

# Board Policy

Code No. 403.5

## SUBSTANCE-FREE WORKPLACE

The Board expects the school district and its employees to remain substance free. No employee shall unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law.

"Workplace" includes school district facilities, school district premises or school district vehicles.

"Workplace" also includes non-school property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee shall notify the employee's supervisor of the conviction within five days of the conviction.

The Superintendent will make the determination whether to require the employee to undergo assessment for substance abuse treatment and/or to discipline the employee. An employee who violates the terms of this policy may be subject to discipline up to and including termination. An employee who violates this policy may be required to successfully participate in a substance abuse treatment program approved by the Board. If the employee is not initially terminated and fails to successfully participate in a program, the employee will be subject to discipline up to and including termination. A second confirmed positive drug or alcohol test or confirmed abuse of a legal drug will result in termination of employment.

The Superintendent shall be responsible for publication and dissemination of this policy to each employee. In addition, the Superintendent shall oversee the establishment of a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment programs.

It is the responsibility of the Superintendent to develop administrative regulations to implement this policy.

*Legal Reference:* 41 U.S.C. §§ 701-707 (2012).  
42 U.S.C. §§ 12101 et seq. (2012).  
34 C.F.R. Pt. 85 (2012).  
Iowa Code §§ 123.46; 124; 279.8 (2013).

*Cross Reference:* 404 Employee Conduct and Appearance

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