

DRUG -FREE WORKPLACE

The district has an important interest in providing a safe working environment for employees and a safe learning environment for students. The district will take reasonable steps to protect the health and safety of employees and students.

In this procedure the following definitions apply:

1. Workplace

All district property and any place away from the district where district students are engaged in a school related activity.

2. Reasonable Suspicion

A belief based on objective facts sufficient to lead a reasonable prudent person to suspect that an employee is under the influence of a substance such that the employee's ability to perform job functions is impaired or to perform his/her job safely is reduced. Reasonable suspicion may result from actual observation of the use or ingestion of a substance by an employee. It may be based on reliable information that the employee is currently using or has recently used or possessed a controlled substance, or an open alcohol container on the job. Reasonable suspicion may result from an observation of physical symptoms, such as but not limited to slurred speech, red and/or watery eyes, unsteady gait, dilated students or sleeping on the job.

3. Conviction

A finding of guilty, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged to determine violations of federal or state criminal drug or alcohol statutes.

No employee shall manufacture, distribute, dispense, possess, consume or be under the influence of illegal drugs, alcohol or controlled substances at any workplace. Any employee who manufactures, distributes, dispenses, possesses, consumes or is under the influence of illegal drugs, alcohol or controlled substances at any workplace is subject to discipline, up to and including dismissal.

The terms illegal drugs and controlled substances include all chemical substances or drugs listed in any controlled substances laws or regulations. They include, but are not limited to:

1. Stimulants, such as amphetamines, cocaine and similar substances.
2. Depressants, such as narcotics, barbiturates and similar substances.
3. Hallucinogens, such as marijuana, hashish, LSD and similar substances.

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4. Deliriants, such as glue solvents, aerosol sprays and similar substances.

The possession or use of a prescription drug under and consistent with the specific directions of a physician which does not impair the performance of an employee is not prohibited.

The possession or use of an over-the-counter medication consistent with its specific directions for use and which does not impair the performance of the employee is not prohibited.

Employees who believe, or have been informed, that their use of a legal drug may present a job safety risk, are to report such drug use to their supervisor.

The district will assist an employee with an alcohol or drug dependency to seek treatment or rehabilitation. The district may accommodate an employee with an alcohol or drug dependency, as long as such accommodation is reasonable and does not impose an undue hardship on the district. Sick leave may be used for treatment or rehabilitation of an alcohol or drug dependency by a physician or other professional specialist.

The district does not allow or tolerate unsatisfactory job performance because of alcohol or drug dependency or use.

The district may search any district property when the district has reasonable suspicion that such property may contain evidence of alcohol or drug misuse.

An employee or an employee's personal property will not be searched without the employee's consent.

The Superintendent, or designee, shall:

1. Notify appropriate law enforcement authorities if illegal drugs are discovered in the workplace.
2. Publish and give to each employee a notification that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace. This notification shall also state that as a condition of employment, the employee will abide by the terms it specifies and notify the employer, within five days, of any criminal drug statute conviction for a violation occurring in the work place.
3. Within thirty (30) days after receiving such notification, either initiate appropriate personnel action against the employee, up to and including termination, or require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation

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program. If an employee participating in a rehabilitation program does not respond to treatment, and job performance remains unsatisfactory, disciplinary procedures, up to and including termination, will be followed.

An employee's decision to seek voluntary help from an employee assistance program, or rehabilitation program, shall not be used as a basis for disciplinary action against the employee. The confidentiality of individuals using such programs is to be protected within the limits of the law, consistent with the safety and security of district employees and students.

4. Provide training and information to management team members
 - a. Alcohol and drug abuse recognition, symptoms and effects.
 - b. Documenting observations and impressions of persons who may be subject to the effects of alcohol or illegal drugs;
 - c. Benefit programs and alternatives available; and,
 - d. Safety aspects of alcohol or drug problems in both work and social environments.

5. Assure that the administrator in charge of district-sponsored social events which involve alcohol includes procedures that address the responsible consumption of alcohol which include, but are not limited to:
 - a. Preventing individuals below the legal age from consuming alcoholic beverages;
 - b. Controlling the quantity of alcohol consumed by employees and guests, including the length of time alcohol is served; and,
 - c. Assuring safe transportation for persons whose ability is impaired.