

POLICY 418 – DRUG-FREE WORKPLACE

I. PURPOSE

The purpose of this policy is to maintain a safe and healthy environment for employees by prohibiting employee use of alcohol, toxic substances, medical cannabis, and controlled substances at any school district location.

II. GENERAL STATEMENT OF POLICY

- A. In compliance with the Drug-Free Workplace Act of 1988, the school district will maintain a drug-free workplace. The school district prohibits use of alcohol, toxic substances, medical cannabis or controlled substances while on a school location.. Paraphernalia associated with controlled substances is also prohibited.
- B. The school district will act to enforce this policy and to discipline or take other appropriate action against any school employee who violates this policy.

III. DRUG FREE AWARENESS AND PREVENTION PROGRAM

- A. The superintendent or designee shall undertake and maintain a drug-free awareness and prevention program to inform employees, students, and others about:
 - 1. The dangers and health risks of chemical abuse in the workplace/school.
 - 2. The school district’s drug-free workplace/drug-free school policy.
 - 3. Any available drug or alcohol counseling, treatment, rehabilitation, re-entry, and/or assistance programs available to employees and/or students.

The penalties that may be imposed on employees for drug abuse violations.

The superintendent or designee shall notify any federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction will report the same to the superintendent.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person’s own use, a controlled substance (except medical cannabis)which has a currently accepted medical use in treatment in the United

States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.

- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. Employees who have a prescription for medical treatment with a controlled substance (except medical cannabis) are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor of his or her required use. The employee may be required to provide a copy of the prescription.

V. ENFORCEMENT

- A. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any school location.
- B. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board. If an employee violates this policy by lawfully using medical cannabis prescribed by their physician, the school district will consider alternatives to disciplinary consequence which take into account the identified medical needs of the employee and the school district's health and safety concerns.
- C. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program may be subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.

VI. NOTICE

Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

- A. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- B. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the superintendent.

Policy 418 Revised: 01/16/2018
Policy 418 Revised: 12/16/2013
Policy 418 Adopted: 2/2/99
(formerly Policy 4154 & 4254)
Policy Adopted: 9/18/98

Legal References:

Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Liquor in Certain Buildings or Grounds)
20 U.S.C. § 7101-7165 (Safe and Drug-Free Schools and Communities Act)
21 U.S.C. § 812 (Schedules of Controlled Substances)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

Notification Statement

School Board
INDEPENDENT SCHOOL DISTRICT 279
Maple Grove, Minnesota