Administrative Procedures

DRUG-FREE WORKPLACE

A. Definitions

Controlled Substance: Means a controlled substance in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC § 812).

Conviction: A finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

Criminal Drug Statute: A criminal statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.

B. Requirements

1. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by any employee while in a school facility or while performing school business is prohibited.

2. Each and every employee will:
   A. Abide by the terms of this policy
   B. Notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

3. Within thirty (30) days of receiving notice of a criminal drug statute conviction for a violation occurring in the workplace, the Superintendent will:
   A. Take appropriate personnel action against such an employee, up to and including termination; or
B. Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

4. Within ten (10) days after receiving notice that an employee has been convicted under a criminal drug statute for a violation occurring in the workplace, the Superintendent shall notify the U.S. Department of Education of the conviction.

5. The Superintendent or designee will establish a drug-free awareness program that includes:

A. The dangers of drug abuse in the workplace;

B. The Board of Education’s policy of maintaining a drug-free workplace;

C. Any available drug counseling, rehabilitation, or employee assistance program; and

D. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

Policy: Board Action
Adopted: June, 1989
Revised: November 15, 2004