

PERSONNEL

Alcohol and Other Drugs Policy for Employees

In accordance with the Drug-Free School and Community Act of 1989 (Section 5245 of P.L. 101-226), all districts are required to have a policy pertaining specifically to the use of alcohol and other mood-altering chemicals for district employees.

The Board of Education recognizes the implications of alcohol and other drug health issues and problems. As the elected representatives of the community, and in keeping with our responsibilities relating hereto, we must continue to investigate these areas of concern. To this end, the employees of the district must recognize their responsibilities toward the use of alcohol or the illicit use of drugs.

Standards of Conduct (On and Office Campus)

You are hereby notified that it is a violation of the policy of the Bemidji Area Schools for any employee to distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage, or fortified wine or other intoxicating liquor before, during, or after school hours at school or in any other school district location as defined below:

“School district location” means in any school building or 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 activity, event or function, such as a field trip or athletic event where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business. Compliance with these standards of conduct is mandatory.

You are hereby notified that it is a violation of the policy of the Bemidji Area Schools for any employee to unlawfully manufacture, distribute, dispense, possess or use or be under the influence of any narcotic drug, hallucinations drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance as defined in schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by regulations 21 C.F.R. 1300.11 through 1300.15.

Sanctions

Employees will have imposed upon them for violations of the section up to and including termination of employment. In addition, employees who violate the standards of conduct will be referred for prosecution consistent with local, state, and federal laws.

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LEGAL REFERENCE: P.S. 101-226 (Drug-Free Schools & Communities Act)

Sanctions against employees, including nonrenewal, suspension and termination shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreement and school district policies. Each employee shall be provided a copy of this policy.

Information

Employees shall be provided with a copy of the Standards of Conduct including sanctions for violations.

1. Public a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess or use a controlled substance in the workplace. In this statement we will specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about:
 - a. the dangers of drug abuse in the workplace
 - b. drug-free policies
 - c. available drug counseling, rehabilitation, Employee Assistance Program, and
 - d. the penalties for violation of these policies
3. Give to any employee who is to be engaged in the performance of the grant a copy of the policy statement.
4. Notify these employees that as a condition of employment, they will:
 - a. abide the terms of the statement, and
 - b. notify the employer of any criminal drug statutes conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Notify the agency within ten (10) days after receiving notice under paragraph 4(b) from an employer or otherwise receiving actual notice of such conviction.
6. Taking one of the following actions, within 30 days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted.
 - a. take appropriate personnel action against such an employee, up to and including termination, or
 - b. requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health, law enforcement, or other appropriate agency.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1-6 above.