

## 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~~ **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"** ~~That includes any~~ **district** school building or any **district property** school premises; any school **district**-owned vehicle or any other school **district**-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 which could also include work on a federal grant.

### **Prohibited Behavior**

**To help maintain a drug-free school, community, and workplace,** ~~For these purposes, the Board declares that~~ the following behaviors will not be tolerated:

The consumption and use of alcohol and illegal chemical substances or opiates has been a long-term, serious problem for students. Staff are expected to be role models for students and to be free of alcohol and illegal chemical substances or opiates at the workplace.

- A. Reporting to work under the influence ~~to any degree or noticeably having consumed 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, or in any manner, on district property at any time or when involved in a school district activity on or off school district property. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal and/or controlled substances including marijuana (cannabis) will be subject to disciplinary action, including immediate termination~~ **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.**
- D. Using, possessing or transmitting illegal and/or controlled substances including marijuana (cannabis) **and anabolic steroids.**

Any staff member who is taking a drug or medication, whether or not prescribed **or over-the-counter medications will be responsible for consulting the prescribing** by the staff member's physician **to ascertain whether the medication may interfere with the safe performance of his/her job.** ~~, 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.~~ **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 [insert district department/office (e.g. human resources)], then will determine whether the staff member can remain at work and whether any work restrictions will be necessary. 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.~~

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 ~~as defined above~~. 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~~ **will** may be subject to disciplinary action, which may include **termination** ~~immediate discharge~~. 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 Board**, 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 ~~school~~ 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.

Cross References:	Policy 4215	Use of Tobacco and Nicotine Substances on School Property
	Policy 5280	<del>Termination of</del> <b>Separation from</b> Employment
Legal References:	RCW 69.50.435	Violations committed in or on certain public places or facilities -- Additional penalty -- Defenses -- Construction -- Definitions
	20 USC §§ 7101-7118 <u>7</u>	Safe and Drug Free Schools and Communities Act ( <b>as amended by</b> <b>Title IV – 21st Century Schools</b> )
	21 USC 812	Controlled Substance Act
	41 USC §§ 8103	Drug Free Workplace Requirements for Federal Grant Recipients

Management Resources:

**Policy & Legal News, December 2015**

*Policy & Legal News*, February 2013

*Policy News*, December 2011

*Policy News*, February 1999

**Policy Updates**

Policy Revisions

Changes in WSSDA's *Policy*

Reference Manual

Bus drivers still tested for marijuana

**Revised: February 23, 2017**

Revised: September 25, 2014

Revised: December 10, 2009

5000 Series Adopted June 10, 1999

North Kitsap School District