

## 1        **DRUG-FREE SCHOOLS, COMMUNITY AND WORKPLACE**

2        The board has an obligation to staff, students and citizens to take reasonable steps to provide a  
3        reasonably safe workplace and to provide safety and high-quality performance for the students  
4        who the staff serve.

5        For the purposes of this policy, the “workplace” is defined to mean the site for the performance  
6        of work done, which includes work done in connection with a federal grant. The “workplace” in-  
7        cludes any district building or any district property; any district-owned vehicle or any other dis-  
8        trict-approved vehicle used to transport students to and from school or school activities; and off  
9        district property during any school-sponsored or school-approved activity, event or function,  
10       such as a field trip or athletic event, where students are under the jurisdiction of the school dis-  
11       trict which could also include work on a federal grant.

### 12       **Prohibited Behavior**

13       To help maintain a drug-free school, community, and workplace, the following behaviors will  
14       not be tolerated:

- 15       A. Reporting to work or the workplace under the influence of alcohol, illegal and/or controlled  
16       substances including marijuana (cannabis), anabolic steroids or opiates.
- 17       B. Using, possessing, transmitting alcohol, illegal and/or controlled chemical substances, in-  
18       cluding marijuana (cannabis) and anabolic steroids, or opiates in any amount, in any manner  
19       and at any time in the workplace.
- 20       C. Any staff member convicted of a crime attributable to the use, possession, or sale of illegal  
21       and/or controlled chemical substances including marijuana (cannabis), anabolic steroids or  
22       opiates will be subject to disciplinary action, including termination.
- 23       D. Using district property or the staff member's position within the district to make or traffic al-  
24       cohool, illegal and/or controlled chemical substances, anabolic steroids or opiates.
- 25       E. Using, possessing or transmitting illegal and/or controlled chemical substances, including  
26       marijuana (cannabis), and anabolic steroids or opiates.

### 27       **Notification Requirements:**

28       Any staff member who is taking prescribed or over-the-counter medications shall be responsible  
29       for consulting the prescribing physician and/or pharmacist to ascertain whether the medication  
30       may interfere with the safe performance of his/her job. If the use of a medication could compro-  
31       mise the safety of the staff member, other staff members, students or the public, it is the staff  
32       member’s responsibility to use appropriate personnel procedures (e.g., use leave, request change  
33       of duty, or notify his/supervisor of potential side effects) to avoid unsafe workplace practices If a  
34       staff member notifies his/her supervisor that the use of medication could compromise the safe  
35       performance of his/her job, the supervisor, in conjunction with the district office, then will deter-  
36       mine whether the staff member can remain at work and whether any work restrictions will be  
37       necessary.

38       As a condition of employment, each employee will notify his or her supervisor of a conviction  
39       under any criminal drug statute violation occurring in the workplace. Such notification will be  
40       provided no later than 5 days after such conviction. The district will inform the federal granting  
41       agency within 10 days of such conviction, regardless of the source of the information.

1 **Disciplinary Action**

2 Each employee will be notified of the district's policy and procedures regarding employee drug  
3 activity at work. Any staff member who violates any aspect of this policy shall be subject to dis-  
4 ciplinary action, which may include termination. As a condition of eligibility for reinstatement,  
5 an employee may be required to satisfactorily complete a drug rehabilitation or treatment pro-  
6 gram approved by the district, at the employee's expense. Nothing in this policy will be con-  
7 strued to guarantee reinstatement of any employee who violates this policy, nor does the district  
8 incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility  
9 for reinstatement.

10 The district may notify law enforcement agencies regarding a staff member's violation of this  
11 policy at the district's discretion or take other actions as the district deems appropriate.

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13 Cross References: Board Policy 4215 Use of Tobacco, Nicotine Products and  
14 Delivery Devices

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16 Board Policy 5280 Separation from Employment

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18 Legal References: RCW 69.50.435 Violations committed in or on certain  
19 public places or facilities —  
20 Additional penalty — Defenses —  
21 Construction — Definitions  
22 21 U.S.C. § 812 Controlled Substance Act  
23 20 U.S.C §§ 7101-7117 Safe and Drug-Free Schools and  
24 Communities Act (as amended by  
25 Title IV-21<sup>st</sup> Century Schools)  
26 41 U.S.C. § 8103 Drug Free Workplace Requirements for  
27 Federal Grant Recipients

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30 Management Resources:

31 *Policy & Legal News – December 2015*

32 *Policy & Legal News, February 2013* Policy Revisions

33 *Policy News, December 2011* Changes in WSSDA's *Policy Reference*  
34 *Manual*

35 *Policy News, February 1999* Bus drivers still tested for marijuana

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37 **Adoption Date:** 08/27/98

38 **Revised:** 09/25/08

39 **Revised:** 04/18/13

40 **Revised:** 03/17/16

41 **Revised:** 11/19/19