

## **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 who the staff serves.

For purposes of this policy, the “workplace” is defined to mean the site for the performance of work done, which includes work done in connection with a federal grant. The “workplace” includes any district building or any district property; any district-owned vehicle or any other district-approved vehicle used to transport students to and from school or 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.

### **Prohibited Behavior**

To help maintain a drug-free school, community, and workplace, the following behaviors will not be tolerated:

- A. Reporting to work or the workplace under the influence of alcohol, illegal and/or controlled substances including marijuana (cannabis) and anabolic steroids.
- B. Using, possessing, transmitting alcohol, illegal and/or controlled substances including marijuana (cannabis) and anabolic steroids, in any amount, in any manner, and at any time in the workplace.
- C. Any staff member convicted of a crime attributable to the use, possession, or sale of illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, will be subject to disciplinary action, including termination.
- D. Using district property or the staff member's position within the district to make or traffic alcohol, illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids.
- E. Using, possessing or transmitting illegal and/or controlled substances including marijuana (cannabis) and anabolic steroids.

### **Notification Requirements**

Any staff member who is taking prescribed or over-the-counter medications 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, the supervisor, in conjunction with the district

Human Resources department, then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee will notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace. Such notification will be provided no later than 5 days after such conviction. The district will inform the federal granting agency within ten days of such conviction, regardless of the source of the information.

### **Disciplinary Action**

Each employee will be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy will be subject to disciplinary action, which may include termination. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the district, at the employee's expense. Nothing in this policy will be construed to guarantee reinstatement of any employee who violates this policy, nor does the district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

The district may notify law enforcement agencies regarding a staff member's violation of this policy at the district's discretion or take other actions as it deems appropriate.

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| Cross References: | Policy 3423 | Parental Administration of Marijuana for Medical Purposes |
|                   | Policy 4215 | Use of Tobacco and Nicotine Substances on School Property |
|                   | Policy 5280 | Separation from Employment                                |

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|-------------------|----------------------|--|
| Legal References: | RCW 69.50.435        | Violations committed in or on certain public places or facilities -- Additional penalty -- Defenses -- Construction -- Definitions |
|                   | 20 USC §§ 7101-71187 | Safe and Drug Free Schools and Communities Act (as amended by Title IV – 21st Century Schools)                                     |
|                   | 21 USC 812           | Controlled Substance Act   |
|                   | 41 USC §§ 8103       | Drug Free Workplace Requirements for Federal Grant Recipients  |

### Management Resources:

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| <i>Policy &amp; Legal News</i> , July 2019     | Policy Updates                             |
| <i>Policy &amp; Legal News</i> , December 2015 | Policy Revisions                           |
| <i>Policy &amp; Legal News</i> , February 2013 | Changes in WSSDA's <u>Policy Reference</u> |
| <i>Policy News</i> , December 2011             | Bus drivers still tested for marijuana     |
| <i>Policy News</i> , February 1999             |  |

Revised: February 27, 2020  
Revised: February 23, 2017  
Revised: September 25, 2014  
Revised: December 10, 2009  
5000 Series Adopted June 10, 1999  
North Kitsap School District