

DRUG-FREE WORKPLACE

I. POLICY STATEMENT:

It shall be the policy of the St. Johnsbury School District that no employee will unlawfully manufacture, distribute, dispense, possess or use alcohol or any drug on or in the workplace.

The following may result in an appropriate action against an employee, up to and including, but not limited to, immediate dismissal:

- unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in any St. Johnsbury School District workplace;
- conviction of any criminal drug statute for an offense occurring in the workplace;
- failure to report any such conviction as required;
- or further violation of this policy.

As a part of an action, employees may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by federal, state, or local health, law enforcement, or other appropriate agency. This policy shall not prevent the St. Johnsbury School District from taking any appropriate disciplinary action, consistent with local, state, and federal law, including immediate dismissal, for drug-related offenses that may occur off the job.

II. DEFINITIONS:

“Drug” means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by state or federal statute or regulation.

“Workplace” means the site for the performance of work for the school district, including any school building, any school premises, any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. It also includes 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 school district.

“Controlled substance” as used in this policy means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined in regulation 21 CFR 1308.11-1308.15.

“Conviction” means a finding of guilt (including a plea of nolo contendere) 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.

“Criminal drug statute” means a federal or non-federal criminal statute involving the manufacture, distribution, dispensation, possession, or use of any controlled substance.

Legal 21 U.S.C. §§812
Reference(s): 21 U.S.C. §§1521 et seq. (Drug-Free Communities Act)
20 U.S.C. §§1701 et seq. (Safe and Drug-Free Schools and
Communities Act of 1994)
21 C.F.R. §§1308.11 through 1308.15
21 V.S.A. §517 (Employer's Authority)

DATE WARNED: AUGUST 25, 2001
DATE APPROVED: SEPTEMBER 5, 2001
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DATE APPROVED: MARCH 13, 2006

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