

## **GBEC— Employee or Public Use of Drugs or Alcohol**

### **Drug Use**

An employee or visitor is in violation of Board policy if he/she is involved with drug paraphernalia, controlled substances, or drugs, on School premises or at a School 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 School employee charged with a criminal drug statute must notify the Administrator within five (5) days.

A report of a criminal drug statute conviction for a violation occurring on any School premises or at any School sponsored activity, regardless of location shall be made to the appropriate government agencies within ten (10) day of receiving notice of the conviction pursuant to the Drug Free Workplace mandates.

### **Alcohol Use**

No employee or visitor shall unlawfully manufacture, distribute, dispense, use or be under the influence of any alcohol on School premises or at any School sponsored activity regardless of location.

### **Prescription Medications Use**

The Board encourages employees, who are under the treatment of a physician and who must bring prescription medications to the workplace that may adversely affect their ability to perform their work in a safe manner to report such use to their immediate supervisor or school nurse. All medications must be in the original container and bear the names of the medication, the physician and the employee.

Discipline for violation of this policy:

1. for an employee, may involve actions up to and including dismissal. The employee may also be required, at their own expense, to successfully complete an appropriate drug or alcohol abuse rehabilitation program; and/or submit to a drug and/or alcohol test prior to returning to duty.
2. for a visitor, may involve actions up to and including future prohibition from entering School premises or attending School sponsored activity, regardless of location.

The Administrator 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 School shall make the report within ten (10) days of receiving notice of the conviction pursuant to the Drug Free Workplace mandates.

### **Reasonable Suspicion**

The Administration may request an employee to undergo alcohol or drug testing by a qualified medical provider who has been approved by the Administration to provide drug and alcohol testing and/or by an SRO at School expense and on contract time if there is reasonable suspicion that the employee is under the influence of alcohol or illegal drugs arising during, just preceding or just after the employee's duty time. There shall be no random testing except for employees who hold a commercial driver's license. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:

- abnormal or erratic behavior;
- information provided by a reliable and credible source with personal knowledge;
- direct observation of alcohol or drug use or consumption of products that have similar effects as alcohol or drugs;
- presence of the physical symptoms of consumption or use, i.e., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination, and/or reflexes, abrupt swings in mood or energy level, or excessive irritability and emotional outbursts;
- possession of alcohol or illegal drugs in the work place; or
- involvement in a work-related accident or incident, excessive absenteeism, severe and prolonged reduction in productivity or performance

An employee refusing to submit to an alcohol or drug test will be subject to the consequences of a positive test. A refusal is defined as a verbal refusal, abusive language to the supervisor or personnel performing the test, or tampering with any sample, container, equipment or documentation of the sampling process. No employee shall report for duty or remain on duty after testing positive for alcohol or

drugs, until cleared to return by the Administration.

A positive test will subject the employee to the disciplinary action up to and including dismissal.

When the School Administration has reasonable grounds to suspect that an employee has violated the Board Drug and Alcohol policy, the Administration reserves the right to inspect the employee's desk, cabinet, or other School property under the control of the employee.

### **Drug-Free Awareness Program**

Pursuant to the Drug-Free Workplace Act, the School will establish a drug-free awareness program to inform employees of: 1) the dangers of drug abuse in the workplace; 2) the Board 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.

### **DEFINITIONS**

Drug paraphernalia: 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.

Conviction: a finding of guilt including a plea of nolo contendere, or imposition of a sentence or both by a judicial body charged with responsibility to determine violations of state or federal criminal drug statutes.

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

See also Policy ADB