

**DRUG -FREE WORKPLACE**

The Governing Board believes the maintenance of a drug-free workplace is essential to promoting quality school district operations. Accordingly, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol is prohibited in the workplace. Employees who violate these prohibitions shall be disciplined, including the possibility of termination, or required to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program.

In considering disciplinary action, the Board's decision shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and district policies and practices.

As a condition of employment, each employee agrees to abide by the terms of this policy. It will be each employee's responsibility to notify the school district within five days if he or she is convicted of a criminal drug violation which occurred in the workplace.

The Board directs the Superintendent to develop procedures needed to implement this policy and comply with requirements of the Drug-free Workplace Act of 1988 as it may be amended from time to time.

**Contractors and Vendors**

The Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) requires that every person or organization awarded a contract or grant for procurement of any property or service from any State agency, must certify that it will provide a drug-free workplace by doing certain specified acts. The Act provides that each contract or grant awarded by a State agency may be subject to suspension of payments or termination, and the contractor or grantee may be subject to debarment from future contracting, if the contracting agency determines that specified acts have occurred.

Contractors with whom the District contracts for public works projects through the formal bid process or consultants with whom the District contracts must agree that vendors, employees or agents of the contractor or consultant shall not in any way be impaired due to being under the influence of alcohol or an illegal drug(s) while performing services for the District or while on District property.

No such person shall possess an open container of alcohol or consume alcohol, or possess, or be under the influence of an illegal drug, nor shall they sell, offer, or provide alcohol or an illegal drug(s) to another person while on District property.

All District consultants, contractors, and vendors shall inform their employees and agents that are performing service for the District of the District's objective of a safe, healthful, and productive workplace and the prohibition of drug and alcohol use or impairment from same while performing such service for the District.

Each District consultant, contractor, and vendor shall, moreover, advise the District whether they have a policy or procedure for maintaining a drug free workplace at the consultant's, contractor's, or vendor's own place of business, and, if so, shall briefly describe it in writing to District officials.

*Legal Reference:*

EDUCATION CODE

44011 *Controlled substance offense*

44425 *Conviction of controlled substance offenses as grounds for revocation of credential*

44836 *Employment of certificated persons convicted of controlled substance offenses*

44940 *Compulsory leave of absence for certificated persons*

44940.5 *Procedures when employees are placed on compulsory leave of absence*

45123 *Employment after conviction of controlled substance offense*

45304 *Compulsory leave of absence for classified persons*

GOVERNMENT CODE

8350-8357 *Drug-free workplace*

UNITED STATES CODE, TITLE 20

7111-7117 *Safe and Drug Free Schools and Communities Act*

UNITED STATES CODE, TITLE 21

812 *Schedule of controlled substances*

UNITED STATES CODE, TITLE 41

701-707 *Drug-Free Workplace Act*

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.01-1308.49 *Schedule of controlled substances*