

SUGAR VALLEY RURAL CHARTER SCHOOL

POLICY NUMBER: 351
SECTION: EMPLOYEES
TITLE: **DRUG AND SUBSTANCE ABUSE**
DATE ADOPTED: NOVEMBER 1998
DATE LAST REVISED: DECEMBER 2008

DRUG AND SUBSTANCE ABUSE

PURPOSE

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.

The primary purpose and justification for any school action will be for the protection of the health, safety and welfare of students, staff and school property.

DEFINITIONS

Drugs shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.

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.

Criminal Drug Statute - A federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

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.

AUTHORITY

The Board requires that each professional employee be given a copy of the statement and notification to the employee that, as a condition of employment under the grant, the employee will abide by the terms of the statement and notify the school of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

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 school.

DELEGATION OF RESPONSIBILITY

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 CEO or designee 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.

The school shall be responsible for taking action within thirty (30) days of receiving notice, with respect to any convicted employee.

The school shall take appropriate personnel action against such an employee, up to and including termination.

In establishing a drug-free awareness program, the CEO shall inform employees about:

1. Dangers of drug abuse in the workplace.
2. School's policy of maintaining a drug-free workplace.
3. Availability of drug counseling, drug rehabilitation, and employee assistance programs.
4. Penalties that may be imposed for drug abuse violations occurring in the workplace.

SVRCS shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.

REFERENCES

P.S. 35

Sec. 780-101et seq

P.L. 100-690

P.L. 101-226Sec. 5115(4) (4)