

DRUGS OR ALCOHOL-FREE WORKPLACE

The Bonneville Joint School District 93 is committed to a safe working environment, to making adequate provisions for the safety and health of its employees at their place of employment, to the safety and health of the students we serve, and the general public. All District workplaces are hereby declared to be drug-free and alcohol-free workplaces.

Guidelines

An employee, student, or visitor is in violation of District Board Policy if he/she is involved with drug paraphernalia, controlled substances, drugs, tobacco products, nicotine innovations, or alcohol on any District premises or at any District-approved or school-related activity, regardless of location, on his/her person, in his/her vehicle, or among the employee's, student's, or visitor's other property, in any of the following ways:

1. Unlawful manufacturing, dispensing, distributing, possessing, consuming, or using of drugs or alcohol and related substances;
2. Being knowingly present when any drug paraphernalia are used or in possession;
3. Being under any degree of intoxication or odor from alcohol or drugs;
4. Any use of tobacco products or nicotine innovations;
5. Taking prescription drugs above the level recommended by the prescribing physician and using prescribed drugs for purposes other than those for which they are intended; or
6. Distributing prescribed drugs to another employee, student, or visitor.

Annual Notification

1. The Superintendent/designee shall take appropriate steps to inform all employees of the contents of this policy.
2. Annual notification of District policies for staff, parents/guardians, and/or general public will be made available on the District's webpage. It is the responsibility of staff, parents/guardians, and/or general public to read and become informed of the contents, requirements, and expectations of these policies. Hard copies will be made available upon request.
3. Any District employee charged with a criminal drug statute violation must notify the District within five (5) days.

4. The Superintendent/designee shall report violations to the appropriate law enforcement agency when the circumstances warrant such action.
5. A report of a criminal drug statute conviction for a violation occurring in the workplace shall be made to the federal agency with whom a contract has been entered into.
6. The District shall make the report within ten (10) days of receiving notice of the conviction pursuant to the Drug Free Workplace mandates.

Discipline

1. Discipline for violation of this policy by an employee may involve actions up to and including termination of employment.
2. Discipline for violation of this policy by a student may include suspension, expulsion, referral to law enforcement agencies for prosecution, or referral to appropriate persons or agencies for screening and assessment.
3. Violation of this policy by a visitor may involve actions up to and including future prohibition from entering any District premises or attending any District sponsored activity, regardless of location.

DEFINITIONS

Drugs: shall include any alcohol or malt beverage, any inhalant, any tobacco product, nicotine innovations, any controlled substance, any illegal substance, any performance enhancement substance, any abused substance, any look-alike or counterfeit drug, any medication not approved and registered by the school authorities and/or any substance whose use is intended to alter mood, and/or any substance which is represented and sold or distributed as a restricted or illegal drug.

Drug paraphernalia: Any object or material being used in the consumption, production, sale or distribution of a controlled or illegal substance. These include but are not limited to papers, bongs, roach clips, pipes, stones, needles, and bowls.

Controlled substances: include, but are not limited to opiates, opium derivatives, hallucinogenic substances, including cocaine, and cannabis and synthetic equivalents of the substances contained in the plant, any material, compound, mixture or preparation with substances having a depressant effect on the central nervous system; and stimulants.

Criminal Drug Statute: A Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, possession or use of any controlled substance.

No tolerance: means that consequences will occur if this policy is violated, and that the consequences will be commensurate with the circumstances of each situation.

On any District premises or at any District sponsored activity, regardless of location: shall include, but not be limited to buildings, facilities, and grounds on school campuses, school busses, school parking areas; and the location of any school/district sponsored activity. This includes instances in which the conduct occurs off the school premises, but impacts a school related activity.

Reasonable Suspicion: An act of judgment by a District employee or independent contractor of an educational institution which leads to a reasonable and prudent belief that an employee/student may be using alcohol or controlled substances.

Adopted 09-14-2005 Reviewed _____ Revised 02-14-2018

Cross-Reference: Code of Student Conduct
#3300 Drug Free School Zone
#3320 Voluntary Disclosure of Substance and Alcohol Abuse
#5245 Disruption of the Educational Process
#5310 Smoking or Use of Tobacco Products and Nicotine Innovations

Legal Reference: Idaho Code § 37-2739B(b)(2) Fixed minimum sentences in drug cases
Idaho Code § 72-1701 through 72-1717
34 CFR 84.205 - What must I include in my drug-free workplace statement?
41 U.S.C. § 701, et seq.-Drug-Free workplace Requirements for Federal contractors