

SECTION: PROFESSIONAL EMPLOYEES

TITLE: DRUG AND SUBSTANCE ABUSE

ADOPTED: August 22, 2005

REVISED:

EASTON AREA SCHOOL DISTRICT

451. DRUG AND SUBSTANCE ABUSE	
1. Purpose	<p>The Board recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by employees, especially as the use relates to an employee's safety, efficiency and productivity.</p>
P.L. 100-690	<p>The primary purpose and justification for any district action will be for the protection of the health, safety and welfare of students, staff and school property.</p>
2. Definitions 35 P.S. Sec. 780-101 et seq	<p>Drugs shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act. Such drugs shall include, but not be limited to, anabolic steroids, non-anabolic steroids, marijuana, hashish, cocaine, chemical solvents, glue, and any look-alike substances.</p>
P.L. 100-690	<p>Conviction - A finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statute.</p> <p>Criminal Drug Statute - A federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.</p> <p>Drug-free Workplace - The site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol.</p>
3. Authority	<p>The Board requires that every employee be given notification in writing that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Written notification of this policy will be provided to every employee at the beginning of each school year. Employees hired during the year will be provided written notification at the time of employment.</p>

<p>SC 527</p> <p>4. Delegation of Responsibility P.L. 101-226 Sec. 5115</p>	<p>An employee convicted of delivery of or possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district.</p> <p>A statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Superintendent and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination, and referral for prosecution.</p> <p>The district will notify the federal agencies providing direct federal grant funds of any criminal convictions within ten (10) days of said notification.</p> <p>The district will take appropriate personnel action against workplace substance abusers within thirty (30) days of the date the district learns of the conviction.</p> <p>The district shall take appropriate personnel action against such an employee, up to and including termination or require the employee to participate satisfactorily in a drug/alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.</p> <p>In establishing a drug/alcohol awareness and education program, the Superintendent shall inform employees about:</p> <ol style="list-style-type: none">1. Dangers of drug/alcohol abuse in the workplace.2. District's policy of maintaining a drug/alcohol-free workplace.3. Availability of drug/alcohol counseling, drug/alcohol rehabilitation, and employee assistance programs.4. Penalties that may be imposed for drug/alcohol abuse violations occurring in the workplace. <p>The district shall make a good faith effort to continue to maintain a drug/alcohol-free workplace through implementation of this policy.</p>
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