of an offense that involves the use, distribution, sale, trafficking or possession of illegal drugs. Further, the school reserves the right to search any areas on school premises for illegal, illicit, controlled and/or prohibited substances including lockers, desks, lunch boxes, briefcases, pocketbooks, cars, trucks and any other areas as part of this policy.

This policy also applies to volunteers conducting school business.