

**ALCOHOL USE/DRUG ABUSE BY STAFF MEMBERS
(DRUG FREE WORK PLACE)**

The Peyton School District #23 JT is committed to assisting staff members make appropriate decisions regarding the use of drugs and alcohol. The District supports a policy that prohibits the unlawful use of drugs and alcohol. The District supports a policy that prohibits the unlawful manufacture, distribution, dispensing, possession, or use of alcohol or a controlled substance in the work setting.

1. Unlawful manufacture, distribution, dispensing, possession, or use of alcohol or a controlled substance is prohibited in Peyton School District #23 JT. This policy shall apply to all District employees although at times, District personnel may certify that a particular federal grant may apply only to specific work sites. For purposes of this policy, controlled substances include but are not limited to, narcotic drugs, hallucinogenic or mind altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined by law, or any prescription or non-prescription drug, medicine, vitamin, or other chemical substances not taken in accordance with the Board policy and regulations. A controlled substance shall not include a medication that has been prescribed by a licensed Colorado prescriber and that is taken in accordance with that prescriber's directions concerning duration, dosage, etc.
2. 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 the Board of Education's Employee Assistance Programs.
3. An employee's supervisor will take prompt and appropriate action to investigate and take corrective and/or disciplinary action against an employee immediately after his/her arrest for possession or for being under the influence of alcohol or any controlled substance if such use or possession is:
 - a. On school grounds, whether or not school is in session
 - b. At any school-sponsored or sanctioned activity or event off school property or enroute thereto.

4. 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 shall be reported in full to the Board of Education.

If the investigation causes the Superintendent to continue the suspension in excess of 10 work days, the employee may request a hearing by the Superintendent (or his/her designee) to be conducted in a manner to ensure that the suspended employee receives a fair, impartial hearing.

5. The Superintendent (or his/her designee) shall establish an awareness program to inform employees about:
 - a. The dangers of drug and alcohol abuse.
 - b. The Board's commitment to maintaining a drug/alcohol free workplace.
 - c. Available drug and alcohol counseling, rehabilitation, and employee assistance program.
 - d. Penalties that may be imposed upon employees for drug and alcohol abuse violations occurring in the workplace.
6. Information about the standards of conduct required by this policy and a statement of disciplinary sanctions shall be communicated to employees who specifically work under a contract or grant which is federally funded shall acknowledge receipt of this policy and related information. (See attached "Employee Acknowledgment Form")
7. Pursuant to law, any employee who is convicted or pleads nolo contendere (no contest) under any criminal drug statute for a violation occurring in the workplace shall notify the Superintendent no later than five (5) days after the conviction. The District has an obligation under federal law to notify the appropriate federal agency within ten (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.

LEGAL REF.: 20 U.S.C. 7101 ET SEQ. (Safe and Drug-Free Schools and Communities Act)
21 U.S.C. 812 (definition of controlled substance)
41 U.S.C. 8101 and 8102 (Drug-Free Workplace Act of 1988)
34 C.F.R. Part 84 (regulations implementing the Drug-Free Workplace Act)
Colo. Const. Art. XVIII, Section 16(6) (employers may restrict marijuana use, possession, sale, etc. by employees)

C.R.S. 18-18-407 (2) (crime to sell, distribute or possess any controlled substance on or near school grounds or school vehicles)

C.R.S. 25-1.5-106 (12) (b) (possession or use of medical marijuana in or on school grounds or in a school bus is prohibited)

C.R.S. 25-14-103.5 (boards of education must adopt policies prohibiting use of retail marijuana on school property).

CROSS REFS.: EEAEAA*, Drug and alcohol Testing for Bus Drivers
GCQF, Discipline, Suspension and Dismissal of Professional Staff
GDQD, Discipline, Suspension and Dismissal of Support Staff
JICH, Drug and Alcohol Involvement by Students

EMPLOYEE ACKNOWLEDGEMENT FORM
Drug Free Workplace Policy Statement
Peyton School District #23 JT

I, THE UNDERSIGNED EMPLOYEE OF THE Peyton School District #23 JT have received a copy of the Drug Free Workplace policy and:

1. I agree to abide by the terms of the policy.
2. I agree to notify my supervisor if I am convicted of violating a drug and/or alcohol statute in the workplace no later than five (5) days after the date of such conviction.

Employee Name (Typed)

Employee Signature

Date

ADOPTED: 11/94
REVISED: 2/97, 12/13