
Drug and Alcohol-Free Workplace

Policy 5-104

Scope:

For purposes of maintaining a safe, healthy, and drug- and alcohol-free workplace, this policy applies to all District employees, including certificated employees, classified employees, confidential / supervisory / management employees, substitutes, temporary employees, and volunteers. Contractors, vendors, and visitors are expected to comply with this policy while on District property or engaged in District-sponsored activities.

Definitions

1. Workplace

The workplace includes any District site, facility, or location where District business is conducted, including but not limited to school buildings, offices, grounds, parking lots, District vehicles, and any off-site location where District-sponsored activities, meetings, or events take place.

2. Controlled Substances

Controlled substances include any drug or substance whose possession, use, manufacture, or distribution is regulated or prohibited by federal or state law, including but not limited to illegal drugs, marijuana (unless lawfully prescribed), narcotics, hallucinogens, stimulants, depressants, and prescription medications used in a manner other than as prescribed.

3. Alcohol

Alcohol means beer, wine, spirits, or any other beverage containing ethyl alcohol.

Purpose

The Governing Board is committed to maintaining a safe, healthy, and productive workplace and educational environment free from the unlawful use, possession, distribution, or effects of drugs and alcohol. This policy demonstrates the District's compliance with federal and state drug-free workplace requirements.

Prohibited Conduct

The following conduct is strictly prohibited in the workplace:

- The unlawful manufacture, distribution, dispensation, possession, sale, or use of controlled substances;
- The possession, use, or distribution of alcohol, except as specifically authorized by the Governing Board for particular events;
- Being under the influence of alcohol or controlled substances while on duty or in the workplace;
- The unlawful use, possession, or distribution of drug paraphernalia;
- Reporting to work or performing duties while impaired by the effects of alcohol or controlled substances.

Lawful Prescription and Over-the-Counter Medications

This policy does not prohibit the lawful possession and use of prescription medications or over-the-counter medications when taken as prescribed or directed. However, employees are responsible for ensuring that the use of such medications does not impair their ability to safely and effectively perform their job duties.

Employees taking prescription or over-the-counter medications that may affect their ability to perform job duties or operate equipment safely should notify their supervisor and, if necessary, request reasonable accommodation in accordance with applicable disability laws.

Employee Responsibilities

1. Compliance with Policy

All employees are required to comply with the terms of this policy as a condition of employment.

2. Notification of Conviction

As required by the Drug-Free Workplace Act, any employee who is convicted of a criminal drug statute violation occurring in the workplace must notify the District no later than five (5) calendar days after such conviction. Notification shall be made to the Superintendent or designee.

Adopted on: September 1, 2026

Revised on: N/A

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3. Seeking Assistance

Employees who have concerns about their own or a colleague's use of drugs or alcohol are encouraged to seek assistance through the District's Employee Assistance Program (if available) or other available resources. Seeking help voluntarily before a policy violation occurs will not result in disciplinary action.

District Responsibilities

1. Policy Distribution and Awareness

The District shall provide a copy of this policy annually to all employees and shall require acknowledgment of receipt. The policy shall be included in employee handbooks and made available on the District website. New employees shall receive the policy as part of the hiring and orientation process.

2. Drug-Free Awareness Program

The District shall establish a drug-free awareness program to inform employees about:

- The dangers of drug and alcohol abuse in the workplace;
- The District's policy on maintaining a drug-free workplace;
- Available drug and alcohol counseling, rehabilitation, and employee assistance programs;
- The penalties that may be imposed on employees for drug and alcohol violations.

3. Notification to Federal Agencies

If an employee is convicted of a drug statute violation occurring in the workplace, the District shall notify the appropriate federal agency within ten (10) calendar days after receiving notice of the conviction.

4. Action Following Conviction

Within thirty (30) calendar days of receiving notice of an employee's conviction for a drug statute violation occurring in the workplace, the District shall take appropriate personnel action against the employee, up to and including termination, or require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency.

Adopted on: September 1, 2026

Revised on: N/A

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Consequences of Policy Violations

Employees who violate this policy shall be subject to disciplinary action, which may include:

- Verbal or written warning;
- Suspension without pay;
- Mandatory participation in a drug or alcohol rehabilitation program;
- Termination of employment; and/or
- Referral to law enforcement for criminal prosecution.

The severity of disciplinary action shall depend on the circumstances of the violation, including the nature and severity of the conduct, prior violations, and other relevant factors. Disciplinary action shall be consistent with applicable law, regulations, and collective bargaining agreements.

Drug and Alcohol Testing

The District may require drug and alcohol testing in the following circumstances:

- As required by law for employees in safety-sensitive positions (e.g., school bus drivers under federal Department of Transportation regulations);
- When there is reasonable suspicion that an employee is under the influence of drugs or alcohol while on duty;
- Following an on-the-job accident or incident where drug or alcohol use may have been a contributing factor;
- As part of a return-to-work agreement following a violation of this policy.

All drug and alcohol testing shall be conducted in accordance with applicable laws, regulations, and collective bargaining agreements.

Confidentiality

Information obtained through drug and alcohol testing, employee assistance programs, or treatment programs shall be kept confidential to the extent permitted by law. Such information shall be maintained in secure files separate from the employee's general personnel file and disclosed only to those with a legitimate need to know.

Adopted on: September 1, 2026

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Collective Bargaining Agreements

Nothing in this policy shall be construed to limit rights or obligations established by applicable collective bargaining agreements. In the event of a conflict between this policy and a collective bargaining agreement, the collective bargaining agreement shall prevail to the extent permitted by law.