

4118.222
4218.222

Personnel – Certified/Non-Certified

Drug Free Workplace

No employee engaged in work in connection with a federal grant shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, 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 CFR 1300.11 01.

The "workplace" is defined to mean the site for the performance of 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 where work on a federal grant is performed.

As a condition of employment in any federal grant, each employee who is engaged in performance of a federal grant, shall notify his or her supervisor of his or her conviction occurring in the workplace as defined above, no later than 5 days after such conviction.

As a condition of employment in any federal grant, each employee who is engaged in performance of a federal grant, shall abide by the terms of the school district policy respecting a drug-free workplace.

An employee who violates the terms of this policy may be non-renewed or his or her employment may be suspended or terminated, at the discretion of the Board.

Legal Reference: Drug-Free Workplace Act, 41 U.S.C. 701 et seq. (1990)

54 Fed. Reg. 4946 (1989)

Policy adopted: July 16, 1990

Policy reviewed: October 19, 2009

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The Weston Board of Education working with the Superintendent will provide a drug-free workplace in accordance with the Drug-Free Workplace Act of 1989 and its implementing regulations. The Board of Education certifies that it will:

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the district's workplace and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the district's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation, and employee assistance programs; and the penalty that may be imposed on employees for drug abuse violations occurring in the workplace.
3. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement concerning a drug-free workplace.
4. Notify the employee in the required statement that as a condition of employment under the grant, the employee will abide by the terms of the statement, and will notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
5. Notify the federal agency within ten days after receiving notice from an employee or otherwise receiving notice of such conviction.
6. Take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted: take appropriate personnel action against such an employee, up to and including termination; or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health law enforcement, or other appropriate agency.
7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

4118.222(b)
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Legal Reference: Drug-Free Workplace Act, 41 U.S.C. 701 et seq. (1990)

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