

Gresham-Barlow SD 10

Code: **GBCBA**
Adopted: 7/11/94
Revised/Readopted: 1/11/01; 5/02/02; 10/02/14
Orig. Code(s): GBCBA

Alcohol/Controlled Substance Use

The following conduct is strictly prohibited and will subject an employee to immediate discipline, up to and including termination:

1. The buying, selling, transportation, possession, provision or use of intoxicants, including alcohol or any controlled substances as defined by law while on district property, during work hours (including meal periods) and/or while assigned to extra duty or special projects, including those held after or in addition to regular school hours and while driving between work sites during the work day in either a district-supplied vehicle or a vehicle supplied by the employee;
2. Reporting for work either impaired or under the influence of alcohol, intoxicants or any controlled substance, including prescription drugs. An individual is considered to be “under the influence of alcohol, intoxicants and/or a controlled substance, including prescription drugs,” when, in the district’s determination, the controlled substance is at a level that it may impair the individual’s ability to safely and/or efficiently perform assigned work OR prevent the employee from presenting a positive role model to students.

If the district has reasonable grounds to believe that an individual is under the influence of intoxicants or any controlled substance, the district may require the individual immediately submit to a field impairment test, blood alcohol content test given by a third party, a breathalyzer test or other tests deemed necessary by the district. Refusal to immediately submit to such tests may result in disciplinary action, up to and including dismissal. “Reasonable grounds” may include, but are not limited to, such things as slurred speech, dilated pupils, peculiar odors and unsteady balance.

The district reserves the right, with prior notice and reasonable suspicion, to conduct searches of district property, vehicles or equipment at any time. This policy serves as prior notice.

The district defines “alcohol,” “controlled substance” and “work site” as follows:

1. “Alcohol” means any alcoholic beverage containing more than one-half of one percent alcohol by volume, and every liquid or solid, patented or not, containing alcohol and capable of being consumed by a human being;
2. “Controlled substance” means a drug or its immediate precursor as described in Oregon Revised Statutes;
3. “Work site” means any building, structure, vehicle or property (including parking lots), or part thereof, owned or possessed by the district or any other location at which an employee is to perform work for the district. “Any other location” includes the place of a district-sponsored or district-approved activity and the employee’s own vehicle when used to transport students or fellow employees to and from an activity sponsored or approved by the district and when used to transport fellow employees to and from different work sites following initial arrival at work.

The administration will develop appropriate regulations, procedures, consent forms and such notifications as are needed for an orderly implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS Chapter 475](#)
[ORS 657.176](#)
[ORS 659.840](#)
[ORS 659A.300](#)

[OAR 581-053-0220\(3\)\(h\)](#)
[OAR 581-053-0230\(9\)\(t\)](#)
[OAR 581-053-0330\(1\)\(n\),\(o\)](#)
[OAR 581-053-0420\(3\)\(c\)](#)
[OAR 581-053-0430\(13\),\(14\)](#)

[OAR 581-053-0531\(12\),\(13\)](#)
[OAR 581-053-0615\(2\)\(c\)\(D\)\(ii\)](#)
[OAR 581-053-0620\(1\)\(s\)](#)
[OAR 584-020-0040](#)
[OAR 839-006-0200 to -0265](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Americans with Disabilities Act Amendments Act of 2008.

Cross Reference(s):

GBEC - Drug-Free Workplace