

Drug-Free Workplace

Purpose

The Salmon River Joint School District #243 is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, and to the safety and health of the students we serve as well as the general public.

The use of illegal drugs, the abuse of alcohol, and the misuse of prescription drugs is unacceptable.

Employees must be provided with a statement notifying them of the prohibitions pertaining to controlled substances, consequences of violations, and compliance with the drug-free policy as a condition of employment.

All District workplaces are drug- and alcohol-free workplaces. All employees are prohibited from:

1. Unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance while on District premises or while performing work for the District;
2. Distribution, consumption, use, possession, or being under the influence of alcohol while on District premises or while performing work for the District.

As a condition of employment, each employee shall:

1. abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
2. notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five (5) days after such a conviction.

Definitions as Used in This Policy

1. "Illegal use of drugs" means the use of drugs, the possession or distribution of which is unlawful. Such term does not include the use of a drug taken under the supervision by a licensed health care professional.
2. "Drug" or "illegal drug" means a controlled substance as defined in Schedules I through V Of Section 202 of the Controlled Substances Act.
3. "Conviction" means a finding of guilt, including a plea of no-contest, or imposition of Sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

4. "Criminal Drug Law" means a federal or non-federal criminal statute involving the manufacture, distribution, dispensing, possession, or use of any controlled substance.

5. "Controlled Substance" – means any drug or substance that is: a. not legally obtainable; b. being used in a manner different than prescribed; c. legally obtainable, but has not been legally obtained; or d. referenced in federal or state controlled substance acts.

Confidentiality

Records that pertain to the District's employee required substance screens are recognized to be private and sensitive records. They shall be maintained by the Superintendent in a secure fashion to insure confidentiality and privacy and be disclosed to the Director of Human Resources only to the extent necessary to address any work-related safety risks occasioned by either the drug or alcohol use. The Director of Human Resources shall maintain any such records in a secure fashion to insure confidentiality and privacy. Medical records, and information relating directly thereto, shall be maintained in accordance with provisions of Idaho law and used with the highest regard for employee privacy consistent with law and the purpose of achieving and maintaining a drug free workplace. All Personnel records and information regarding referral, evaluation, substance screen results, and treatment shall be maintained in a confidential manner and no entries concerning such shall be placed in an employee's personnel file.

District Action Upon Violation of Policy

Employees in violation of the provisions of this policy shall be subject to disciplinary action up to and including termination. The fact that an employee has been referred for assistance and his/her willingness or ability to rehabilitate are appropriate considerations as to what, if any, disciplinary action may be taken.

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days after receiving notice of the conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate state or federal agency from which the District receives contract or grant moneys of the employee's conviction, within ten (10) days after receiving notice of the conviction.

Legal Reference: Drug Free Workplace Act of 1988
I.C. 72-1701 through 72-1716

Policy History:

Adopted on: April 20, 2009

Revised on: