

Drug-Free Workplace

Purpose of the Policy

Controlled substance abuse in the workplace is a danger to the safety and health of employees as well as to students of the School District. In addition, the Federal Government supports this view and has required that the District notify all employees as to our policy, which states that the School District will provide a drug-free workplace.

General Policy

It is the policy of the Wilson Area School District that the unlawful manufacturing, dispensing, distribution, possession or use of a controlled substance is prohibited in any workplace of the District. Also, Act 191 of the Pennsylvania Legislature of 1988 requires that any District employee who is convicted of the delivery of a controlled substance or convicted of the possession of a controlled substance with the intent to deliver, shall be terminated from his or her employment with the District.

In addition, any activity regarding a controlled substance not covered under legal statutes may also lead to a personnel action. This may include termination or requiring the employee to participate satisfactorily in a Drug/Alcohol Abuse Assistance Program or Rehabilitation Program approved for such purposes by a Federal, State, Local, Health, or Law Enforcement or other appropriate agencies. Any personnel action under this policy shall be in addition to and not in lieu of any action, which could be taken by the District prior to the adoption of this policy.

Policy Requirements

1. All employees will be notified in writing of the Drug-Free Policy as approved by the Board of Directors.
2. Each employee as a condition of employment will:
 - a. Abide by the terms of the policy
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
3. The School District will notify Federal Agencies providing direct Federal Grant Funds to the School District after receiving a Notice of Conviction by the employee or otherwise receiving actual notice after such conviction. This must be done within 10 days.

4. The School District will initiate action within 30 days with respect to any employee who is so convicted. The action will include action as required by Act 191 of the Pennsylvania State Legislature of 1988 and the Federal Regulations implementing the Drug-Free Workplace Act of 1988.
5. The School District will establish a drug-free awareness program for employees.

Definitions

1. **Controlled Substance**
This means a controlled substance in Schedule 1 through V of Section 202 of the Controlled Substance Act (21 USC812) and as further defined by regulation at 21 CFR1300, 11 through 1300.15. Examples include:
 - a. Opiates (e.g., heroin, morphine, codeine, methadone)
 - b. Cocaine
 - c. Cannabinoids (e.g., marijuana, hashish)
 - d. Amphetamines
 - e. Barbiturates
 - f. Other narcotics and hallucinogens (e.g., Phencyclidine (PCP), Methaqualone (Quaalude), Peyote (LSD))
 - g. Benzodiazepines (e.g., Valium, Librium)

Also encompassed by these definitions are substances not sold as drugs or medicines, but that are used for mind-behavior/altering effect.

2. **Conviction**
This means a finding of guilt (including a plea of noio contendere) or imposition of sentence or both by any judicial body charged with the responsibility to determine violations of Federal or State Criminal Drug Statutes.
3. **Drug-Free Workplace (Federal Definition)**
This means a site for the performance of work done in connection with a specific grant at which employees of the grantee are prohibited from engaging in the unlawful manufacturing, distribution, dispensing, possession or use of a controlled substance including alcohol.