

	<p>DRUG-FREE SCHOOLS, COMMUNITY &amp; WORKPLACE</p>	<p>Policy No. 5201 May 13, 2020 Page 1 of 3</p>
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The Board has an obligation to staff, students and citizens to create a safe workplace and learning environment.

“Workplace” is defined to mean the site for the performance of district work, including but not limited to, any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; and off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the district.

The Board declares that the following behaviors for all staff, students, vendors, volunteers and visitors are prohibited:

- A. Reporting to the workplace or being on district property under the influence of alcohol, illegal and/or controlled substances, including marijuana (cannabis), which includes smelling alcohol on a person’s breath.
- B. Using, possessing or transmitting illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, in any amount or in any manner on district property or a district workplace at any time or when involved in a school district activity on or off school district property. Possession of a marijuana-infused product by a valid recognition card designated provider parent/guardian visitor and use of a marijuana-infused product by a valid recognition card qualifying patient student is not prohibited.
- C. Possessing alcohol in a school or district building. Possessing an unopened container of alcohol in a locked motor vehicle is not prohibited.
- D. Having consumed or using alcohol at the workplace or on district property.
- E. Using district property or the person’s position within the district to make or traffic alcohol or controlled substances.
- F. Using, possessing or transmitting illegal and/or controlled substances, including marijuana (cannabis), in a manner that is illegal and/or detrimental to the interest of the district.
- G. Illegal furnishing of alcohol to a student.

Any staff member who is taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of a medication could compromise the safety of the staff member, other staff members, students or the public, it is the staff member's responsibility to use appropriate personnel procedures (e.g., use leave, request change of duty, or notify his/her supervisor of potential side effects) to avoid unsafe workplace practices. If a staff member notifies his/her supervisor that the use of medication could compromise the safe performance of his/her job, the supervisor, in conjunction with the Human Resources Department, will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

Any staff member convicted of a crime attributable to the use, possession, or sale of an illegal and/or controlled substance, including marijuana (cannabis), will be subject to disciplinary action, including immediate termination. Any staff member convicted of a crime attributable to the use, possession or sale of alcohol that impacts their ability to perform the essential functions of their job or to be at work will be subject to disciplinary action, including immediate termination.

As required in the Drug-Free Workplace Act, each employee, as a condition of employment, shall notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace as defined above. Such notification shall be provided no later than five days after such conviction. The district shall inform the federal government within ten days of such conviction, regardless of the source of the information.

Each employee shall be notified of this district policy in new employee materials. Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge.

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

The district's confidential Employee Assistance Program is available to assist employees with substance abuse issues. The district recognizes that alcoholism and substance abuse are treatable medical conditions and that the use of controlled substances may lead to chemical dependency and may affect an employee's job performance. Therefore, the district offers assessment and referral services through its Employee Assistance Program to employees and their immediate family members seeking confidential assistance. The availability and/or use of these services do not waive the employee's responsibility to comply with Board policies and/or meet expected standards of work performance.

Adopted: October 2011

Revised: May 2020; July 2017; January 2014

Cross Reference: Policy Nos. 3423; 4215; 5203; 5230; 5280

Related Superintendent Procedure:

Previous Policies: F07.00; F07.01

Legal References: 41 USC §§ 701-707 Drug Free Workplace Act of Subtitle D 1988 and as amended in 1989; 41 USC § 8103 Drug Free Workplace Requirements for Federal Grant Recipients; 20 USC §§ 7101-7118 Safe and Drug-Free Schools and Communities Act; 21 U.S.C. 812 Controlled Substance Act; RCW 69.50.435 Violations committed on school bus or in or near school grounds or school bus route stop; RCW 69.51A.220 Health care professionals may authorize medical use of marijuana – Qualifying patients under age eighteen; RCW 69.51A.225 Students who qualify for the medical use of marijuana – Consumption of marijuana-infused products on school grounds; RCW 28A.210.325 Medical Use of marijuana-infused products – Administration by parent or guardian – School districts to develop policies  
Management Resources: *Policy News*, July 2019; December 2015; February 2013; December 2011; February 1999