

Code No. 403.5 SUBSTANCE-FREE WORKPLACE

The board expects the school district and its employees to remain substance free. No employees shall unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law. "Workplace" includes school district facilities, school district premises or school district vehicles. "Workplace" also includes nonschool property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee shall notify the employee's supervisor of the conviction within five days of the conviction.

The superintendent will make the determination

It is the responsibility of the superintendent to develop administrative regulations to implement this policy.

Legal Reference: 41 U.S.C. §§ 701-707
(2010).
42 U.S.C. §§ 12101 et seq.
(2010).
34 C.F.R. Pt. 85 (2004).
Iowa Code §§ 124; 279.8
(2011).

Cross Reference: 404 Employee Conduct and Appearance

Approved: 12-12-19

Reviewed: 12-09-19 Revised:

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whether to require the employee to undergo

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substance abuse treatment or to discipline the

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employee. An employee who violates the terms of

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this policy may be subject to discipline up to and
including termination. An employee who violates
this policy may be required to successfully

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participate in a substance abuse treatment program
approved by the board. If the employee fails to

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successfully participate in a program, the
employee may be subject to discipline up to and

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including termination.

The superintendent is responsible for publication and dissemination of this policy to each employee. In addition, the superintendent shall oversee the establishment of a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment programs.

SUBSTANCE-FREE WORKPLACE NOTICE TO EMPLOYEES

EMPLOYEES ARE HEREBY NOTIFIED it is a violation of the Substance-Free Workplace policy for an employee to unlawfully manufacture, distribute, dispense, possess, use, or be under the

influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcohol, as defined in Schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15 and Iowa Code Chapter 204.

"Workplace" is defined as the site for the performance of work done in the capacity as an employee. This includes school district facilities, other school premises or school district vehicles. Workplace also includes nonschool property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

Employees who violate the terms of the Substance-Free Workplace policy may be required to successfully participate in a substance abuse treatment program approved by the board. The superintendent retains the discretion to discipline an employee for violation of the Substance-Free Workplace policy. If the employee fails to successfully participate in such a program the employee shall be subject to discipline up to and including termination.

EMPLOYEES ARE FURTHER NOTIFIED it is a condition of their continued employment that they comply with the above policy of the school district and will notify their supervisor of their conviction of any criminal drug statute for a violation committed in the workplace, no later than five days after the conviction.

SUBSTANCE-FREE WORKPLACE ACKNOWLEDGMENT FORM

I, _____,
have read and understand the Substance-Free

Workplace policy. I understand that if I violate the Substance-Free Workplace policy, I may be subject to discipline up to and including termination [or I may be required to participate in a substance abuse treatment program]. If I fail to successfully participate in a substance abuse treatment program, I understand I may be subject to discipline up to and including termination. I understand that if I am required to participate in a substance abuse treatment program and I refuse to participate, I may be subject to discipline up to and including termination. I also understand that if I am convicted of a criminal drug offense committed in the workplace, I must report that conviction to my supervisor within five days of the conviction.

_____ (Signature of Employee) _____
(Date) _____

Code No. 405.6R1 SUBSTANCE-FREE WORKPLACE _____
REGULATION

A superintendent who suspects an employee has a substance abuse problem shall follow these procedures:

1. Identification - the superintendent shall document the evidence the superintendent has which leads the superintendent to conclude the employee has violated the Substance-Free Workplace policy. After the superintendent has determined there has been a violation of the Substance-Free Workplace policy, the superintendent shall discuss the problem with the employee.
2. Discipline - if, after the discussion with the employee, the superintendent determines there has been a violation of the Substance-Free Workplace

policy, the superintendent may recommend discipline up to and including termination [or may recommend the employee seek substance abuse treatment]. Participation in a substance abuse treatment program is voluntary.

3. Failure to participate in referral - if the employee refuses to participate in a substance abuse treatment program or if the employee does not successfully complete a substance abuse treatment program, the employee may be subject to discipline up to and including termination.

4. Conviction - if an employee is convicted of a criminal drug offense committed in the workplace, the employee must notify the employer of the conviction within five days of the conviction.