

## **GBEC - DRUG-FREE WORKPLACE POLICY**

The School District will provide a drug-free workplace in accordance with the Drug-Free Schools and Communities Act of 1988 and Amendments of 1989 (41 USC Section 701 Et. Seq.).

In compliance with statutory requirements, the Epping School District will:

1. Notify all employees and contracted personnel, in writing, that the unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs and alcohol is prohibited in the District's workplace, including employees possessing a "medical marijuana" card, and that any violation is subject to disciplinary action. Notification will be accomplished by distribution of this policy to all employees. In addition, notice will be posted in a place where other information for employees is posted. For purposes of this policy, a "controlled substance or drug" means and includes any controlled substance or drug defined in the Controlled Substances Act, 21 U.S.C. § 812(c), or New Hampshire Controlled Drug Act RSA 318-B.

2. Provide a drug-free awareness program to inform employees about:

- a. The dangers of illicit drugs in the workplace;
- b. The District's policy of maintaining a drug-free workplace;
- c. Available drug and alcohol counseling, rehabilitation, and employee assistance and/or re-entry programs; and
- d. The penalty/penalties that may be imposed on employees for drug and alcohol violations occurring in the workplace.

3. Notify employees that, as a condition of employment in the District, they will agree to and abide by the terms of the policy, and will notify the District of any drug statute conviction resulting from workplace conduct within five days of the conviction. The District will notify the federal contracting agency of any covered violation. Under the terms of the Drug-free Workplace Act, the District has 10 days to report that a covered employee has been convicted of criminal drug violation.

4. Establish the following as grounds for disciplinary action:

- a. working under the influence of alcohol or illegal drugs, no matter where consumed.
- b. Having an unsealed container of alcohol or consuming alcohol on school property. (Any employee who finds any type of container of alcohol on school property should report it to the administration as soon as possible.)
- c. Possessing or distributing controlled substances on school property.
- d. Consuming, possessing, or distributing alcohol or illegal drugs at official\* school functions not on school property. \*An official school function is defined as one which is authorized and conducted by the school with school officials/agents present, in charge, and on duty, such as, but not limited to: • Interscholastic athletic contests, • Field trips, and • School dances.

5. Alert the local law enforcement agency of suspected violations of the policy.

6. Take any of the following disciplinary actions (either alone or in combination) regarding an employee who is in violation of the policy:

- a. Suspension,
- b. Termination of employment, or c. Satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health or law enforcement, or other appropriate agency.
- c. The Board will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction. Should District employees or contracted personnel be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, the Superintendent will notify the appropriate state or federal agency from which the District receives contract or grant moneys of an employee/contracted personnel's conviction, within ten (10) days after receiving notice of the conviction.
- d. The processes for disciplinary action shall be those provided generally to other misconduct for the employee/contractor personnel as may be found in applicable collective bargaining agreements, individual contracts, School Board policies, contractor agreements, and or governing law. Disciplinary action should be applied consistently and fairly with respect to employees of the District and/or contractor personnel as the case may be.

7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy. In so doing, the District will conduct a biennial review of its programs to determine their effectiveness, assure compliance with the notification requirements of section 1, and to ensure that the disciplinary sanctions are consistently enforced and changes are implemented, if needed.

8. Pursuant to New Hampshire's "Drug-Free School Zone" law (RSA Chapter 193-B), it is unlawful for any person to manufacture, sell, prescribe, administer, dispense, or possess with intent to sell, dispense or compound any controlled drug or its analog, within a "drug-free school zone". The Superintendent is directed to assure that the District is and remains in compliance with the requirements of RSA 193-B, I, and N.H. Ed. Part 316 with respect to establishment, mapping and signage of the drug-free zone around each school of the District.

#### Statutory/Regulatory/Policy/Handbook Cross References

RSA 193-B (Drug Free School Zones) 41 USC Section 701 Et. Seq. (Drug-Free Schools and Communities Act of 1988 and Amendments of 1989) Handbook (Referenced in Personnel Handbooks)

APPROVED/REVISED: July 20, 2006, February 18, 2016, September 3, 2020

PREVIOUS POLICY: November 8, 1990 "Drug Free Workplace"