

## **Drug-Free Schools, Community and Workplace**

“Workplace” is defined to mean the site for the performance of work done, which includes work done in connection with a federal grant. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district which could also include work on a federal grant.

For these purposes, the board declares that the following behaviors will not be tolerated:

- A. Reporting to work under the influence of alcohol, illegal and/or controlled substances including marijuana (cannabis).
- B. Using, possessing, transmitting alcohol, illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, in any amount or in any manner on district property at any time or when involved in a school district activity on or off school district property. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal and/or controlled substances including marijuana (cannabis) will be subject to disciplinary action, including immediate termination.
- C. Using district property or the staff member's position within the district to make or traffic alcohol, illegal and/or controlled chemical substances, or opiates.
- D. Using, possessing or transmitting illegal and/or controlled chemical substances, including marijuana (cannabis).

### **Employee Disclosure of Prescription and Non-Prescription Drug Use**

Any staff member who is taking a drug or medication, whether or not prescribed by the staff member's physician, which may adversely affect that staff member's ability to perform work in a safe or productive manner, is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness. The supervisor, in conjunction with the human resources department, then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

### **Employee Disclosure of Criminal Drug Statute Violations**

As a condition of employment, each employee will notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace as defined above. Such notification will be provided no later than 5 days after such conviction. When the district receives notification that an employee has been convicted under this statute it will inform the federal government within ten days of such notification.

### **Notification to Employees of Drug and Alcohol Policy**

Each employee will be notified of the district's policy and procedures regarding employee drug or alcohol activity at work.

### **Drug and Alcohol Testing**

Any staff member may be subject to reasonable suspicion testing for the presence of drugs or alcohol as outlined in this Policy.

## Refusal to Test

Any employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, substitution, or any other method shall be considered as a positive test.

The district may notify law enforcement agencies regarding a staff member's violation of this policy at the district's discretion or take other actions as it the district deems appropriate.

## Penalties for Violations of This Policy

Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the board, at the employee's expense. Nothing in this policy will be construed to guarantee reinstatement of any employee who violates this policy, nor does the school district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement. This Policy will not apply in the circumstance that an administrator has drugs or alcohol in his or her possession as a result of an investigation into student or employee conduct.

## Procedure to Support this Policy

The Superintendent will develop procedures for responding to incidents in violation of this policy. This procedure will include but not be limited to rules for determining "reasonable suspicion" under this policy and a standard for what constitutes "under the influence" under this policy. The definition of "under the influence" will be based upon applicable state and/or federal standards, to the degree that such standards exist.

## Application to Employee Groups

Upon passage of this Policy by the Board of Directors it shall apply immediately to Classified, Technical, Supervisory and Administrative (CTSA) employees as well as Cabinet. It is the intent of the District to apply this Policy to all bargaining units once agreement is documented in a memorandum of understanding or collective bargaining agreement.

Cross References:	Board Policy 4215	Use of Tobacco and Nicotine Substances on School Property
	Board Policy 5203	Staff Assistance Program
	Board Policy 5280	Termination of Employment
Legal References:	RCW 69.50.435	Violations committed in or on certain public places or facilities — Additional penalty — Defenses — Construction — Definitions
	20 U.S.C §§ 7101-7118	Safe and Drug-Free Schools and Communities Act
	21 U.S.C. § 812	Controlled Substance Act
	41 U.S.C. § 8103	Drug Free Workplace Requirements for Federal Grant Recipients

Management Resources:

Policy & Legal News, February 2013	Policy Revisions
<i>Policy News</i> , December 2011	Changes in WSSDA's <i>Policy Reference Manual</i>
<i>Policy News</i> , February 1999	Bus drivers still tested for marijuana

**Adoption Date: 11.20.12  
Bellevue School District  
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