

SENECA VALLEY SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: DRUG AND SUBSTANCE
ABUSE

ADOPTED:

REVISED:

| 451. DRUG AND SUBSTANCE ABUSE | |
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| <p>1. Purpose</p> <p>P.L. 100-690</p> | <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>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> |
| <p>2. Definitions</p> <p>P.S. 35 Sec. 780-101 et seq</p> <p>P.L. 100-690</p> | <p>Drugs shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.</p> <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 grant at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.</p> |
| <p>3. Authority</p> <p>Act 191 of 1988</p> | <p>The Board requires that each professional employee engaged in the performance of the grant 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 district of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.</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> |

4. Delegation of Responsibility
P.L. 101-226
Sec. 5115 (a) (4)

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.

Grantors of funds shall be notified within ten (10) days after receiving notice from an employee or receiving actual notice of a conviction.

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

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 abuse assistance or rehabilitation program approved for such purposes by a federal, State or local health, law enforcement, or other appropriate agency.

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

1. Dangers of drug abuse in the workplace.
2. District'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.

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