DRUG AND ALCOHOL-FREE WORKPLACE

The School Board believes that the maintenance of drug-free and alcohol-free workplaces is essential to school and District operations. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance before, during or after school hours at school or in any other District workplace or at any District-sponsored activity.

The Superintendent shall:

1. Publish and give to each employee a notification of the Board's policy mandating a drug-free and alcohol-free workplace. The notification shall specify the actions that will be taken against employees who violate these prohibitions. It also shall state that as a condition of employment, the employee will abide by the terms of this policy and notify the employer of any criminal drug or alcohol conviction for a violation occurring in the workplace. Such notice by the employee must be made within five (5) days from the date of the conviction.

   For the purpose of this policy, "conviction" shall mean a finding of guilt by any judicial body charged to determine violations of federal or state criminal drug or alcohol laws, whether such finding is made following a trial or by entry of a plea of guilty or nolo contendere.

2. Establish a drug and alcohol awareness program to inform employees about:

   a. The dangers of drug and alcohol abuse in the workplace.

   b. The District policy of maintaining drug-free and alcohol-free workplaces.

   c. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs known to the District.

   d. The penalties that may be imposed on employees for drug and alcohol abuse violations.

3. Notify the appropriate federal granting or contracting agencies within ten (10) days after receiving notification from an employee, or otherwise, of any conviction for a violation occurring in the workplace.

4. Initiate disciplinary action within thirty (30) days after receiving notice from an employee, or otherwise, of a conviction for a violation in the workplace. Such action shall be consistent with state and federal law, the appropriate employment contract, the applicable collective bargaining agreement, and District policy and practices.

5. Make a good faith effort to maintain a drug- and alcohol-free workplace throughout the District.

When required by law, the Superintendent shall terminate an employee. When termination is not required by law, the Superintendent shall (a) take appropriate disciplinary action, including termination when warranted, or (b) require the employee to satisfactorily participate in, and complete, an approved drug assistance or rehabilitation program. The Superintendent's decision shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and District policies and practices.

(cf. 3514 – Environmental Safety)
(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4158 - Employee Security)
(cf. 5144.1 - Suspension and Expulsion)

Legal Reference:

THE DRUG-FREE WORKPLACE ACT OF 1988
DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENT OF 1986, as amended
CONTROLLED SUBSTANCES ACT, 21 U.S.C. 801
21 CODE OF FEDERAL REGULATIONS 1300 - 1316

Adopted: 2/22/10
Revised: