

## **PERSONNEL**

### **Drug-Free Workplace**

#### **A. Generally**

~~The school board demands compliance with both the word and intent of the Drug-Free Workplace Act, acts of the Virginia General Assembly relating to drug (including alcohol) use, and Federal, State and Department of Education regulations implementing such legislation.~~

#### **B. Definitions**

~~As used in this regulation:~~

- ~~1. "Controlled substance" means a controlled substance in schedules I through V of the Federal Controlled Substance Act and schedules I through VI of the Virginia Drug Control Act.~~
- ~~2. "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.~~
- ~~3. "Criminal drug statute" means a Federal or State statute involving the manufacture, distribution, dispensing, possession or use of any controlled substance.~~
- ~~4. "Drug free workplace" means a site for the performance of work by a school board employee at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.~~

#### **C. Use of Alcohol and Drugs**

- ~~1. Alcohol and Drugs on School Board Property  
The illegal use, possession of, or sale of alcohol, narcotics, hallucinogens, depressants, stimulants, marijuana or other controlled substance on school board property shall result in suspension or termination of employment.~~
- ~~2. Alcohol and Drugs off School Board Property~~

~~The use of alcohol, narcotics, hallucinogens, depressants, stimulants, marijuana or other controlled substance off school board property which affects an employee's ability to perform his or her duties, or which generates publicity or circumstances which adversely affect the school division or its employees, shall result in discipline, including possible suspension or termination.~~

#### **~~D. Drug-Free Awareness Program~~**

~~The school board is aware of its obligation to employees with respect to the use and abuse of drugs. The board holds the belief that a climate should be established within the division that is conducive to the nonuse of illegal drugs. This climate is to be achieved through the establishment of the following:~~

- ~~1. That opportunities be provided when possible and appropriate to have an effective counseling program under the direction of the school psychologist.~~
- ~~2. That a continuing program of required in-service instruction be implemented on the nature of drugs and their proper use and on the deleterious effects of drug use on the mental, physical, social, economic and legal status of the individual employee.~~
- ~~3. That opportunities be provided for the community to understand the school division's approach to a drug-free workplace.~~
- ~~4. That this regulation and related rules instituted to insure against the use, sale or distribution of controlled substances on school property (including vehicles) be made available to each employee and posted in workplaces when appropriate.~~

#### **~~E. Notification of Convictions~~**

~~Employees convicted (including a plea of "nolo contendere") for violating any state or federal criminal drug law by an action committed in the workplace must notify their immediate superior within five (5) days of their conviction. Failure to comply with this directive will be grounds for termination of employment.~~

#### **~~F. Drug Use by Students~~**

~~See School Board Policy 5-45 and Regulations 5-45.1 and 5-45.2 for applicable policy and procedures.~~

#### **~~G. Drug Education Program~~**

~~The school division will develop and implement a K-12 drug education program. This program will be described in curriculum guides and school division publications and will be supported by suitable instructional materials and staff training.~~

### ~~Regulatory Authority~~

~~Drug-Free Workplace Act. (1988)~~

~~Drug-Free Workplace Requirements; Notice and Interim Final Rules (Effective March 18, 1989).~~

~~Code of Va., Drug Control Act.~~

~~Code of Va., § 4-78.1. Drinking or possession of alcoholic beverages in public schools or on school grounds.~~

~~Code of Va., § 18.255.2. Prohibiting the sale of certain controlled substances or marijuana on school property; penalty provided.~~

~~Code of Va., § 18.2-265.1. Definitions.~~

### ~~Related Links~~

~~School Board Policy 5-45~~

~~School Board Regulation 5-45.1~~

~~School Board Regulation 5-45.2~~

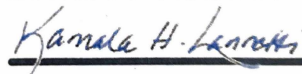
Approved by Superintendent: July 16, 1991

Revised by Superintendent: January 18, 1994

Revised by Superintendent: February 21, 1995

Repealed by Superintendent; November 3, 2021

APPROVED AS TO  
LEGAL SUFFICIENCY

  
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