

Drug-Free Workplace

(Drug and Alcohol Use by Staff Members)

The unlawful manufacture, distribution, dispensing, possession or use of alcohol, tobacco products or a controlled substance is prohibited in the district. The definition of a controlled substance shall be the same as that found in the policy regarding student alcohol use/drug abuse.

Observance of this policy is a condition of employment. A violation shall subject the employee to appropriate disciplinary action which may include termination and referral for prosecution. In appropriate circumstances and at the district's discretion, disciplinary sanctions may include the completion of an approved drug or alcohol abuse assistance or rehabilitation program. Any such program shall be at the employee's expense. However, the district is not required to offer rehabilitation in lieu of termination or other discipline to any employee who has violated this policy.

An employee knowingly in the possession of or under the influence of alcohol or any controlled substance shall be suspended immediately by the principal or supervisor if such use or possession is:

1. On district property at any time.
2. At any school-sponsored or sanctioned activity or event off district property or enroute thereto.
3. On the way to work.

An employee shall be suspended immediately after arrest for possession or for being under the influence of a controlled substance.

After investigation, the superintendent may reinstate the employee if it appears to be in the best interests of the district. The matter shall be reported to the Board of Education.

Pursuant to law, any employee who is convicted or pleads *nolo contendere* under any criminal drug statute for a violation occurring in the workplace shall notify the superintendent no later than five days after the conviction. The district has an obligation under federal law to notify the appropriate federal agency within 10 days after receiving notice of such conviction if there is a relationship between federal funds received by the district and the convicted employee's work site.

Awareness and prevention program

The superintendent shall establish an awareness program to inform employees about:

1. The dangers of drug and alcohol abuse
2. The Board's policy of maintaining a drug-free workplace
3. Available drug and alcohol counseling, rehabilitation and employee assistance programs
4. Penalties that may be imposed upon employees for drug and alcohol abuse violations occurring in the workplace

The Board shall conduct a periodic review of its awareness and prevention program to determine its effectiveness, and implement appropriate changes.

Annual notification to employees

Information about the standards of conduct required by this policy shall be communicated to employees on an annual basis. All employees shall acknowledge receipt of this policy and related information.

Adopted: September 14, 1993

Revised: October 11, 1994

Revised: October 12, 2010

LEGAL REFS.: 20 U.S.C. § 7101 *et seq.* (*Safe and Drug-Free Schools and Communities Act*)

21 U.S.C. §812 (*definition of controlled substance*)

41 U.S.C. §§701 and 702 (*Drug-Free Workplace Act of 1988*)

CROSS REFS.: EEAEAA*, Drug And Alcohol Testing For Bus Drivers

GCQF, Discipline, Suspension and Dismissal of Professional Staff Members

GDQD, Discipline, Suspension and Dismissal of Support Staff Members

JICH, Drug and Alcohol Use by Students

Swink School District #33, Swink, Colorado