

- Required
- Local
- Notice

## **DRUG-FREE WORKPLACE**

### **Prohibition of Drugs and Other Substances**

The Board of Education of the Schodack Central School District is committed to the prevention of alcohol, tobacco, or other substance use and abuse. Of particular concern to the Board is the use and abuse of alcohol, tobacco, or other substances in the District's workplaces.

The Board therefore establishes that at all sites, facilities, and properties owned by or under the control of the Board, and at all activities and programs operated or sponsored by the District, it shall be strictly prohibited to use, manufacture, possess, possess with the intent to sell, dispense, sell, or distribute alcohol and other substances, and to use or possess drug paraphernalia. The possession and appropriate exclusive personal use of over-the-counter drugs or drugs that have been prescribed by and that are being used under the supervision of a physician are exempted from this prohibition. Also exempted is the mere possession of otherwise legal tobacco products.

### **Drugs and Substances Prohibited**

The term "alcohol or other substances" shall be construed hereunder to refer to, but not be limited to, alcohol, including beer and wine, tobacco in any form, inhalants, marijuana (or any other form of THC), cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes, any substances referred to commonly as "designer drugs," any legal substance being used in a manner which is intended to achieve a drug-induced state (e.g. inhalation of model airplane glue), and any other drug that is illegal under state or federal law. The inappropriate use of prescription and over-the-counter drugs is likewise prohibited.

### **Employee Obligation to Report Conviction**

Any employee of the District who is convicted for violating a criminal drug statute shall notify the Superintendent no later than five (5) days after such conviction.

### **District Action If Policy Violation Found**

The District shall, within thirty (30) days of receiving the notice required in Sec. III above, take appropriate action against the offending employee. Any violation of this policy by a District employee may result in disciplinary action, up to and including dismissal. The District may, in the alternative, require an employee found in violation of this policy to complete satisfactorily a drug abuse assistance or rehabilitation program approved for such

purposes by a federal, state, or local health, law enforcement, or other appropriate agency at the employee's expense.

Ref: Drug-Free Workplace Act (DFWA), 41 U.S.C. §§8101-8106  
Controlled Substances Act, 21 U.S.C. §812  
21 CFR §§1308.11-1308.15  
34 CFR Part 84 (U.S. Dept. of Ed. Regulations under the DFWA)  
New York State Public Health Law 3306  
Civil Service Law §75  
Education Law §3020-a  
*Patchogue-Medford Congress of Teachers v. Board of Education*,  
70 NY2d 57 (1987)

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