

**Drug-Free Workplace  
(Drug and Alcohol Use by Staff Members)**

The Eagle County School District Re50J is committed to assisting staff members make appropriate decisions regarding the use of drugs and alcohol. The District supports a policy that prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol or a controlled substance in the work setting.

**REGULATIONS:**

1. The unlawful manufacture, distribution, dispensing, possession, or use of alcohol or a controlled substance is prohibited in the Eagle County School District. This policy shall apply to **all** District employees. For purposes of this policy, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medicine, vitamin or other chemical substances not taken in accordance with the Board policy and regulations. A controlled substance shall not include a medication that has been prescribed by a licensed Colorado prescriber and that is taken in accordance with that prescriber's directions concerning duration, dosage, etc.
2. Observance of this policy is a condition of employment. A violation shall subject the employee to appropriate disciplinary action which may include: (a) participation in an approved drug or alcohol abuse assistance or rehabilitation program in appropriate circumstances in accordance with the Board of Education's Employee Assistance policy (*Policy GBGC*), or (b) suspension with pay and/or dismissal procedures as established by law.
3. An employee's supervisor will take prompt and appropriate action to investigate and will recommend to the Superintendent corrective and/or disciplinary action against an employee immediately after his/her arrest for possession or for being under the influence of alcohol or any controlled substance if such use or possession is:
  - a. On school grounds, whether or not school is in session.
  - b. At any school-sponsored or sanctioned activity or event off school property.
  - c. Enroute to work or school-sponsored or sanctioned activity on or off school property.
4. The Superintendent may reinstate a suspended employee. The matter shall be reported in full to the Board of Education.

If the investigation causes the Superintendent to continue the suspension in excess of 10 work days, the employee may request a hearing by the Superintendent (*or his/her*

- designee*) to be conducted in a manner to ensure that the employee suspended receives a fair, impartial hearing.
5. The Superintendent (*or his/her designee*) shall establish an awareness program to inform employees about:
- a. The dangers of drug and alcohol abuse.
  - b. The Board's commitment to maintaining a drug-free workplace.
  - c. Available drug and alcohol counseling, rehabilitation and employee assistance programs.
  - d. Penalties that may be imposed upon employees for drug and alcohol abuse violations occurring in the workplace.
  - e. A copy of Policy GBEC will be provided for each new employee.
  - f. Each employee will acknowledge receipt of Policy GBEC by completing the acknowledgment form (*GBEC-E1*).
6. Pursuant to law, any employee who is convicted or pleads *nolo contendere* (*no contest*) under any criminal drug statute for a violation occurring in the workplace shall notify the Superintendent no later than 5 calendar days after the conviction. The District has an obligation under federal law to notify the appropriate federal agency within 10 calendar days after receiving notice of such conviction if there is a relationship between federal funds received by the District and the convicted employee's work site.

LEGAL REF.: 20 U.S.C. Section 7117 (Safe and Drug-Free Schools and Communities Act of 1994)  
21 U.S.C. 812 (*definition of controlled substance*)  
41 U.S.C. Subsection 701 and 702

CROSS REF.: EEAEAA\*, Drug and Alcohol Testing For Bus Drivers  
GCQF, Discipline, Suspension and Dismissal of Professional Staff Members  
GDQD, Discipline, Suspension and Dismissal of Classified Staff Members  
JICH, Drug and Alcohol Use by Students  
KFA, Public Conduct on School Property