

Employee or Public Use of Drugs or Alcohol**Policy**

An employee or visitor is in violation of District policy if he/she is involved with drug paraphernalia, controlled substances, or drugs, on District premises or at District sponsored activity, regardless of location, including, on his/her person; in his/her vehicle; or among the employee's or visitor's other property, in any of the following ways:

1. unlawfully manufacturing;
2. attempting to secure or purchase;
3. using or being under the influence;
4. possessing;
5. intending or attempting to sell or distribute;
6. selling or giving away; or
7. being knowingly present when any of the above are used, possessed, or consumed.

Any District employee charged with a criminal drug statute must notify the District within five (5) days.

Discipline for violation of this policy:

1. for an employee, may involve actions up to and including dismissal.
2. for a visitor, may involve actions up to and including future prohibition from entering District premises or attending District sponsored activity, regardless of location.

The Superintendent or designee shall report violations to the appropriate law enforcement agency when the circumstances warrant such action.

A report of a criminal drug statute conviction for a violation occurring in the workplace shall be made to the federal agency with whom a contract has been entered into. The District shall make the report within ten (10) days of receiving notice of the conviction pursuant to the Drug Free Workplace mandates.

Drug-Free Awareness Program

Pursuant to the Drug-Free Workplace Act, the District will establish a drug-free awareness program to inform employees of: 1) the dangers of drug abuse in the workplace; 2) the District's policy of maintaining a drug-free workplace; 3) any available drug counseling, rehabilitation, and employee assistance programs; and 4) the penalties that may be imposed upon employees for drug use violations. As appropriate, drug-free awareness information will be disseminated to employees via in-service programs and/or published in the employee handbook.

Upon adoption of this policy or initial employment with the District, all employees will receive a copy of this policy.

DEFINITIONS

Drug paraphernalia: means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or drug as defined in this policy.

Controlled substances: defined in 21 USC Section 812 and include, but are not limited to opiates, opium derivatives, hallucinogenic substances, including cocaine, and cannabis and synthetic equivalents of the substances contained in the plant, any material, compound, mixture or preparation with substances having a depressant effect on the central nervous system, and stimulants.

Drugs: shall include any alcohol or malt beverage, any inhalant, any controlled substance, any illegal substance, any abused substance, any look-alike or counterfeit drug, any medication not approved and registered by the school authorities and/or any substance whose use is intended to alter mood, and/or any substance which is represented and sold or distributed as a restricted or illegal drug, even if the substance is not what it is represented to be.

On any District premises or at any District sponsored activity, regardless of location: shall include, but not be limited to buildings, facilities, and grounds, District campus, school busses, District parking areas; and the location of any District sponsored activity. This includes instances in which the conduct occurs off the District premises but impacts a District related activity.

Adopted: <u>6/01/98</u>	Reviewed: <u>8/11/03</u>	Revised: <u>8/20/00</u>
	6/13/05	7/09/01 (3/12/01)
	2/16/09	8/11/03
		7/01/05 (6/13/05)

Cross-Reference: Drug, Alcohol, and Tobacco Use #3233, #3233BP

Legal Reference: IC 37-2739 B(b)(2)
US Code: Title 41, Section 702
41 USC Section 702, *et seq.*-Drug-Free workplace Act