

Drug-Free Workplace

(Drug and Alcohol Use by Staff Members)

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or a controlled substance is prohibited in Haxtun School District RE-2J. This policy shall apply to all school district employees although at times district personnel may certify that a particular federal grant may apply only to specific work sites. The definition of a controlled substance shall be the same as that found in the policy regarding student alcohol use/drug abuse. For purposes of this policy, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined by law, or any prescription or non-prescription drug, medicine, vitamin or other chemical substance not taken in accordance with a doctor's guidance or other accepted practices.

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. Alternatively, the employee may be allowed to participate in an approved drug or alcohol abuse assistance or rehabilitation program in appropriate circumstances in accordance with Board policy.

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

1. On school grounds, whether or not school is in session. School grounds are defined as instructional classroom buildings, gymnasiums, storage buildings and all adjacent property such as parking lots, playgrounds and football fields.
2. At any school-sponsored or sanctioned activity or event off school property or enroute thereto
3. On the way to school
4. In a school vehicle.

An employee shall be suspended, with pay, 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 individual and the district. The matter must be reported in full to the Board of Education.

If the investigation causes the superintendent to continue the suspension in excess of 5 school days, the employee may request a hearing by the superintendent or his designee to be conducted in a manner to insure that the individual suspended receives a fair, impartial hearing.

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

Information about the standards of conduct required by this policy and a statement of disciplinary sanctions shall be communicated to employees in an appropriate manner on an annual basis. All employees who specifically work under a contract or grant that is federally funded shall acknowledge receipt of this policy and related information.

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.

The Board shall conduct a review as needed of its drug and alcohol abuse prevention program to determine its effectiveness, to implement required changes and to insure that disciplinary sanctions are consistently enforced.

Adopted: August 16, 1990
Reviewed: November 17, 2015

LEGAL REFS.: 20 U.S.C. 3224a, Drug Free Schools and Communities Act of 1986, as amended in 1989
41 U.S.C. §701 and 702
21 U.S.C. 812 (definition of controlled substance)

CROSS REFS.: 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