

### Staff Drug and Alcohol Abuse

- I. The District believes educational institutions and Dallas School District have a major role in helping to create a healthy, safe environment free from the use or possession of drugs or alcohol. The Dallas Education Association and the Oregon School Employees' Association are encouraged to support joint efforts to combat drug or alcohol use in the workplace and in the community and to support programs that help individuals overcome substance abuse.
- A. No District employee shall manufacture, distribute, dispense, store, possess, or use alcohol, illegal drugs, controlled substances (except as prescribed by a physician), regardless of quantity, in the workplace. Employees shall not report to work impaired by alcohol or other drugs.
- B. Definitions:
- Alcohol: Any form of alcohol for consumption, including beer, wine, wine coolers, or distilled liquor.
- Drugs: Any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or other illegal drug, solvent, and dangerous substance, or controlled substance.
- Workplace: The site for performance of work under the direction of the School District done by an employee of the District. This includes all building premises used by the District during regular work hours, any District owned vehicle, or any other District approved vehicle (including the employees own vehicle) used to transport students or fellow employees from school to school activities, or to transport fellow workers to and from different work sites following initial arrival at work; and off-school property during any District sponsored or District approved activity, event, or function involving students under the jurisdiction of the District.
- C. To discourage the use of alcohol and the misuse of drugs and controlled substances, all staff members will receive annual instruction on:
1. the effects of alcohol or controlled substances;
  2. District policies and local, state, and federal laws relating to such use or misuse;
  3. the availability of school, community, and state resources to prevent use or misuse of alcohol or controlled substances; and
  4. penalties that may be imposed for violation of the Policy or procedures.

The Drug and Alcohol Policy and procedure will be available in all Policy Books throughout the District.

D. As a condition of employment, an employee shall abide by the provisions of the District Drug and Alcohol Policy and procedures. Any employee who pleads guilty or no contest to, who is convicted of any violation of any federal or state criminal drug statute shall notify the employer of such action no later than five (5) days after such conviction. The District shall notify the federal granting agency within ten (10) days after receiving notice of an employee's conviction of any criminal drug statute violation occurring.

II. The following paragraphs describe District actions where there is just cause, to believe an employee reported to work under the influence of alcohol, drugs, or any controlled substance, or ingested such chemicals in the workplace.

A. Such employee shall not be allowed to work until his/her level of impairment can be assessed. If possible, a supervisor should first seek the opinion of another supervisor to assess any such employee's condition. One of the supervisors shall then consult privately with the employee about his or her perceived condition to determine if there may be a cause other than alcohol or any controlled substance.

B. If the supervisor believes the employee is impaired and abuse has occurred, then the District, as part of its investigation, shall provide three options to such an employee:

1. to be referred to a counseling service center selected by the employee from a District approved list for assessment; or
2. to be referred to a physician selected by the employee from a District approved list for a medical exam to determine if the employee is fit for duty; or
3. face appropriate discipline including oral or written discipline, suspension, non-renewal, or termination of employment. Any such discipline will be consistent with the provisions of the Collective Bargaining Agreement.

If the employee does not choose option 1. or 2. as referenced above, such choice shall not be used against the employee in any discipline or disciplinary hearing.

C. An employee may elect an assessment at a counseling service center selected by the employee from a District approved list. Such assessment shall be paid by the District. The counselor will determine the scope and content of the assessment to be conducted. The District will pay the costs of such assessment; the District will also provide paid release time for the assessment.

D. If the employee elects a physical examination, the physician will determine the scope and content of the examination to be conducted. The District will pay the costs of such examination; the District will also provide paid release time for the examination if the employee is found to be fit for duty. If not found fit, the employee may take sick leave or other appropriate leave for the examination.

The doctor shall concurrently communicate the examination results to the employee and the Superintendent, and shall submit a written opinion with respect to whether or not the employee is fit to perform his or her duties for the District, or needs treatment.

- E. Employee Assistance Program - If either a physician's examination or an assessment center determines a substance abuse or alcohol abuse problem exists, the employee will be expected to enroll in a treatment program. The employee may use unpaid leave, accumulated sick leave, or accrued vacation leave to complete the treatment program and to further the employee's rehabilitative effort. The District will not pay for costs of the program or related care. If the employee successfully completes the treatment program and is released by the treatment center to return to work, the District will reinstate the employee to their previous position in the District. The District shall require certification from a treatment center medical doctor to verify that an employee has successfully completed the treatment program and can safely work with students, fellow employees, or the public.
- F. Should the employee refuse to attend treatment or not complete the treatment program, the employee will be subject to discipline. Any such discipline may include oral or written reprimand, suspension with or without pay, or termination from employment. Any such discipline will be consistent with the provisions of the Collective Bargaining Agreement.
- G. The District may search any property within the workplace. While lockers, desks, or other District property may be searched, the District will not search personal belongings such as a purse or personal vehicles that are on District property but not being used as part of the workplace.
- H. An employee who is aware of the use or possession of any alcohol, illegal drug or controlled substances in the District work-place by an employee is encouraged to report such abuse to the building administrator or to encourage the employee to investigate an Employee Assistance Program.
- I. The District may refer any suspected drug or alcohol use in the workplace to law enforcement agencies for investigation and prosecution. Whether or not the District makes such referral to law enforcement agencies for a work-place violation, the District retains the discretion to take appropriate disciplinary action(s), including possible reprimand, suspension, or termination of employment. Any such discipline would be consistent with provisions of the Collective Bargaining Agreement.

### III. Review

- A. Periodic review by the School Board and staff of drug and alcohol policies and procedures will seek to incorporate latest research and information.
- B. Each year the District will actively seek funds from outside sources, including, but not limited to re-authorization of the 1986 Drug Free School Act, to support the costs of the District's drug and alcohol prevention efforts and programs implemented under this procedure and the accompanying policy.