

*Drug and Alcohol Free Workplace*

Definitions

A “controlled substance” is any drug so designated by law whose availability is restricted. The Commonwealth of Pennsylvania designates five series of drugs as restricted in the Controlled Substance, Drug, Device and Cosmetic Act (hereinafter CSA). 35 P.S. §780-101 et. seq. For the purpose of this Regulation, any drug specifically scheduled in the CSA is considered a controlled substance. A list of these prohibited substances is available on the [Pennsylvania Code website](#).

In the future, should the legislature modify or amend the schedule of restricted drugs, and that change is not reflected in the linked page of the Pennsylvania Code website, the most recent schedule delineated in the CSA will control regardless of whether or not it matches identically to the linked page.

“Controlled substances” do not include lawfully prescribed drugs required by whichever medical professional prescribed the drugs to be ingested at work.

“Under the influence” means noticeable impairment of ability to ambulate, converse, comprehend or perform motoric tasks as a result of consumption of alcohol.

Standard for Requiring Testing Based on Reasonable Suspicion of Policy Violation

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.

Disciplinary Consequences

Employees found in violation of Policy 4300 may be subject to penalties as permitted under applicable Pennsylvania law. Employees who violate Policy 4300 are also subject to discipline in accordance with District procedures, up to and including termination.

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Tredyffrin/Easttown School District