

	ABERDEEN SCHOOL DISTRICT	NEPN Code: GBEC-R
	POLICIES AND REGULATIONS	

PERSONNEL

REGULATIONS: DRUG-FREE WORK PLACE

I. Definitions:

"Legal drug" includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.

"Illegal drug" means any drug (a) which is not legally obtainable or (b) which is legally obtainable but has not been legally obtained. All substances listed in the Federal Control Substance Act, so called "designer drugs" which have not been included in the Federal Control Substances Act, and the misuse of other non-drug substances, such as glue or other inhalants, are covered by this definition. The term also includes prescribed drugs legally obtained but not being used for prescribed purposes.

"Under the influence" means for the purpose of this policy that the employee is affected by a drug or alcohol substance, or the combination of a drug and alcohol, in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior nor to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. A determination of influence can be established by professional opinion, a scientifically valid test and, in some cases such as alcohol, by a lay person's opinion.

"Possession" means the presence, after confirmation testing by a Medical Review Officer, of any detectable amount of any drug.

"Reasonable suspicion" is a clear belief based on specific objectives, facts, information, or an on-the-job accident or occurrence that would lead a reasonable, prudent supervisor to suspect that an employee is under the influence of drugs or alcohol as to question the employee's ability to safely and appropriately perform the functions of his/her job.

"Work place" includes Aberdeen School District property including motor vehicles, parking areas and sidewalks surrounding the building. Work place also includes any site for performance of work as a District employee, including but not limited to, student activities.

II Assistance

If an employee has a drug or alcohol problem and voluntarily seeks help to overcome the problem, assistance is available to the employee through the District's Employee Assistance Plan or health insurance plan. An employee's decision to seek assistance will not be used as a basis for disciplinary action, nor will it be a defense to or a mitigating factor in the imposition of appropriate disciplinary action, including termination, where facts indicating a violation of this policy are obtained independent of the employee's pursuit of assistance.

III. Reasonable Suspicion

- A. The District may request a District employee to undergo drug and alcohol testing if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during work hours or during a work assignment. There shall be no random testing. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
1. A pattern of abnormal or erratic behavior which is so unusual that it warrants summoning a supervisor, department head, or someone else for assistance.
 2. Information provided by a reliable and credible source with personal knowledge.
 3. Direct observation of drug or alcohol use.
 4. Presence of the physical symptoms of drug or alcohol use, i.e., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes, abrupt swings in mood or energy level, or excessive irritability and emotional outbursts.
 5. Possession of substances in violation of the District's drug and alcohol policy.
 6. Involvement in a work related accident or incident, excessive absenteeism, severe and prolonged reduction in productivity or performance.
- B. Supervisors are required to detail in writing (Policy GBEC-E) the specific facts, symptoms or observations which form the basis for their determination that reasonable suspicion exists that may warrant the testing of an employee.

IV. Testing Procedures

The employee may be asked to submit to blood, breath or urine testing by a qualified healthcare professional or hospital at District's expense and on District's time. A group representative may be present during the discussion if the employee so requests. Prior to testing, the administrator or supervisor shall secure a signed release statement (Policy GBEC-E) from the employee to have the hospital/physician release medical information to the District. Drug/alcohol testing will be done within two hours or as soon as possible following suspected abuse or suspected possession.

A local clinic will be selected to conduct drug/alcohol collection services and provide drug/alcohol testing. The selection of a single laboratory will insure one standard chain of custody procedure and consistency of processing throughout the District. The District may use its discretion to select an alternate laboratory if it feels the selected clinic cannot meet the requirements of the testing.

An administrator or supervisor will escort the employee to the testing clinic or alternate facility for testing. When possible, a "quick screen" will be performed to determine if further testing is necessary. If the results of the "quick screen" are negative, the employee will be allowed to return to work immediately. If the results are non-negative or not known immediately, the sample will be sent to the qualified lab for further testing. The employee will be suspended until the results are received by the clinic's Medical Review Officer and sent to the Human Resources Office. If after testing the employee is deemed unfit to continue working, he/she will be suspended pending further investigation and the results of the drug/alcohol testing. If suspended, the employee will not be allowed to drive a vehicle; arrangements will be made for his/her return home.

The results of such testing shall be given to the Human Resources Office. The Human Resources Office and the Superintendent or his/her designee will meet with the employee to discuss the situation, test results, and future actions.

Any employee refusing to submit to a drug test will be subject to the consequences of a positive test. A refusal is defined as a verbal refusal, failure to execute the consent form, abusive language to the supervisor or personnel performing the test, or tampering with any sample, container, equipment, or documentation of the sampling process.

A positive result from the drug and/or alcohol analysis confirming reasonable suspicion will result in disciplinary action. The District retains the right to discipline and terminate from employment any employee testing positive for drug/alcohol use, without first having to offer that employee an opportunity for treatment or rehabilitation.

The employee may request that re-testing be done at a facility of his/her own choosing. Such re-testing must be done on the same sample as was originally tested and at the employee's own expense.

V. Confidentiality

Every effort will be made to maintain strict confidentiality and privacy. Information obtained on individuals as part of the drug screening test or pursuant to this policy will be disclosed only to those persons having legitimate need for it. Medical records pertaining to drug or alcohol use are confidential, and access to such records shall be in accordance with the District policy. Medical records are not kept in the personnel file.

REFERENCE: Controlled Substance Act

ADOPTED: April 24, 2000

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