

# SPRINGFIELD SCHOOL DISTRICT

**SECTION: ALL EMPLOYEES**

**TITLE: DRUG AND SUBSTANCE ABUSE**

**ADOPTED: February 16, 1995**

**REVIEWED: February 2005; November 2010**

<b>E2. DRUG AND SUBSTANCE ABUSE</b>	
<p>1. Purpose</p>	<p>The Board of School Directors (“Board”) of Springfield School District (“District”) recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the whole school community. As such, the Board is very much concerned about the problem that may be caused by drug use by District employees, especially as the use relates to the safety, efficiency and productivity of the District employees.</p> <p>The primary purpose and justification for any action on the part of the school staff would be the protection of the health, safety and welfare of students, staff and school property.</p>
<p>2. Definitions 35 P.S. Sec. 780-101 et seq</p>	<p>For the purposes of this policy, <i>drugs</i> shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.</p>
<p>41 U.S.C. Sec. 8101</p>	<p><i>Conviction</i> shall be defined as 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. A District employee convicted of delivery of controlled substances or convicted of possession of controlled substances with the intent to deliver shall be terminated from his/her employment with the District.</p>
<p>41 U.S.C. Sec. 8101</p>	<p><i>Criminal drug statute</i> shall be defined as a federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.</p>
<p>41.U.S.C. Sec. 8101</p>	<p><i>Drug-free workplace</i> shall be defined as the site for the performance of work done at which District employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.</p>

<p>3. Delegation of Responsibility 41 U.S.C. Sec. 8103, 8104</p> <p>41 U.S.C. Sec. 8103, 8104</p> <p>41 U.S.C. Sec. 8103</p>	<p>A statement notifying District employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the District employee's workplace shall be provided by the Superintendent and shall specify the actions that will be taken against the District employee for violation of this policy up to and including termination and referral for prosecution.</p> <p>The Board requires that each District employee be given a copy of the statement and notification to the employee that the employee will abide by the terms of the statement and notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.</p> <p>The District shall be responsible for taking one of the following actions within thirty (30) days of receiving notice, with respect to any convicted District employee.</p> <p>The District shall take appropriate personnel action against such an employee, up to and including termination and referral for prosecution. The District shall 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. Failure and/or refusal to participate after a reasonable agreed upon time frame shall be grounds for dismissal.</p> <p>In establishing a drug-free awareness program, the Superintendent or designee shall inform District employees about:</p> <ol style="list-style-type: none"> <li>1. The dangers of drug abuse in the workplace.</li> <li>2. The District's policy of maintaining a drug-free workplace.</li> <li>3. The availability of drug counseling, drug rehabilitation, and employee assistance programs available.</li> <li>4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.</li> </ol> <p>A breathalyzer test may be requested by the building principal, administration and/or local authority to any employee suspected of being under the influence of alcohol at school and/or work.</p> <p>A urinalysis test may be requested of an employee suspected of drug or substance abuse. Considerations for prescription medications appropriately taken by the employee shall be accounted for in such testing.</p>
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41 U.S.C.  
Sec. 8103

Abuse of illegally obtained prescription drugs shall be dealt with in a like manner as other drugs and substances in this policy.

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

**SUPERSEDES:** Policy No. 5145.1, Drug and Alcohol Abuse

**DISCLAIMERS:**

***This policy is superseded by all current federal and state laws and mandates.***

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