

Adopted: February 13, 2014  
Revised: \_\_\_\_\_

## **COMMUNITY OF PEACE ACADEMY POLICY No. 4.12 DRUG FREE SCHOOL AND WORKPLACE**

### **I. PURPOSE**

The purpose of this policy is to ensure a drug free school and workplace for the well-being of the students and staff of Community of Peace Academy.

### **II. POLICY STATEMENT**

Community of Peace is committed to providing a drug-free, healthful, and safe workplace.

### **III. POLICY**

In order to fulfill the purpose of this policy and consistent with the Policy Statement:

- A. Employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.
- B. While on school premises and while conducting business-related activities off school premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Paraphernalia associated with controlled substances is prohibited.
- C. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.
- D. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program.
- E. Such violations may also have legal consequences. Depending on the circumstance, other action, including notification of the appropriate law enforcement agency may be taken with respect to violation of this policy. Any

illegal substance found in the workplace will be confiscated and turned over to the appropriate law enforcement agency.

- F. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

#### **IV. DEFINITIONS**

- A. “Alcohol” includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. “Controlled substances” include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. “Toxic substances” includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
- D. “Use” includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- E. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- F. “School location” includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

#### **V. EXCEPTIONS**

- A. It shall not be a violation of this policy for a person to bring onto a school location, for such person’s own use, a controlled substance 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. It shall not be a violation of this policy for a person to possess 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).

## **VI. PROCEDURES**

- A. Students who have a prescription from a physician for medical treatment with a controlled substance must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance 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. The employee may be required to provide a copy of the prescription.
- C. 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.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the executive director.
- F. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## **VII. ENFORCEMENT**

A. Students

1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

B. Employees

1. 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 of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction.
2. 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.
3. 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 is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority and school district policies.

C. The Public

1. A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

**Legal References:** Minn. Stat. §624.701 (Liquor in Certain Buildings or Grounds)  
41 U.S.C. §§701-707 (Drug-Free Workplace Act)  
20 U.S.C. §§7101-7165 (Safe and Drug-Free Schools and Communities Act)  
21 U.S.C. §812 (Schedules of Controlled Substances)  
21 C.F.R. §§1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 85 (Government-Wide Requirements for Drug-Free Workplace)