



GreenWood Charter School

Policy Number:

Policy Section: 100 - Administration

Policy Title: Drug Free Work Place Policy

Revision History

Effective Date	Action Date	Revised
August 19, 2022	New Policy	

Drug-Free Workplace (Teachers, Staff, and Volunteers)

1. School employees and volunteers will be disciplined for the unlawful manufacture, distribution, dispensation, possession, or use of any controlled substance, alcohol, and/or tobacco, including electronic cigarettes, during working hours, on School property, while operating a School vehicle at any time or other vehicle while on duty, or in conjunction with any school activity, except where legally permissible.

a. Teachers, staff, and administrators who receive notice of a workplace violation of this policy shall immediately notify the Director, or to the Board of Trustees if the violation involves the Director. The Director or Board will take appropriate action which may include but is not limited to:

- i. Probation;
- ii. suspension with or without pay;
- iii. termination of employment or voluntary services; or
- iv. participation in rehabilitation, treatment, or counseling and education programs, at the employee's expense.

2. An employee or volunteer may be required to submit to medically accepted testing to determine whether he/she is using a controlled substance or alcohol in violation of federal or state law, or School policy.

a. An employee or volunteer may be required to submit to testing under the following circumstances:

i. when, during work hours, there is reasonable suspicion that an employee or volunteer is using or is impaired through the use of a controlled substance or alcohol unlawfully;

ii. as part of a rehabilitation program; or

iii. as otherwise permitted by law.

b. An employee or volunteer who refuses to submit to drug or alcohol testing may be subject to disciplinary action.

c. All drug or alcohol testing will be conducted by an independent laboratory certified for employment drug testing.

d. All drug or alcohol tests with positive results or a possible false positive result shall require a confirmation test.

e. Corrective or disciplinary action may be taken against an employee or volunteer if:

i. there is a positive confirmation test for controlled substances;

ii. results of a confirmation test for alcohol shows .08 percent body fluid content or more;

iii. the Director or volunteer's supervisor determines there is impairment, even when the results of a confirmation test for alcohol shows less than .08 percent body fluid content; or

iv. the employee or volunteer's actions put co-workers, students, or the public at physical risk.

3. An employee who is convicted under a federal or state criminal statute which regulates manufacturing, distributing, dispensing, possessing or using a controlled substance for a violation occurring in the workplace shall notify the Director of the conviction within five (5) days or as soon as possible upon receipt of notice of conviction. In the case of a licensed employee, the Director shall notify the Department of Education within ten (10) days after receiving notification.

4. The School shall keep a separate, private record of drug or alcohol test results. The employee's official personnel file shall only contain a document making reference to the existence of the drug or alcohol test record.

5. Rehabilitative Programs: An employee who has a confirmed positive test for use of a controlled substance or alcohol in violation of this policy may be offered the option of participating in a rehabilitation program in lieu of disciplinary action. This option is at the School's discretion and at the employee's own expense. If the employee accepts the offer tendered by the School to participate in such a program in lieu of disciplinary action, the following shall apply:

- a. An employee participating in a rehabilitation program shall be granted accrued leave or leave without pay for inpatient treatment.
- b. The employee must sign a release to allow the transmission of verbal or written compliance reports between Greenwood and the inpatient or outpatient rehabilitation program provider.
- c. All communication shall be classified as private in accordance with Utah Code Ann. Title 63G, Chapter 2 Government Records Access and Management Act.
- d. An employee may be required to continue participation in an outpatient rehabilitation program prescribed by a licensed practitioner on the employee's own time and expense.
- e. An employee, upon successful completion of a rehabilitation program, shall be reinstated to work in his previously held position, or a position with a comparable or lower salary range.
- f. An employee who fails to complete the prescribed treatment without a valid reason shall be subject to disciplinary action up to and including termination of employment.