

### **EMPLOYEE SUBSTANCE ABUSE POLICY**

The Board of Education recognizes that the use, possession, distribution, and sale of narcotics or other controlled substances is illegal according to the federal and state law and constitutes a hazard to the District's employees. In an effort to reduce the risk of use and abuse of illegal substances by the District's employees, the Board adopts this policy in accordance with the federal Drug-Free Workplace Act of 1988 and Title IV, Part A of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, otherwise known as the Safe and Drug-Free School and Communities Act.

As used in this policy, "controlled substances" shall include all drugs which are banned or controlled under federal or state law, including those for which a physician's prescription is required, as well as any other chemical substance which is deliberately ingested to produce psychological or physiological effects, other than accepted foods or beverages.

The Board of Education prohibits the illegal, improper or unauthorized manufacture, distribution, dispensing, possession or use of any controlled substances in the workplace. Accordingly:

1. The Superintendent of Schools shall certify to any federal agency making a direct grant to the District that the District will provide a drug-free workplace, in accordance with the Drug-Free Workplace Act of 1988.
2. The Superintendent or his/her designee shall establish a drug-free awareness program to inform employees about:
  - a. the dangers of controlled substance abuse in the workplace;
  - b. the District's policy of maintaining a drug-free workplace;
  - c. any available controlled substance abuse counseling, rehabilitation, and employee assistance programs; and
  - d. the penalties that may be imposed upon employees for controlled substance abuse violations.

3. The Superintendent or his/her designee shall publish a statement notifying District employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. The statement shall specify the actions that will be taken against employees for violations of such prohibition. Each employee shall receive a copy of this statement. Each employee, as a condition of employment, shall:
  - a. abide by the terms of the statement; and
  - b. notify his/her immediate supervisor, who shall notify the Superintendent, of any criminal drug statute conviction of the employee for a violation occurring in the workplace within five (5) days of such conviction.
4. The Superintendent shall notify the Board of Education of any such employee conviction(s), and shall notify the applicable federal granting agency within 10 days after receiving notice of such conviction(s).
5. Within 30 days of such conviction(s), the District shall initiate appropriate disciplinary action against any employee so convicted, in a manner consistent with any applicable collective bargaining agreement and applicable law, up to and including dismissal, and/or require his/her satisfactory participation in a controlled substance abuse assistance or rehabilitation program.
6. The District shall make a “good faith effort” to continue to maintain a drug-free workplace through implementation of subparagraphs (1) – (5).

Approved: 7/7/03 (3<sup>rd</sup> 7/7/03; 2<sup>nd</sup> 6/19/03; 1<sup>st</sup> 5/13/03)

[BOE\POLICIES\EMPLOYEE SUBSTANCE ABUSE 7-7-03]