

Drug-Free Schools, Community and Workplace

Purpose

This policy supports the Drug Free Workplace Act, the Controlled Substance Act and the Safe and Drug-Free Schools and Community Act, and the district's obligation to staff, students and patrons to take reasonable steps to assure safety in the workplace and to provide safety and high quality performance for the students that staff serves.

Scope

This policy applies to all Valley School District employees.

Policy

1. The Valley School District recognizes its responsibility to maintain a drug-free workplace. "Workplace" is defined to mean the site for the performance of work done, which includes work done in connection with a federal grant. Workplace includes:
 - (a) Any school building or any school premises.
 - (b) Any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities.
 - (c) Work performed 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.
2. In recognition of the district's responsibility to be in compliance with state and federal laws, as a condition of employment no employee engaged in work shall:
 - 2.1. Report to work under the influence of alcohol, illegal and/or controlled substances including marijuana (cannabis) and anabolic steroids.
 - 2.2. Use, possess, solicit or transmit 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.
 - 2.3. Use district property or the staff member's position within the district to solicit, make or traffic alcohol, illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids.
 - 2.4. Use, possess, solicit or transmit illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, in a manner which is detrimental to the interest of the district.
3. 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/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 Superintendent or designee, then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

4. Each employee will be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge.
 - 4.1. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the Superintendent or designee, at the employee's expense.
 - 4.2. Nothing in this policy shall be construed to guarantee reinstatement of any employee who violates this policy, nor does the Valley School District incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.
5. As a condition of employment, each employee will notify his/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 five (5) days after such conviction. The district will inform the federal contracting or granting agency within ten (10) days of such conviction, regardless of the source of the information.
 - 5.1. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, will be subject to disciplinary action, including immediate termination.
6. 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 the district deems appropriate.

Related Procedures

N/A

Policy Cross References

4215-Use of Tobacco, Nicotine Products and Delivery Devices

4311-District Relationships With Law Enforcement and Other Governmental Agencies

5280-Termination of Employment

6632-Transportation-Mandated Drug and Alcohol Testing

Policy Legal References

RCW 69.50.435 – Violations committed in or on certain public places or facilities —Additional penalty — Defenses — Construction — Definitions

41 U.S.C. 8104 – Drug Free Workplace Requirements for Federal Grant Recipients

21 U.S.C. 812 – Controlled Substance Act

20 U.S.C 7101-7118 – Safe and Drug-Free Schools and Communities Act

Management Resources

Policy & Legal News, February 2013

Policy News, December 2011

Policy News, February 1999 – Bus Drivers still tested for marijuana

Policy History

Action:	Date:
Approved by the Board	Unknown
Revised	February 16, 2000
Revised	March 18, 2015
Revised	

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