

Pennsbury School District

School Board Policy

Effective Date	Supercedes Index No.	Index No.
1/15/09	4631 of 4/8/91	351.1

Title: Drug and Substance Abuse by Employees

Purpose: The School Board recognizes that the misuse of drugs by employees is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by drug use by employees, especially as the use relates to an employee's safety, efficiency and productivity.

The primary purpose and justification for any School District action will be for the protection of the health, safety and welfare of students, staff and school property.

This document, Index No. 351.1, replaces the previous Index No. 4631.

Authority: Federal and State laws

Definitions: **Drugs** – shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.

Conviction – 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 statute.

Drug-free Workplace – the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.

Policy: The School Board requires that each employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the School District of any criminal drug statute

conviction for a violation occurring in the workplace no later than five days after such conviction.

An employee convicted of delivery of or possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the School District.

A statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Director of Human Resources and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination, and referral for prosecution.

The School District shall be responsible for taking action within 30 days of receiving notice, with respect to any convicted employee.

The School District shall take appropriate personnel action against such an employee, up to and including termination, and may require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.

In establishing a drug-free awareness program, the Director of Human Resources shall inform employees about:

1. Dangers of drug abuse in the workplace.
2. The School District's policy of maintaining a drug-free workplace.
3. Availability of drug counseling, drug rehabilitation, and employee assistance programs.
4. Penalties that may be imposed for drug abuse violations occurring in the workplace.

The School District shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.

**Responsible
Administrator:** Director, Human Resources