

ALBUQUERQUE SCHOOL OF EXCELLENCE

Tobacco Free Policy

Albuquerque School of Excellence Governing Board believes that quality education is not possible in an environment affected by drugs and comply with 6.12.4 NMAC . It will seek, therefore, to establish and maintain an educational setting which is not tainted by the use or evidence of use of any controlled substance.

The board shall not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, including alcohol, by any member of the professional staff at any time while on School property or while involved in any School-related activity or event. Any staff member who violates this policy shall be subject to disciplinary action in accordance with Board policy.

The School prohibits the unlawful distribution, possession, or use of illicit drugs; tobacco and alcohol on School premises or as part of any of the School's activities. ASE is committed to maintaining a drug-free environment and will not tolerate the use of illegal drugs in the workplace. Employees who use or are under the influence of alcohol or illegal drugs as defined by the New Mexico Controlled Substances Act during working hours shall be subject to disciplinary sanctions. Such sanctions may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, termination from employment with the School, and referral to appropriate law enforcement officials for prosecution.

Compliance with these requirements and prohibitions is mandatory and is a condition of employment. School policy establishes standards of conduct for school employees. (This notice complies with notice requirements imposed by the federal Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C. 3224a and 34 CFR 86.201.)

Liability-Report of Drug Offense:

Teachers, School administrators, or School employees are not liable in civil damages for reporting to a School administrator or governmental authority a student whom the teacher suspects of using, passing, or selling on School property, marijuana or a controlled substance, a dangerous drug, an abuse-able glue or aerosol paint, a volatile chemical, or an alcoholic beverage.

Searches and Alcohol and Drug Testing:

Non-investigatory searches in the workplace, including accessing an employee's desk, file, cabinets, and classroom or work area to obtain information needed for usual business purposes may occur when an employee is unavailable. Therefore, employees are hereby notified that they have no legitimate expectation of privacy in those places. In addition, the School reserves the right to conduct searches when there is reasonable cause to believe a search will uncover evidence of work-related misconduct. Such an investigatory search may include drug and alcohol testing if the suspected violation relates to drug or alcohol use. The School may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on School premises or worksites or used in School business.

Adopted on 01/09/2010 by ASE Governing Council



Mustafa Zengin, Secretary of ASE Governing Council