

SECTION: PROFESSIONAL PERSONNEL

TITLE: DRUG-FREE WORKPLACE

ADOPTED: 5/20/2013

REVISED: formerly 3930

# TURKEYFOOT VALLEY AREA SCHOOL DISTRICT

## 451. DRUG-FREE WORKPLACE

### 1. Purpose

This Drug-Free Workplace policy is hereby enacted by the Board of School Directors of the Turkeyfoot Valley Area School District, pursuant to the Drug-Free Workplace Act of 1988, Public Law 100-690, Sec. 5152 and Act 191 of 1988, 24 P.S. Sec. 257.

#### 1. Prohibition Against Possession of Drugs in the Workplace

It is the declared policy of the Turkeyfoot Valley Area School District that the unlawful manufacture, distribution, dispensation, possession or use of a drug or controlled substance, within the meaning of Sec. 102 of the controlled Substances Act, 21 U.S.C. Sec. 802 or The Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. Sec. 780-102 et seq, is prohibited in the workplace. The Turkeyfoot Valley Area School District is committed to make a good faith effort to continue to maintain a drug-free workplace by the implementation of this policy.

#### 2. Penalty for Violation of the Drug-Free Workplace Policy

Employees of the Turkeyfoot Valley Area School District shall abide by this policy as a condition of their employment. In the event that any employee of the Turkeyfoot Valley Area School District violates this policy by possessing, manufacturing, distributing, dispensing or using any drug or controlled substance, s/he shall be suspended from work immediately until such time that a hearing before the Board of School Directors is conducted to adjudicate the employee's violation of this policy. Within thirty (30) days of an alleged violation of this policy, the Turkeyfoot Valley Area School District, after a hearing before the Board of School directors, shall take appropriate personnel action against any employee and require any employee not terminated to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State or Local health, law enforcement or other appropriate agencies. Appropriate personnel action, within the meaning of this policy, shall be any disciplinary action up to and including termination of employment. An employee who is convicted of

delivery of a controlled substance or delivery of a controlled substance with the intent to deliver the same shall be terminated from his/her employment with the District pursuant to 24 P.S. Sec. 257. An employee who is not discharged for a violation of this policy, as a condition precedent to returning to work, must certify that s/he has enrolled in and/or completed a drug abuse assistance or rehabilitation program.

3. Employees' Notification to Turkeyfoot Valley Area School District of Criminal Drug Statute Conviction

All employees of the Turkeyfoot Valley Area School District shall notify the Superintendent of the Schools or Board of School Directors of any criminal drug statute conviction for a violation within five (5) days of the issuance of the same. The Turkeyfoot Valley Area School District will notify the Department of Education of the Commonwealth of Pennsylvania and/or the contracting Federal agency, within the meaning of the Drug-Free Workplace Act of 1988, of any criminal drug statute conviction of an employee within ten (10) days after receiving notification of the same by an employee.

4. Drug-Free Awareness Program

Turkeyfoot Valley Area School District shall maintain a Drug-Free Awareness Program for its employees which explains: (i) the dangers of drug abuse in the workplace; (ii) the Turkeyfoot Valley Area School District's policy of maintaining a drug-free workplace; (iii) the availability of drug counseling and rehabilitation; and (iv) the penalties that may be imposed upon employees for drug abuse violations.

5. Distribution of This Policy

The Turkeyfoot Valley Area School District shall distribute a copy of this policy to all employees.