



SECTION: 331

TITLE: DRUG FREE WORKPLACE

NESHAMINY SCHOOL DISTRICT

1	I. PURPOSE	In accordance with the Anti-Drug Abuse Act of 1988 (Public Law 100-690),	1
2	& APPLICATION	all recipients of aid from the federal government are mandated to establish	2
3		a policy fostering a drug-free workplace. The goal of the Neshaminy School	3
4		District is to create and maintain a drug-free workplace. For this purpose,	4
5		the Neshaminy School District adopts the following policy pursuant to the	5
6		Drug-Free Workplace Act. This policy is intended to establish a three part	6
7		program dealing with education, evaluation, and treatment as needed. This	7
8		policy applies to all employees of the Neshaminy School District and	8
9		expressly prohibits the transfer, distribution, possession or use of any	9
10		controlled substances, including alcohol, upon the premises of the Neshaminy	10
11		School District and defines the sanctions which are to be imposed for a	11
12		violation of that prohibition.	12
13			13
14	II.	The Neshaminy School District has a responsibility to its employees, to its	14
15	ESTABLISHMENT	students and to the residents of the School District that the Neshaminy	15
16	OF A DRUG FREE	School District operates in a drug-free environment and that all employees	16
17	WORKPLACE	are free from the effects of controlled substances, and other job impairing	17
18		substances, including alcohol. The Neshaminy School District declares that	18
19		the use, transfer, possession and/or consumption by an employee of alcohol,	19
20		or a controlled substance, not medically authorized, while on District property,	20
21		will result in immediate disciplinary action, including the possible termination	21
22		of employment.	22
23			23
24	III. DRUG FREE	The Neshaminy School District has committed itself to creating a drug-free	24
25	AWARENESS	environment for its employees. To help establish such an environment, the	25
26	PROGRAM	Neshaminy School District has instituted a program whereby an employee	26
27		who has an alcohol or chemical dependency problem will have access to	27
28		professional counselors and advisors so as to assist the employee with such a	28
29		dependency problem. However, such a program cannot be successful	29
30		without the voluntary participation of the District's employees. In this regard,	30
31		any employee, who may have a dependency problem, is encouraged to seek	31
32		the services of the program made available by the School District. An	32
33		employee's participation in the program will be kept in the strictest confidence	33
34		and will not be disclosed without the written consent of the employee. The	34
35		program includes not only assistance where a dependency problem exists, but	35
36		also the availability of an evaluation procedure for the purposes of	36
37		determining whether a dependency problem exists. To secure such an	37
38		evaluation, an employee should contact the Superintendent/designee to make	38
		arrangements. The cost for any such evaluation shall be borne by the District.	

1		POLICY 331 (con't)	1
2	III. DRUG FREE	The District's program also includes recommended treatment and	2
3	AWARENESS	rehabilitation facilities in the event that an employee does have a dependency	3
4	PROGRAM	problem. If an employee, who has a dependency problem, voluntarily	4
5		continues treatment or rehabilitation in a recommended facility, the employee	5
6		will not be subject to disciplinary action. Should the treatment or	6
7		rehabilitation program require the employee's absence from employment, the	7
8		employee will be able to utilize available sick leave and upon completion of	8
9		the program be permitted to return to his/her position of employment	9
10		without reduction in seniority, pay or other employment status.	10
11			11
12	IV.	• Employees are notified that as a condition of employment, the employee	12
13	COMPLIANCE	must abide by the policies established by the Neshaminy School District	13
14	WITH DRUG-	for the maintenance of a drug-free environment. Failure by an employee to	14
15	FREE	abide by the policies established herein shall constitute grounds for	15
16	WORKPLACE	disciplinary action, including the possible termination of employment.	16
17	STATEMENT		17
18		• In the event an employee is criminally convicted of a violation of a drug	18
19		statute based upon an incident which occurred on the premises of the	19
20		Neshaminy School District, then the employee is required to notify the School	20
21		District of such a conviction within five days of its occurrence. Failure by an	21
22		employee to notify the District of such a conviction within the aforesaid time	22
23		period will result in disciplinary action, including the possible termination of	23
24		employment. Should an employee be convicted of a violation of a drug	24
25		statute based upon an incident which occurred on the premises of the School	25
26		District, the Neshaminy School District will notify all federal agencies granting	26
27		monies to the School District (as required by law) of such a conviction within	27
28		ten days of receiving notice of the conviction from the employee or otherwise	28
29		receiving actual notice of the conviction.	29
30			30
31		• Should an employee be convicted of a violation of a drug statute based upon	31
32		an incident which occurred on the premises of the Neshaminy School District,	32
33		such employees shall be subject to immediate disciplinary action, including	33
34		the possible termination of employment, or a lesser form of discipline	34
35		combined with the employee's required participation in a treatment or	35
36		rehabilitation program which is acceptable to the School District	36
37			37
38	V.	The Neshaminy School District is required to terminate any employee	38
39	TERMINATION	convicted of the delivery of a controlled substance or convicted of possession	39
40	PURSUANT TO	of a controlled substance with the intent to deliver regardless of where the	40
41	PUBLIC	violation and conviction occur.	41
42	SCHOOL CODE		42
43			43
44	Approved: 9/26/89		44
45	Reviewed and		45
46	Readopted: 10/22/91		46
47	Reviewed: 2/4/2003		47
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