

P3704 DRUG FREE WORKPLACE

BOARD POLICY:

Maintaining a drug free work place is important in establishing an appropriate learning environment for the students of the district. Unless otherwise specified in this policy or associated administrative implemental procedures, the unlawful manufacture, distribution, sale, dispensation, possession, or use of a controlled substance is prohibited at school, on or in school district property; and at school sponsored activities, programs, and events. Possession and/or use of a controlled substance by an employee for the purposes of this policy shall only be permitted if such substance was obtained directly, or pursuant to a valid prescription or order issued thereto, from a person licensed by the state to dispense, prescribe, or administer controlled substances and any use is in accordance with label directions.

As a condition of employment in the district, employees shall abide by the terms of this policy.

Employees shall not unlawfully manufacture, distribute, dispense, possess, and/or use controlled substances in the workplace.

Any employee who is convicted under a criminal drug statute for a violation occurring at the workplace must notify the employee's immediate supervisor of the conviction within five days after the conviction. Such supervisor shall then inform the superintendent, who shall then ensure that notice of such conviction is given to any granting agency within 10 days of receiving notice thereof.

Within 30 days after the notice of conviction is received, the district will take appropriate action with the employee. Such action may include suspension, placement on probationary status, or other disciplinary action including termination. Alternatively, or in addition to any action short of termination, the employee may be required to participate satisfactorily in an approved drug abuse assistance or rehabilitation program as a condition of continued employment. Such program may include follow up drug testing. USD 259 provides an employee assistance program and medical benefits under the health plan for substance abuse treatment.

Each employee in the district shall be given a copy of this policy. This policy is intended to implement the requirements of the federal regulations promulgated under the Drug Free Workplace Act of 1988. It is not intended to supplant or otherwise diminish disciplinary actions which may be taken under board policies or negotiated agreements.

Administrative Implemental Procedures:

- 1. For the purpose of this policy "drugs" means controlled substances as defined in the Controlled Substance Act at K.S.A. 65-4101 et. seq., and the federal counterpart.**
- 2. Employees in "Safety Sensitive Positions" are positions considered safety sensitive due to one or more of the following considerations: (a) operation of Board vehicles, equipment, or machinery; and (b) performance of work under potentially hazardous conditions, including but not limited to, work performed above ground level and work with chemicals or other potentially hazardous materials.**
- 3. No employee shall report for duty or remain on duty requiring the performance of safety sensitive functions while under the influence of or impaired by alcohol or controlled substances even if prescribed.**

4. Employees who are in a safety sensitive position shall notify Employee Benefits when they are under medically prescribed treatment with a controlled substance. Employee Benefits may send the employee for an independent medical evaluation to determine whether the employee is able to safely perform the essential functions of the job while under such treatment.

Administrative Responsibility: Human Resources – Employee Benefits & Insurance
Management

Latest Revision Date: May 2019

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