

**DRUG- AND ALCOHOL -FREE WORKPLACE**  
(Drug and Alcohol Use by Staff Members)

It is the policy of Colorado Springs School District 11 (the "District") to maintain a workplace that is free from the effects of drugs and alcohol in compliance with the Drug-Free Workplace Act of 1988 and best practices. Accordingly, the manufacture, distribution, dispensing, possession or use of alcohol and illegal drugs is prohibited while an employee is engaged in District business or work, is on District premises or at school-sponsored activities, or is an operator of or a passenger in a District vehicle. In addition, possession of drug paraphernalia (as defined in C.R.S. 18-18-426) by District employees is also prohibited while engaged in District business or work, on District premises or a school-sponsored activity, or while operating or riding as a passenger in a District vehicle.

For the purposes of this policy, "illicit drugs" means narcotics, drugs and controlled substances as defined in law. Although some actions involving marijuana are no longer prohibited by state law, federal law still prohibits the manufacture, sale, distribution, possession and use of marijuana. As a recipient of federal funds, the District has an obligation to maintain a drug-free workplace. Thus, marijuana is an illicit drug for purposes of this policy. The term "illegal drugs" includes:

- (1) Drugs the possession, sale or use of which is prohibited by state or federal law;
- (2) "Controlled substances" as defined by state or federal law;
- (3) Prescription medications for which the employee does not possess a valid prescription; and
- (4) Prescription medications for which the employee possesses a valid prescription, or over-the-counter medications, if the medications are likely, in the District's opinion, to impair physical or mental functioning in a way that affects the employee's job performance or the safety of the employee or others in the workplace, unless:
  - (a) The employee has notified Human Resources in advance, of the potential impact of those medications on the employee's physical or mental functioning; and
  - (b) Human Resources has authorized the employee to continue working despite the potential effects of the medication.

Employees are prohibited from reporting to work while under the influence or carrying an odor of alcohol or illegal drugs. This prohibition also shall apply to employees during non-working time in the event such use impairs an employee's ability to perform his/her job.

This policy does not prohibit the use or possession of prescription or over-the-counter drugs if the drugs are used in the manner, combination and quantity intended and if not in violation of a state and/or federal law, unless job performance is or could be affected. If use of such drugs could affect job performance, the employee must inform the supervisor before starting work. The supervisor, after proper inquiry, shall decide if the employee may remain at work and what work restrictions, if any, are deemed necessary.

When a supervisor determines that an employee is in violation of this policy, the employee shall be placed on administrative leave, and relieved from assigned duties until further notice.

The Executive Director of Human Resources or designee shall meet with the supervisor and employee on the following workday, or as soon as reasonably practicable, at which time the supervisor shall furnish a written summary of the incident. The Executive Director of Human Resources or designee shall review the incident as soon as reasonably practicable, and in conjunction with the supervisor, determine the appropriate action.

Observance of this policy, and the requirement to report any alleged violations of this policy to Human Resources, is a condition of employment. Employees deemed to be in violation of this policy may be subject to disciplinary action or termination from employment.

Pursuant to law and as a condition of employment, any employee who is convicted or pleads nolo contendere under any criminal drug statute for a violation occurring while the employee was engaged in District business or work, was on District premises or at a school-sponsored activity, or was an operator of or a passenger in a District vehicle shall notify the District no later than five days after the conviction and the District shall take appropriate disciplinary action or terminate the employee from his/her employment. Failure to report a criminal drug violation occurring in the workplace shall also result in disciplinary action or termination from employment.

Adopted February 1985  
Revised June 1988  
Revised June 1989  
Revised September 1993  
Revised February 2000  
Revised March 2011  
Reviewed October 5, 2012  
Revised February 13, 2019

LEGAL REFS.: C.R.S. § 18-18-201, *et seq.*  
C.R.S. § 18-18-426  
C.R.S. § 24-34-402.5  
20 U.S.C. § 3211, Drug Free Schools and Communities Act of 1986,  
as amended in 1989  
41 U.S.C. § 701, *et seq.*, Drug-Free Workplace Act  
21 U.S.C. § 812 (definition of controlled substance)

CROSS REFS.: JICH, Drug and Alcohol Use by Students  
KFA, Public Conduct on School Property  
Colorado Springs School District 11 Employee Manual (located on the  
Human Resources web page: [d11.org>departments>human  
resources>employee resources>human resources general  
information>EE manual](http://d11.org/departments/human-resources/employee-resources/human-resources-general-information/EE-manual))