

RESPONSIBILITIES REGARDING DRUGS AND ALCOHOL

ADMINISTRATIVE REGULATION:

An educational institution plays a major role in helping to create a healthy, safe environment for learning and working. There is a commitment within the District to combat drug and alcohol abuse in the workplace and in the community and a strong support for programs that help individuals overcome substance abuse. A program which encompasses the education, identification, referral, guidance, and follow-up of employees afflicted by alcoholism and/or drug abuse will be maintained. However, support for employees who are abusing alcohol and/or drugs shall not prevent the District from disciplining or discharging employees for these reasons where their conduct is detrimental to the District.

The following regulations are designed to implement this philosophy and the Drug-Free Workplace policy (GBEC), the Drug-Free Workplace Act and Safe and Drug-Free Schools and Communities Act.

A. Drugs and Alcohol in the Workplace

1. No district employee shall manufacture, distribute, dispense, purchase, store, or use alcohol, illegal drugs, or controlled substances (except as prescribed by a physician), regardless of quantity, in the workplace. No employee shall report to work unfit for duty due to the use of alcohol or controlled substances.
2. Employees who are convicted of any violation of criminal drug statutes are required to notify the District Superintendent no later than five (5) days after such conviction.
3. Any employee of the District who is aware of use or the possession of alcohol, illegal drugs, or controlled substances in District facilities, or in District vehicles, or at officially-sponsored District activities or aware of an employee reporting to work unfit for duty due to use of alcohol and/or controlled substances shall bring such information to the attention of his or her immediate supervisor or the Superintendent or the person in charge of the workplace or activity.
4. If the employee is taking any medication, either prescribed or over-the-counter, that may impair his/her ability to perform the job and perform it safely, the employee shall report this information to his/her supervisor. The employee may be required to use available paid or unpaid leave until fit for duty.

B. Drug and Alcohol Abuse Prevention

1. All District employees must abstain from the unlawful use, manufacture, distribution, or possession of illegal drugs and controlled substances (as "drugs" have been defined in the definition section of GBEC).
2. Employees will not furnish illegal drugs or alcohol to students. District employees who invite students registered in District programs into their residential property or to accompany them on trips or outings as part of their employment relationship in the

District may not furnish alcohol or drugs to students and will take reasonable precautions to deny students access to alcohol, illegal drugs or controlled substances. In such situations an employee may not use alcohol or drugs during such visits or be under the influence of such substances.

3. The goal of District employees will be to act as representatives to the students and community of the District's commitment to combat drug and alcohol abuse. Employees shall carefully consider their own use of alcohol in situations outside of work hours and its impact on the workplace. The District expects positive role modeling both on and off the job. The District also recognizes that the personal life of an employee is not an appropriate concern of the District as long as such personal life does not negatively influence the employee's effectiveness in the performance of job responsibilities.

C. Notice

1. Supervisors will annually provide employees with the following information
 - The dangers of drug and alcohol abuse;
 - Any available drug counseling, rehabilitation, and Employee Assistance programs;
 - Sanctions for violating Board policy GBEC - Drug-Free Workplace and accompanying administrative regulation; and
 - The terms of the District's Drug Free Workplace policy and regulation.

