

**DRUG-FREE WORKPLACE**

This policy is adopted in compliance with provisions of the Federal Drug-Free Workplace Act of 1988 (Chapter 10, Title 41, U.S. Code).

- A. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in all work locations of the South Colonie Central School District.
- B. The District shall establish a drug-free awareness program in accordance with the provisions of Chapter 10 of Title 41 of the U.S. Code.
- C. Each employee of the District shall receive a copy of this policy and, hereafter, each new employee shall receive a copy of this policy at the time of original hiring.
- D. As a condition of employment, each employee will abide by the provisions of Paragraph A above and, further, each employee will notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after each conviction. The District will notify the contracting or granting agency within ten (10) days after receiving notice from the employee or otherwise receiving notice of such conviction.
- E. The District shall impose a sanction up to and including termination of employment or require satisfactory participation in a drug-free abuse assistance or rehabilitation program by any employee who is convicted of any criminal drug statute violation occurring in the workplace. In the event that a member of the professional staff is convicted of any act prohibited by this policy, the District shall, within thirty (30) days, take appropriate personnel action in accordance with Section 3020-a of the Education Law or, in the alternative, require satisfactory participation in a drug-free abuse assistance or rehabilitation program.

Reviewed: September 27, 2010

**DRUG-FREE WORKPLACE REGULATION**

1. The Superintendent of Schools shall certify to any Federal agency making a direct grant to the District that the District will provide a drug-free workplace, in accordance with the Drug-Free Workplace Act of 1988.
2. The Superintendent, or designee, shall establish a drug-free awareness program to inform employees about:
  - a. the dangers of drug abuse in the workplace;
  - b. the District's policy of maintaining a drug-free workplace;
  - c. any available drug counseling, rehabilitation, an employee assistance programs; and
  - d. the penalties that may be imposed upon employees for drug abuse violations.
3. The Superintendent, or designee, shall publish a statement notifying District employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. The statement shall specify the actions that will be taken against employees for violations of such prohibition. Each employee shall receive a copy of Policy 9125 – Drug Free Workplace.
4. Each employee, as a condition of employment on any direct Federal grant, shall:
  - a. abide by the terms of the statement
  - b. notify his/her immediate supervisor, who shall notify the Superintendent, of any criminal drug statute conviction for a violation occurring in the workplace within three (3) days of such conviction.
5. The Superintendent shall notify the Board of Education of any such conviction(s), and shall notify the granting agency within ten (10) days after receiving notice of such conviction(s) from any source.
6. Within thirty (30) days of such conviction(s), the District shall initiate appropriate disciplinary action against any employee so convicted in the manner provided for by law, up to and including dismissal, and/or require his/her satisfactory participation in a drug-abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.
7. The District shall make a “good faith effort” to continue to maintain a drug-free workplace through implementation of these regulations.