

Drug and Alcohol Free Workplace

Drug Free Workplace

The unlawful manufacture, dispensing, distribution, possession or use of controlled substances the possession of which is unlawful under federal or state law by employees while engaged in work for the District, regardless of location, is prohibited. Any employee of the District who is convicted of delivery or possession of a controlled substance with the intent to deliver, as prohibited by federal or state law will be subject to disciplinary action, to include suspension without pay and/or termination.

In addition, any activity involving controlled substances by employees of the District may result in personnel action or discipline. Such action or discipline may include but not be limited to a reprimand, suspension with or without pay, and/or termination.

Any employee who violates this Policy, in addition to the disciplinary action indicated, may be required to participate in an approved drug abuse assistance or rehabilitation program, which shall be approved for such purposes by a federal, state or local law enforcement agency.

This Policy applies to all employees of the District, regardless of the location of employment.

For the purpose of this Policy, “controlled substances” shall be defined as in the accompanying Regulation.

Alcohol: Possession and Use

No District employee shall possess, consume or dispense alcoholic beverages or be under the influence of alcohol within any of the buildings owned by the District, on school grounds, in school vehicles and/or while participating in or supervising school-sponsored activities on or off school premises. The foregoing is a total ban of all alcoholic beverages in any District building, on District property, in a District vehicle or during a District-sponsored activity. Violation of this Policy by District employees will result in penalties as provided in Regulation 4300.

Reasonable Suspicion/Testing

The Board reserves the right to require as a condition of continued employment that an employee be physically examined and/or clinically tested for the presence of controlled substances when there is reasonable suspicion of abuse of controlled substances by an employee, or when there is reasonable suspicion that an employee is under the influence of a controlled substance or alcohol when on District property or vehicles or when engaged in its programs or activities.

Reasonable suspicion is determined on a case-by-case basis. The following constitute factors that may justify reasonable suspicion:

1. The employee's supervisor or other District administrator personally observes abnormal employee behavior, and/or the physical appearance (eyes, pupils, nostrils, etc.), speech, breath odor, clothing odor of an employee is suggestive of abuse or possession of controlled substances.
2. Controlled substances are found in close proximity to the employee's workspace or another location where the employee was observed to have been present.
3. Other compelling evidence of abuse or possession of controlled substances.

Refusal to submit to a test for controlled substances as set forth above constitutes insubordination and may lead to disciplinary consequences up to and including termination.

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