D. Implementation of the Policy

1. As a condition of employment with the District, all employees are required to abide by the terms of this policy and related administrative regulations. Such regulations shall be consistent with the Board's policy and applicable collective bargaining agreements.
2. When an employee voluntarily enters a substance abuse program the District will normally support the rehabilitation effort by providing unpaid leave or accumulated paid sick leave, vacation, or other leave, if necessary, as applicable under law and the collective bargaining agreements, to further the employee's rehabilitative effort. This does not prevent the District from dismissing the employee where retention of the employee would be detrimental to the District (for instance, on a recurrence of substance abuse, where the employee was selling drugs, or where the employee furnished drugs to minors.) When a treatment provider releases an employee for return to work, the District will reinstate the employee to a position in the District. The District may require certification from a medical doctor to verify that an employee does not pose a danger to students, fellow employees or the public. The employee shall provide the District with a signed release indicating that the District may obtain information from the treatment provider about the frequency of the employee's attendance in the treatment program and follow-up care. Failure to satisfactorily complete a treatment program and to comply with the terms of this policy and regulation may result in disciplinary action, including termination of employment consistent with collective bargaining agreements and due process of law.
3. Where there is reasonable cause to believe that an employee is under the influence of alcohol, illegal drugs, or a controlled substance or has ingested alcohol, illegal drugs, or a controlled substance at the workplace, the District will conduct an investigation of the incident. The District, as part of the investigation, may require the employee to be examined by a physician of the District's choosing for the purpose of determining whether the employee is fit for duty. The employee may be asked to divulge to the physician information about any prescribed medication(s) which the employee is taking that may affect the employee's work performance or test results. The District shall request that the physician submit a written opinion with respect to whether or not the employee

is fit to perform his/her duties in the District. The District will pay all costs of such examination and provide the necessary paid release time for the examination.

Reasonable cause as described above shall be based on one or more of the following indicators:

- a) An on-the-job accident or occurrence where there is evidence to indicate the accident or occurrence was in whole or in part the result of the employee's actions or inactions and/or the employee exhibited behavior or in other ways demonstrated that he/she may have been using drugs or alcohol or under the influence of drugs or alcohol;
 - b) An on-the-job incident such as, but not exclusive to, medical emergency that is likely to be attributable to drug or alcohol use by the employee;
 - c) Direct observation of behavior exhibited by the employee which may render the employee unable to perform his/her duties or which may pose a threat to safety or health;
 - d) Information that the employee may be using drugs or alcohol at the workplace or be under the influence of drugs or alcohol and/or exhibit behavior that may render the employee unable to perform his/her duties or may pose a threat to safety and health and which has been supported by documentation or has been verified by a person in the employee's supervisory chain of command;
 - e) Physical on-the-job evidence of drug or alcohol use by the employee; and/or
 - f) A documented pattern of attendance problems over a reasonable period of time that is likely to be attributed to drug or alcohol use.
4. Random drug testing and alcohol testing may be required by the District for employees in safety-sensitive positions, including but not limited to, employees driving District vehicles.
 5. The employee may be required to obtain a drug/alcohol assessment and/or participate in a drug/alcohol abuse treatment program. The District and employee will select the assessment/treatment program. Failure to satisfactorily complete a treatment program and to comply with the terms of this policy and regulation may result in disciplinary action up to and including termination of employment.
 6. If the District's investigation determines that an employee has violated the policy or related administrative regulation, regardless of whether the employee has been charged or convicted of criminal activity, the District retains the discretion to take appropriate disciplinary action, including but not limited to, termination from employment.
 7. Disciplinary action short of termination may include a requirement that the employee obtain a drug/alcohol assessment, participate in a drug/alcohol treatment program and provide a release from the treatment provider which is sufficient to permit the District to determine that the employee is attending all scheduled meetings in connection with the treatment program. Failure to complete satisfactorily a treatment program and to comply with the terms of the Drug-Free Workplace policy and regulation may result in the employee's termination of employment. The District incurs no obligation to pay for the assessment or treatment except as these services may be covered under the employee's group medical insurance benefits, if any.
 8. It is within the discretion of the District to search District property and equipment for evidence of violation of this policy and these administrative regulations. Based on a reasonable cause search, evidence of criminal activity with respect to the Drug-Free Workplace policy will result in the District referring the matter for prosecution.
 9. The District may require pre-employment drug and alcohol testing.

10. Through the implementation of this provision, the employees and District will strive to maintain a drug and alcohol free workplace, and fulfill our mission of educating all students and the community concerning the dangers of drug and alcohol abuse.

11/14/05