

DRUG-FREE ~~SCHOOLS, COMMUNITY AND~~ WORKPLACE

~~The board has an obligation to staff, students and citizens to take reasonable steps to assure safety in the workplace and to provide safety and high quality performance for the students that the staff serves.~~

~~“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.~~

~~For these purposes, the board declares that the following behaviors will not be tolerated:~~

In accordance with the Drug-Free Workplace Act of 1988, as amended, the district prohibits:

- ~~A. 1. The unlawful manufacture, distribution, dispensation, possession, or use, of alcohol, illegal drugs, controlled substances including marijuana (cannabis), or other intoxicants in the workplace;~~
- ~~B. 2. Reporting to work or the workplace under the influence of alcohol, illegal drugs and/or controlled chemical substances including marijuana (cannabis), or opiates other intoxicants; and.~~
- ~~C. Using, possessing, transmitting alcohol, illegal chemical substances (including anabolic steroids) or opiates in any amount or in any manner on district property at any time. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal chemical substances or opiates will be subject to disciplinary action, including immediate termination.~~
- ~~D. Using district property or the staff member's position within the district to make or traffic alcohol, illegal chemical substances or opiates.~~
- ~~E. Using, possessing or transmitting illegal chemical substances and opiates in a manner which is detrimental to the interest of the district.~~
- 3. Any other manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, controlled substances including marijuana (cannabis), or other intoxicants in a manner that is detrimental to the interests of the district.**

Notification Requirements

Any staff member who is taking **prescribed or over-the-counter medication will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of a medication could compromise the safety of the staff member, other staff members, students or the public, it is the staff member’s responsibility to use appropriate personnel procedures (e.g., use leave, request change of duty, or notify his/her supervisor of potential side effects) to avoid unsafe workplace practices. If a staff member notifies his/her supervisor that the use of medication could compromise the safe performance of his/her job, a drug or medication whether or not prescribed by the staff member's physician, which may adversely affect that staff member's ability to perform work in a safe or productive manner is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness.** ~~the supervisor in conjunction with the district office then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.~~

“Workplace” for purposes of this policy includes any district building or any district property; any district-owned vehicle, or any other district-approved vehicle used to transport students to or from school activities; and off-district property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the district which could also include work on a federal grant.

As a condition of employment, each employee shall notify his or her supervisor of a conviction under any criminal drug statute **for a** violation occurring in the workplace ~~as defined above~~. Such notification **shall will** be provided no later than **five (5)** days after such conviction. The district **shall will** inform the federal **granting agency government** within ten **(10)** days ~~of after~~ such conviction, ~~regardless of the source of the information~~. As a **further** condition of

employment, each employee shall abide by the terms of ~~the school district~~ **this** policy respecting a drug-free workplace.

~~Each employee shall be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member~~ **employee** who violates ~~any aspect the terms~~ of this policy may be ~~subject to disciplinary action, which may include immediate discharge~~ **suspended, discharged, or non-renewed in accordance with the provisions of board policy, state law, and/or applicable collective bargaining agreements. The district may also refer the matter for criminal prosecution. In cases where the district in its sole discretion determines that reinstatement of the employee is appropriate, it may require** as a condition of eligibility for reinstatement, ~~that an employee may be required to~~ satisfactorily complete a drug rehabilitation or treatment program approved by the ~~board, district,~~ **district**, at the employee's expense. Nothing in this policy shall be **construed, however** to guarantee reinstatement of any employee who violates this policy, nor does the ~~school~~ district ~~never~~ **accept** any financial obligation for treatment or rehabilitation ~~ordered~~ **required** as a condition of eligibility for reinstatement.

~~Compliance with the standards of conduct is mandatory.~~

~~Other actions such as notification of law enforcement agencies may be taken in regard to a staff member violating this policy at the district's discretion as it deems appropriate.~~

The superintendent or designee is directed to:

- 1. Provide a copy of the district's Drug-Free Workplace statement to new employees;**
- 2. Maintain a drug-free awareness program; and**
- 3. Comply with other specific requirements of the Drug-Free Workplace Act of 1988, as amended.**

The drug-free awareness program shall include: informing employees about the dangers of drug abuse in the workplace; the district's policy establishing a drug-free workplace; available drug counseling, rehabilitation, and employee assistance programs, if any; and the penalties that may be imposed for drug abuse violations.

Cross References:	Board Policy 4215 Board Policy 5203 Board Policy 5280	Use of Tobacco on School Property Staff Assistance Program Termination of Employment
Legal References:	41 USC §§ 701-707 <u>41 USC 8103</u> 20 USC §§ 7101-7118 21 U.S.C. 812 21 CFR 1300.11-1300.15 RCW 69.50.435	Drug Free Workplace Act of Subtitle D 1988 and as amended in 1989 <u>Drug Free Workplace Requirements for Federal Grant Recipients</u> Safe and Drug-Free Schools and Communities Act Controlled Substance Act Violations committed on school bus or in or near school grounds or school bus route stop
Management Resources:	Policy News, February 1999	Bus drivers still tested for marijuana

Adoption Date: 12.89
Stanwood-Camano School District
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