

Policy

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

Code GAMA Issued 07/27/22

The school district is committed to providing a drug and alcohol-free learning environment and workplace. Drug and alcohol abuse at school or in connection with school-sponsored activities on or off school grounds threatens the health and safety of our students and our employees and adversely affects the educational mission of the schools.

No employee will unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any drug in the workplace.

- “*Drug*” means any controlled narcotic drug, hallucinogenic drug, stimulant, depressant, amphetamine, barbiturate, marijuana, counterfeit drug, imitation substance, look-a-like substance, synthetic drug, designer drug, alcohol product or any other controlled or illegal substance.
- “*Workplace*” means the site for the performance of work – including but not limited to – school or the district premises, school or district owned or approved vehicle, or sites of school or district activities.
- A school district employee shall not manufacture, possess, distribute or be under the influence of a drug while in the workplace. Violation of this policy is grounds for immediate discipline up to and including dismissal.
- An employee who violates the terms of this policy may be subject to disciplinary action including, but not limited to, administrative leave or termination at the discretion of the board.

Employee drug testing

Any employee who appears to be under the influence of drugs or alcohol in such a way that would adversely affect the performance of his or her duties or the image of the district will be immediately placed on administrative leave, with pay, pending an investigation. Consistent with the board’s intent to discover, prevent, and prohibit the illicit possession, use, sale, and influence of drugs or alcohol, the board adopts the following employee drug and alcohol testing policy.

This policy applies to employees on district or school premises, at district or school-related activities, while on or about district business, or in off-duty hours where such off-duty usage affects the employee’s on-the-job conduct or activities.

An employee may be required to submit to drug and alcohol testing as the law permits and the needs of the school and district if a supervisor has “reasonable suspicion” to suspect an employee may be under the influence of alcohol or drugs. “Reasonable suspicion” exists if the employee’s supervisor believes the actions or appearance or conduct of an employee are indicative of the use of drugs or alcohol. Such determination will be made on a case-by-case basis.

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Any employee who, when requested by his/her supervisor to do so, refuses to submit as herein prescribed to an established drug and/or alcohol test for, or who shows a positive result from such test will be subject to dismissal from employment with the district.

- All district employees who drive school buses and/or other district vehicles that require a commercial driver's license (CDL) will undergo alcohol and controlled substance testing in compliance with the Omnibus Transportation Employee Testing Act of 1991 as provided in Policy EDAE (Bus Safety Program).
- The board directs the administration to establish a drug and alcohol-free awareness program in the district to include information on the dangers of drug and alcohol abuse in the workplace, the district's policy on a drug and alcohol-free workplace, and any drug or alcohol counseling available to employees as well as any available rehabilitation and employee assistance programs.
- The human resources director will notify all district employees that – as a condition of employment – the employee shall
 - abide by the terms of the district drug-free workplace policy.
 - Notify his/her supervisor immediately of his/her arrest or conviction for a violation of any criminal drug or alcohol statute.

The board and the superintendent will take such action in accordance with district policies and regulations as well as applicable state and federal law.

Adopted 4/21/15; Revised 07/27/22

Legal References:

- A. United States Code of Laws, as amended:
 - 1. Controlled Substances Act, 21 U.S.C.A. Section 812, *et seq.*
 - 2. Drug-Free Workplace Act, 41 U.S.C.A. Section 8101, *et seq.*
- B. S.C. Code of Laws, 1976, as amended:
 - 1. Section 16-17-530 - Individuals who come to school in an intoxicated condition or conduct themselves in a disorderly or boisterous manner are subject to misdemeanor arrest.
 - 2. Section 44-49-80 - Establishment of drug abuse treatment program in public schools.
 - 3. Section 44-53-110, *et seq.* - Narcotics and controlled substances.
 - 4. Section 44-107-10, *et seq.* - The Drug-Free Workplace Act. Section 59-67-150 - Drinking alcoholic beverages on a school bus is prohibited.