

Clackamas Education Service District

Code: **GBEC**
Adopted: 12/19/95
Readopted: 05/20/09
Orig. Code(s): 2020

Drug-Free Workplace

CESD acknowledges the important role that educational institutions play in helping to create a healthy, safe environment. CESD accepts the commitment to combat drug and alcohol abuse in the workplace and in the community and expresses strong support for programs that help individuals overcome drug abuse. It is the policy of CESD to prohibit the use or presence of illegal drugs, controlled substances (except as prescribed by a physician and used as directed), or alcohol in the workplace. This includes being under the influence of illegal drugs, controlled substances (except as prescribed by a physician and used as directed), or alcohol while at work. The Board strongly supports the education of staff members about the dangers of drug and alcohol abuse and about opportunities for rehabilitation and assistance with substance abuse problems. The Board directs the superintendent to establish a set of definitions and administrative rules to implement this policy.

CESD will maintain a program which shall encompass the education, identification, referral, guidance, and follow-up of employees afflicted by alcoholism and/or drug abuse. CESD will discuss informally performance problems with employees and encourage them to seek help from the Employee Assistance Program if personal problems are adversely affecting their work. CESD will train supervisors in identifying and understanding problems of substance abuse and will encourage employees to refer themselves for counseling to the Employee Assistance Program. CESD is committed to helping employees work through their troubles, and an employee's voluntary participation in the Employee Assistance Program will be considered favorably should any disciplinary action be instituted against him or her in connection with a substance abuse problem.

¹Each employee shall notify his/her supervisor of his/her conviction of any criminal drug statute no later than five days after such conviction.

¹Each employee shall abide by the terms of this CESD policy establishing a drug-free workplace.

¹An employee who violates the terms of this policy shall be subject to discipline up to and including dismissal. CESD may require that the employee satisfactorily participate in a drug abuse assistance or rehabilitation program approved by the Board. If the employee fails to satisfactorily participate in such program, employment may be suspended, his/her contract nonrenewed or nonextended, or he/she may be dismissed, at the discretion of the Board.

No CESD employee shall knowingly sell, market, or distribute steroid or performance enhancing substances to students with whom the employee has contact as part of employee's CESD duties; or knowingly endorse or suggest the use of such drugs.

¹Districts directly receiving grants or contracts of \$100,000 or more from the federal government are required to meet this obligation.

Definitions

“Drugs” shall include 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. §§ 1308.11 through 1308.15 (except as prescribed by a physician and used as directed).

“Alcohol” shall include any form of alcohol for consumption, including beer, wine, wine coolers, or distilled liquor.

“Workplace” shall mean the site for performance of work done as an employee of CESD. This includes any building used by CESD, any CESD-owned vehicle or any other CESD-approved vehicle (including the employee’s own vehicle) when used to transport students to and from school or officially sponsored school activities, or to transport fellow workers to and from different work sites following initial arrival at work. It shall also include any nonresidential, off-school property during any officially sponsored CESD activity, event, or function involving students under the jurisdiction of CESD.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)

[ORS 342.721](#)

[ORS 342.723](#)

[ORS 342.726](#)

[ORS 243.650](#)

[ORS Chapter 475](#)

[ORS 657.176](#)

[ORS 809.260](#)

[OAR 581-022-0416](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707 (2006); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 85.600 - 85.645 (2006).

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).