

Drug-Free Workplace

In order to ensure and maintain a drug-free workplace in compliance with the Drug Free Schools and Communities Act Amendments of 1989, the Board by this policy hereby prohibits its employees from manufacturing, possessing, distributing, dispensing and/or using alcohol or controlled or illegal substances, including precursor substances as defined by Oregon Revised Statutes and prohibited drug paraphernalia as defined by Oregon Revised Statutes within the workplace or at district-sponsored activities, events or functions involving students under the jurisdiction of the district.

Prescription drugs are not considered illegal substances when used by the person named on the prescription label and used in accordance with the prescribing doctor's directions.

Provisions of this policy do not apply to a licensed teacher or teacher's assistant, under the direction of the licensed teacher, who is carrying-out district approved instructional components of a teaching assignment which requires use of alcohol and/or otherwise controlled substances and/or prohibited paraphernalia as defined in paragraph one above.

An employee's legal alcohol and drug activities, when not performing duties for the district, shall not be a concern of the district except as they may interfere with the performance of the employee's responsibilities to the district.

As a condition of employment each employee must abide by the district substance abuse policy and must inform the district within five days of any criminal substance abuse offense for which the employee has been convicted¹.

Employees violating this substance abuse policy will be disciplined under provisions of this policy in accordance with local, state and federal law and consistent with provisions of the applicable collective bargaining agreement¹. Disciplinary sanctions may include any or all of the following actions:

1. Referral for prosecution;
2. Suspension from employment;
3. Continued employment or re-employment after suspension may require an employee to complete rehabilitation and/or re-entry program as determined appropriate by the district; and/or
4. An employee may be terminated from employment;

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

5. The district may also sanction an employee for off property violations of local, state or federal laws regulating alcohol, controlled or illegal substances or prohibited drug paraphernalia.

Penalties may be imposed by state agencies which regulate certain classes of school employees. Sanctions against an employee by these regulatory agencies may affect district employment.

All district employees will be informed of provisions of this policy on an annual basis through required participation in a district sponsored drug-free schools and workplace awareness program.

The awareness program shall:

1. Provide each participant with a copy of this policy and a review of policy provisions including sanctions for policy violations;
2. Provide information about the dangers of drug and alcohol abuse;
3. Provide information about laws pertaining to alcohol, controlled substances and prohibited equipment;
4. Provide information to help employees recognize symptoms of substance abuse in themselves or others;
5. Provide information about drug and alcohol abuse counseling and rehabilitation programs which may be available within the district or from outside service providers.

The district shall review, at least biennially, its Drug-Free Workplace policy and related programs to determine their effectiveness, to implement changes if needed and to ensure that disciplinary sanctions are consistently enforced.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)

[ORS 657.176](#)

SB 517 (2007)

[ORS 336.222](#)

[ORS 809.260](#)

[OAR 584-020-0040\(5\)\(e\)](#)

[ORS Chapter 475](#)

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).