

**COLOGNE ACADEMY**  
**MANUAL OF SCHOOL POLICIES APPROVED BY THE BOARD**

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**POLICY 418: DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL**

**I. PURPOSE**

It is the policy of Cologne Academy to maintain a safe and healthful environment for employees, students, and the public by prohibiting the use of alcohol, toxic substances, medical cannabis, and controlled substances without a physician's prescription.

**II. GENERAL STATEMENT OF POLICY**

- A. Use of controlled substances, toxic substances, medical cannabis, and alcohol before, during, or after school hours, at school or in any other school district location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. It shall be a violation of this policy for any student, teacher, administrator, other school district personnel, or member of the public to use alcohol, toxic substances, medical cannabis, or controlled substances in any school district location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

**III. DEFINITIONS**

- A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor or other alcoholic substance used or possessed with the intent of inducing intoxication.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or (4) any other method, excluding smoking, approved by the commissioner.

- D. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
- E. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School District location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at 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; or during any period of time such employee is supervising students on behalf of the school or otherwise engaged in school business.
- H. "Positive test result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. 181.953, Subd.
- I. "Reasonable suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

#### **IV. EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

#### **V. PROCEDURES**

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be

required to provide a copy of the prescription.

- C. Each employee shall be notified of this Drug-Free Workplace/Drug-Free School Policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a School location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis on a school bus or van; Or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility.
- G. Possession of alcohol on school grounds, pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall only be by permission of the School Board. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## **VI. ENFORCEMENT**

### **A. Students**

- 1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- 2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

### **B. Employees**

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction.
- 2. In any case where there is reasonable suspicion that any employee is under the influence of drugs or alcohol or has violated the provisions of this policy, Cologne Academy may require the employee to undergo drug and alcohol testing. An employee has the right to explain a positive test result on a confirmatory test or to request and pay for a confirmatory retest.
- 3. Any employee who refuses to undergo drug and alcohol testing or otherwise violates the terms of this policy is subject to disciplinary action,

including non-renewal, suspension, termination, and/or referral to civil authorities for prosecution as deemed appropriate by the school board.

4. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
5. Sanctions against employees, including non-renewal, suspension, and termination shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and Cologne Academy policies.

#### C. The Public

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

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**COLOGNE ACADEMY**

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**- ACKNOWLEDGMENT -**

**DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL POLICY**

I have received a copy of the Drug-Free Workplace/Drug-Free School Policy of Cologne Academy, Cologne, Minnesota.

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Employee/Applicant*

\_\_\_\_\_  
*Typed or Printed Name*