



SECTION: 431

TITLE: DRUG FREE WORKPLACE

NESHAMINY SCHOOL DISTRICT

1	I. PURPOSE	<p>In accordance with the Anti-Drug Abuse Act of 1988 (Public Law 100-690), all recipients of aid from the federal government are mandated to establish a policy fostering a drug-free workplace. The goal of the Neshaminy School District is to create and maintain a drug-free workplace. For this purpose, the Neshaminy School District adopts the following policy pursuant to the Drug-Free Workplace Act. This policy is intended to establish a three part program dealing with education, evaluation, and treatment as needed. This policy applies to all employees of the Neshaminy School District and expressly prohibits the transfer, distribution, possession or use of any controlled substances, including alcohol, upon the premises of the Neshaminy School District and defines the sanctions which are to be imposed for a violation of that prohibition.</p>	1
2	& APPLICATION		2
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14	II.	<p>The Neshaminy School District has a responsibility to its employees, to its students and to the residents of the School District that the Neshaminy School District operates in a drug-free environment and that all employees are free from the effects of controlled substances, and other job impairing substances, including alcohol. The Neshaminy School District declares that the use, transfer, possession and/or consumption by an employee of alcohol, or a controlled substance, not medically authorized, while on District property, will result in immediate disciplinary action, including the possible termination of employment.</p>	14
15	ESTABLISHMENT		15
16	OF A DRUG FREE		16
17	WORKPLACE		17
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24	III. DRUG FREE	<p>The Neshaminy School District has committed itself to creating a drug-free environment for its employees. To help establish such an environment, the Neshaminy School District has instituted a program whereby an employee who has an alcohol or chemical dependency problem will have access to professional counselors and advisors so as to assist the employee with such a dependency problem. However, such a program cannot be successful without the voluntary participation of the District's employees. In this regard, any employee, who may have a dependency problem, is encouraged to seek the services of the program made available by the School District. An employee's participation in the program will be kept in the strictest confidence and will not be disclosed without the written consent of the employee. The program includes not only assistance where a dependency problem exists, but also the availability of an evaluation procedure for the purposes of determining whether a dependency problem exists. To secure such an evaluation, an employee should contact the Superintendent/designee to make arrangements. The cost for any such evaluation shall be borne by the District.</p>	24
25	AWARENESS		25
26	PROGRAM		26
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1		POLICY 431 (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
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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
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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
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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
48	Revised: 10/2005		48
49	Revised: 2/2008		49

