

Drug-Free Workplace (Drug and Alcohol Use by Staff Members)

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or a controlled substance is prohibited in Pueblo School District No. 70. The definition of a controlled substance shall be the same as that found in the policy regarding student alcohol use/drug abuse.

Observance of this policy is a condition of employment. A violation shall subject the employee to appropriate disciplinary action which may include termination and referral for prosecution. Alternatively, the employee may be allowed to participate in an approved drug or alcohol abuse assistance or rehabilitation program in appropriate circumstances in accordance with Board policy.

An employee knowingly in the possession of or under the influence of alcohol or any controlled substance shall be suspended immediately by his principal or supervisor if such use or possession is:

1. on school grounds, whether or not school is in session;
2. at any school-sponsored or sanctioned activity or event off school property or en route thereto;
3. on the way to school;
4. during contracted time of employment (including duty free mealtime).

An employee shall be suspended immediately after arrest for possession or for being under the influence of a controlled substance.

After investigation, the superintendent may reinstate the employee if it appears to be in the best interests of the individual and the district. The matter must be reported in full to the Board of Education.

If the investigation causes the superintendent to continue the suspension in excess of 10 school days, the employee may request a hearing by the superintendent or designee to be conducted in a manner to ensure that the suspended individual receives a fair, impartial hearing.

Pursuant to law, any employee who is convicted or pleads *nolo contendere* under any criminal drug statute for a violation occurring in the workplace shall notify the superintendent no later than five days after the conviction. The district has an

obligation under federal law to notify the appropriate federal agency within 10 days after receiving notice of such conviction if there is a relationship between federal funds received by the district and the convicted employee's work site.

Awareness and Prevention Program

The superintendent shall establish an awareness program to inform employees about:

1. the dangers of drug and alcohol abuse;
2. the Board's policy of maintaining a drug-free workplace;
3. available drug and alcohol counseling, rehabilitation and employee assistance programs;
4. penalties that may be imposed upon employees for drug and alcohol abuse violations occurring in the workplace.

The Board shall conduct a biennial review of its awareness and prevention program to determine its effectiveness, to implement required changes and to ensure that disciplinary sanctions are consistently enforced.

Annual Notification of Employees

Information about the standards of conduct required by this policy and a statement of disciplinary sanctions shall be communicated to employees in an appropriate manner on an annual basis. All employees who specifically work under a contract or grant which is federally funded shall acknowledge receipt of this policy and related information.

Adopted March 18, 1989
Amended: October 4, 1994
Amended: August 21, 2001

LEGAL REFS.: 20 U.S.C. § 7116 (Safe and Drug-Free Schools and Communities Act of 1994)
21 U.S.C. 812 (definition of controlled substance)
41 U.S.C.§701 and 702

CROSS REFS.: EEAEAA*, Drug And Alcohol Testing For Bus Drivers
GCQF, Discipline, Suspension and Dismissal of Professional Staff Members
GDQD, Discipline, Suspension and Dismissal of Support Staff Members
JICH, Drug and Alcohol Use by Students