

## **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, except pursuant to a properly obtained prescription as defined by law while on district property, during work hours (including meal periods), 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 under the influence of alcohol, intoxicants or any controlled substance. An individual is considered to be “under the influence of alcohol, intoxicants and/or a controlled substance” when, in the district’s determination based upon testing conducted by and interpreted by trained medical personnel, the controlled substance, alcohol or intoxicant 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 suspicion to believe that an employee is under the influence of intoxicants, including alcohol or any controlled substance, the district may require the employee submit to immediate testing by trained medical personnel. Refusal to submit immediately to such tests may result in disciplinary action, up to and including dismissal. “Reasonable suspicion” 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 reasonable suspicion, to conduct searches on district property of employees and/or their personal property which is on the district’s premises.

The district also reserves the right, with reasonable suspicion, to conduct searches of district property, vehicles or equipment at any time. A refusal to submit to a search may result in disciplinary action, up to and including dismissal.

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

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**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