

Drug-Free Workplace
Determining “Under the Influence”

For the Principal

- Step 1 Recognize for yourself or as reported to you by another an employee may be under the influence at school, on school grounds or at a school-sponsored event.
- Step 2 If you are not already there, go immediately to where the employee is and observe the employee for a few minutes.
- Step 3 If you believe the employee may be under the influence, direct the employee to follow you to an area where you can speak to employee. Inform the employee that you believe the employee may be under the influence. (If at all possible, be sure to have another adult with you as a witness throughout the process but, at a minimum, after the point you have determined that you believe the employee is under the influence.)
- Step 4 Smell the employee’s breath within an inch or two. If employee’s speech (slurred or incoherent), behavior, smell, breath or other¹ gives you any indication that the employee may be under the influence, remain with the employee and call the superintendent. If (s)he is not available, then call another building administrator.
- Step 5 When in the company of the superintendent or another building administrator, advise the employee that the two of you will be transporting the employee to Albany General Hospital for a blood test. (Never let employee drive or leave the premises. If you suspect that they are under the influence, ask to take their car keys. If they refuse and try to leave the premises, call the police.)

If the employee refuses, immediately inform the employee that refusal to be tested will be deemed insubordination AND equal to a positive test result and will, therefore, be treated as such. Obtain the employee’s signature on the form providing notification in writing. The administrator and the witness sign the form as well. If the employee refuses to sign, note the refusal on the form. Obtain the signature of the witness present during refusal.

Depending upon the situation and, with reasonable suspicion, we may also ask to search the employee’s personal property on the district’s premises. (If the employee refuses to allow a search of the employee’s personal property, defer to law enforcement. District property may be searched, however. District property may include but is not limited to desk, closet,

¹Other ways to observe if an employee may be under the influence is to ask them to stick out there tongue. If the back of the tongue has a green tinge to it, they may have smoked marijuana. If a “skunk smell” is present on their fingers, this is another indicator of having smoked marijuana.

cupboards, drawers, etc., but may not include personal belongings such as purse, briefcase, etc.)

Step 6 After being tested, the employee will be immediately placed on paid administrative leave until the results are returned to the district office for review. An investigation will be conducted by the principal. The employee will be contacted by human resources to meet with the superintendent to state the employee's side of the story.

Once the investigation is complete, the superintendent will review the summary of findings provided along with the results of the test(s) received, to determine what course of action will be taken. Once determined, options can include but are not limited to: treatment for addiction AND Last Chance Agreement, discipline that includes suspension without pay AND Last Chance Agreement; or possible termination.

I have been instructed to take blood test due to the district's suspicion of me being under the influence.

I have been warned verbally and now in writing that, if I refuse to take this blood test, my refusal will be deemed insubordination AND equal to a positive test result and will, therefore, be treated as such.

I have been asked to sign this form attesting to the fact that, although I understand, I choose to refuse the test.

My signature on this form means I have refused to take the test and that I understand my refusal will be deemed by the district to be insubordination and equal to a positive test result for being "under the influence."

A witness is present to attest to me receiving this information and request for my signature. If I refuse to sign, this too will be witnessed and so noted.

Employee Signature

Employee Name Printed by Principal

Date

Principal

Date

Witness

Date

Superintendent/Other Assisting Administrator

Date