

PERSONNEL AND NEGOTIATIONS

STAFF CONDUCT

Drug and Alcohol Abuse

POLICY STATEMENT

The use and unlawful possession of illicit drugs and alcohol by employees of the District is wrong, harmful, and inconsistent with the District's primary mission of educating students. The Board of Education is committed to the prevention of alcohol and illicit drug use/abuse. Throughout this policy, the phrase "alcohol, illicit drugs, and other substances" shall include, but shall not be limited to, the following substances: alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes, and those substances commonly referred to as "designer drugs". To further this Policy, compliance with the following Standards of Conduct by employees of the District is mandatory.

STANDARDS OF CONDUCT

A. All Employees

While on school grounds or at school-sponsored events, no employee shall use, possess, sell, distribute, or be under the influence of alcohol, illicit drugs, or other substances. The use or possession of drug paraphernalia, and the unauthorized or inappropriate use, sale, or distribution of prescription and over-the-counter drugs on school grounds or at school-sponsored events by employees is also prohibited.

B. Federal Grant Employees

1. Employees directly engaged in the performance of work under the provisions of a federal grant ("Federal Grant Employees") shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances while on school grounds, at school-sponsored activities, and at any other time that the employee is acting within the scope of his or her employment duties. "Controlled substances" are defined in the federal Controlled Substances Act and include drugs which are illegal because they have no legitimate medical purpose and drugs that have legitimate medical uses but are highly addictive.

2. In addition, as a condition of continued employment, Federal Grant Employees must report any criminal conviction for a workplace drug violation to the Director of Personnel within five days of the conviction. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with responsibility to determine violations of state or federal criminal drug statutes.

CONSEQUENCES OF NONCOMPLIANCE

A. Discipline

Any employee found to have violated the Standards of Conduct shall be disciplined. The measure of discipline may include verbal or written counseling, reprimand, suspension, or termination of employment. The measure of discipline will be determined after an inquiry into the circumstances of each case. Among the circumstances considered will be the nature and quantity of the substance involved, the employee's prior performance record, the nature of the employee's conduct (including whether students or minors are included), the strength of the evidence, and the extent of public knowledge of the incident. Discipline will be consistent with applicable federal, state, and local laws, and with applicable collective bargaining agreements.

B. Referral to Law Enforcement Agencies

The District will report to appropriate law enforcement agencies incidents that appear to involve a violation of local, state, or federal law.

C. Counseling and Rehabilitation

Without regard to, and independent of, its decision to impose discipline, the District may require an employee who violates the Standards of Conduct to complete a substance abuse or rehabilitation program. Refusal to participate in, or failure to successfully complete a substance abuse assistance or rehabilitation program may itself be grounds for discipline.

COUNSELING, REHABILITATION, AND DRUG-FREE AWARENESS PROGRAMS

A. Goals

The District shall establish and maintain a drug-free awareness program, utilizing community resources and expertise where available. The goals of the program will be to inform employees about:

1. the dangers of drug abuse in the workplace;
2. the District's policy of maintaining a drug-free workplace;
3. any available drug counseling, rehabilitation, and employee assistance programs; and
4. the penalties that may be imposed upon employees for drug violations

B. Referral List

The Personnel Director shall prepare a list of drug counseling, rehabilitation, and employee assistance programs to District employees. The list shall include addresses, telephone numbers, and, where known, the names of appropriate contact persons.

C. Availability of the Counseling

Employees found to have violated the Standards of Conduct shall be provided with a list of available drug and alcohol rehabilitation counseling, and other support services, by the Personnel Office.

COMMUNICATION TO EMPLOYEES

A. The Personnel Office will distribute to each current employee a copy of the District's Policy Regarding Drug and Alcohol Abuse by Employees. Each new employee will be given a copy of the Policy on or before their first day of active employment, and shall acknowledge in writing their receipt of the policy.

B. Federal Grant Employees

Federal Grant Employees will acknowledge, in writing, receipt of the Policy and these regulations and attendance at the District's Drug-Free Awareness Program.

Update
Presentation: 1/6/99

First
Vote: 1/20/99

Second
Vote: 2/3/99