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Statement of.....

## **Policy and Responsibility**

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SUBJECT: DRUG & ALCOHOL-FREE WORKPLACE POLICY

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I. BOARD POLICY

Murray School District must provide a safe and orderly environment for all students and employees. Therefore, the district must ensure that all employees are able to fully assume their duties and responsibilities, as well as model for all students the lifestyle of a healthy, productive, and contributing member of our society.

II. ADMINISTRATION POLICY

The Administration is committed to establishing and maintaining a school or workplace free of drugs and alcohol. Therefore, the unlawful manufacture, distribution, dispensing, possession, and/or use of controlled substances, as defined by applicable law, and/or alcohol in the school or workplace is prohibited. Employees found in violation shall be subject to disciplinary action. This action may include suspension, probation, and/or termination of employment. (See Board of Education Policy SP 908 Employee Orderly Termination Policy & Procedure.)

A. This policy also implements the federal Drug-Free Workplace Act of 1988 34 CFR 85, 1993 edition. The policy provides for drug and alcohol testing in order to:

1. Provide a safe and productive work environment that is free from the effect of unlawful use, distribution, dispensing, manufacture, and possession of a controlled substance or alcohol during work hours;
2. Identify, correct, and remove the effects of drug and alcohol abuse on employee performance;
3. Assure the protection and safety of employees, students, and the public.

B. ADMINISTRATIVE RESPONSIBILITY

Employees are expected to report to work in a condition which makes them capable of performing their employment related tasks. Administrators have the responsibility of questioning and taking appropriate action where there is reasonable suspicion that the possession, use and/or distribution of drugs or alcohol is present. Reasonable suspicion is defined as:

1. Knowledge sufficient to induce an ordinary, reasonable and prudent person to arrive at a conclusion of thought or belief based on actual, non-subjective and substantiated observations or reported circumstances; and/or
2. Factual situations verified through personal visual observation of behavior or actions, or substantiated by reliable sources.

Possible reasons to suspect substance abuse include but are not limited to the following:

- a. Documented changes in employment performance.
- b. Presence of drug paraphernalia.
- c. Reports from reliable sources of drug or alcohol possession, use, and/or distribution by an employee.
- d. Accidents where there is reason to believe that drug or alcohol usage was a factor.
- e. Employee absences where there is a reason to suspect the cause may be related to drug or alcohol abuse.
- f. Abnormal employee behavior.

### C. CORRECTIVE ACTION

1. Administrators and supervisors who receive notice of a school or workplace violation of these rules must take immediate action as outlined in the Administrative Guidelines for Drug & Alcohol-Free Workplace Policy. This action will include a drug test for the employee at district expense. If an employee disputes a positive test, the employee may have, at their expense, a second test performed by a National Institute of Drug Abuse (NIDA) certified, approved testing laboratory/facility.
2. Any employee who refuses to submit to drug or alcohol testing may be subject to disciplinary action under the Orderly Termination Policy (see Board of Education Policy SP 908 Employee Orderly Termination Policy & Procedure).
3. Upon verification of drug/alcohol use, the administrator will follow the steps found in the administrative guidelines.
4. The Director of Personnel will keep a separate, private record of drug or alcohol test results. The employee's official personnel file shall only contain a document making reference to the existence of the drug or alcohol test record. These records will be classified private under the GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT (GRAMA), or similar federal legislation or state laws.

## III. VIOLATIONS

### A. CONVICTIONS

1. Murray District employees convicted of drug or alcohol abuse-related activity are required to report the conviction to the Superintendent within five working days of the occurrence. Failure to make such report within five working days will result in disciplinary action under the Orderly Termination Policy.
2. The Superintendent will notify the State Office of Education of the conviction within ten days of receiving notification of the conviction.

3. The District will take appropriate disciplinary action as to employees convicted of drug or alcohol abuse activity (see Board of Education Policy SP 908 Employee Orderly Termination Policy & Procedure).

#### IV. EMPLOYEE ASSISTANCE

##### A. AWARENESS

1. The District will provide an employee awareness program to inform employees of the danger of using controlled substances and/or alcohol in the workplace.

##### B. INTERVENTION

1. Employees *must* seek assistance for drug or alcohol abuse problems before policy infractions occur and disciplinary action is necessary.
2. Employees are encouraged to seek help from a trained counselor or licensed treatment facility within the community. Information about drug and alcohol counseling and rehabilitation will be provided as needed.
3. All associated costs for rehabilitation treatment will be borne by the employee. Some health insurance programs offer partial payment for treatment of problems related to drug or alcohol abuse.
4. Once the drug or alcohol abuse policy is violated, subsequent enrollment in a treatment program will not necessarily lessen disciplinary action and may have no bearing on the determination of appropriate disciplinary action.

#### V. GUIDELINES

The Board delegates to the Administration the responsibility for establishing guidelines which promote a Drug & Alcohol-Free Workplace and developing procedures for dealing with policy violations. In the absence of specific further guidelines this policy shall govern.