

## **Drug Free Workplace**

### **I. The Policy**

- A. It is the policy of the Lafayette School Corporation to maintain a learning and working environment that is free of illegal drugs, alcohol, marijuana, and controlled substances.
- B. No employee of the Lafayette School Corporation shall distribute, possess, use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, or any other controlled substance as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. Section 812) and as further defined by regulation at 21 C.F.R. 1300.15, before, during, or after school hours at school or in any other school corporation location as defined below. The use or possession of prescription drugs as authorized in a prescription prescribed by a licensed health care provider is exempt from this policy.
- C. Drugs include any alcoholic beverage, anabolic steroid, dangerous controlled substance as defined by state statute, or any substance that could be considered a “look-a-like” controlled substance.
- D. “School corporation location” means in any school building and 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 corporation; or during any period of time such employee is supervising students on behalf of the school corporation or otherwise engaged in school corporation business.
- E. It shall be a violation for an employee to possess controlled substance preparation or consumption paraphernalia while under the jurisdiction of the Lafayette School Corporation.
- F. As a condition of employment in any federal grant program, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of the policy. Each employee 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 in Section II. B. on which work on a school corporation federal grant program is performed, no later than five (5) calendar days after such conviction.

### **II. Definitions/Expectations**

- A. A controlled substance is defined as set out in schedules I through V of section 202 of the controlled substance Act (21 U.S.C. Section 812), in regulation 21 C.F.R. 1300.11 through 1300.15, and in the Indiana Criminal Code (I.C. 35-48-1-9) and includes, but is not limited to, narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, inhalants, or intoxicants of any kind. In this policy, any substance

represented to be or thought by the intended recipient to be an illicit or prescription drug is considered to be a controlled substance.

B. The Lafayette School Corporation's jurisdiction is defined as:

1. On school grounds, including facilities where school programs are conducted, at any time;
2. Off school grounds at a school activity, function or event; and includes
3. Traveling to or from school or a school activity, function, or event in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or a school activity, function, or event.
4. Any period of time such employee is supervising students on behalf of the school corporation or otherwise engaged in school corporation business.

III. Procedures for Reporting a Violation to the Drug Free Policy

- A. Any person who alleges violation of the drug-free workplace policy by any employee of the Lafayette School Corporation may use the reporting procedure explained below in Section III. C. or may file a complaint directly to his/her immediate supervisor or building principal. If the violation involves the principal, the person may request a meeting with the superintendent of schools. Filing of a valid complaint or otherwise reporting violations of the drug-free policy will not reflect upon the individual's status nor will it affect future employment or work assignments.
- B. The right of confidentiality, both of the complainant and of the accused, will be respected consistent with the school corporation's legal obligations and the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
- C. All allegations of violation of the drug-free work place policy shall be handled in the following manner:
  1. Any and all reports of the violation shall be investigated by the building principal, supervisor, superintendent, or designee;
  2. Reports must be in writing on forms supplied by the Corporation (Appendix A). The person making the report must sign the report. The name of the person making the report will remain confidential unless there is a written waiver of this confidentiality or as required by law;
  3. Reports must name the person(s) charged with the violation if known and state the facts;
  4. Reports must be presented to the building principal where the employee works. The building principal shall inform the superintendent, or his/her designee, of all filed reports;
  5. The building principal who receives a report shall investigate the alleged violation within ten (10) days or as soon as practical (Appendix B);

6. The report and the results of the investigation will be presented to the superintendent or his/her designee within ten (10) days of the completed investigation or within a reasonable period of time (Appendix C);
7. The superintendent or designee will take appropriate action consistent with due process; and,
8. No person shall be subjected to any adverse treatment for having made a valid complaint of a violation of the drug-free policy.

#### IV. Sanctions for Violating the Drug Free Policy

Any employee, full-time or part-time, who violates this policy will be subject to disciplinary action including, but not limited to, suspension and/or termination. When appropriate or required by law, the Corporation will also notify law enforcement officials.

#### V. False Reporting

Any person who knowingly files false charges against an employee in an attempt to demean, harass, abuse, or embarrass that individual shall be subject to disciplinary action consistent with school policy and state law including, but not limited to, suspension and/or discharge.

#### VI. Notification

Notice of the policy will be circulated to all schools and departments of the Lafayette School Corporation and incorporated in each employee handbook.

Legal Reference: I.C. 20-34-2  
I.C. 35-48-1-9

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