

FAIRFIELD AREA SCHOOL DISTRICT

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

3260

3260.1 General

It is the goal of the Fairfield Area School District to maintain a drug-free and alcohol-free workplace. In order to further this goal and to comply with the requirements of the Drug-Free Workplace Act of 1988, P.L. 100-690, the following policy is hereby adopted:

3260.2 Definitions

3260.2a The term "alcohol" means ethyl alcohol of any degree of proof, whether rectified or diluted, and any beverage containing same, including but not limited to liquor, wine, spirits, fermented beverages, and malt or brewed beverages.

3260.2b the term "controlled substance" means (i) a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. §812), (ii) a controlled substance in schedules I through V of section 104 of the Controlled Substance Drug Device and Cosmetic Act (35 P.S. §780-104), (iii) a lookalike drug, or (iv) a designer drug;

3260.2c the term "lookalike drug" means any substance not listed in schedules I through V of 21 U.S.C. §812 or 35 P.S. §780-104 that (i) has a stimulant or depressant effect on humans, other than a prescription drug, which, or, the label or container of which, substantially resembles a specific controlled substance, or (ii) is or has been represented to be a controlled substance, stimulant or depressant.

3260.2d the term "designer drug" means a substance not listed in schedules I through V of 21 U.S.C. §813 or 35 P.S. §780-104 that has a chemical structure similar to that of a controlled substance which produces an effect substantially similar to that of a controlled substance.

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- 3260.2e the term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;
- 3260.2f the term "criminal drug statute" means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance as defined in this policy;
- 3260.2g the term "in the workplace" means (i) any school building, grounds, vehicle, or other site owned, leased or otherwise used, whether permanently or temporarily, by the Fairfield Area School District; or (ii) any site where an employee conducts, supervises, takes part in or in anyway participates in a school-sponsored or school-approved activity, event or function, including but not limited to a field trip or athletic event.
- 3260.2h the term "the Act" means the Drug-Free Workplace Act of 1988.
- 3260.3 The manufacture, distribution, dispensation, possession, control or use of a controlled substance is hereby prohibited in the workplace unless the employee can establish that said manufacture, distribution, dispensation, possession, control or use is lawful under the laws of the Commonwealth.
- 3260.4 The distribution, dispensation, possession, control, use, or consumption of alcohol is hereby prohibited in the workplace. District employees are hereby prohibited from being under the influence of alcohol or a controlled substance in the workplace.
- 3260.5 Notice Required Re Conviction  
As a condition of employment by Fairfield Area School District, each employee of the District will abide by this policy and will give notice to the District of any criminal drug statute conviction for a violation

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occurring in the workplace. Such notice shall be in writing to the Superintendent and must be received by the Superintendent no later than five (5) days after such conviction.

3260.6 Within ten (10) days after receipt of said notice or receipt of actual notice of conviction, the District shall notify all granting agencies as required under the Act.

3260.7 Policy Violations

Any employee who violates the terms of this policy shall be subject to nonrenewal, suspension, or other appropriate action, up to and including removal, at the discretion of the Board. As an alternative or in addition to the above, the Board may require the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who violates the terms of this policy.

3260.8 Awareness Program

The Superintendent shall establish a drug-free and alcohol-free awareness program to inform employees about:

- a. the dangers of drug and alcohol abuse;
- b. the District's policy of maintaining a drug-free and alcohol-free workplace;
- c. any available drug and alcohol counseling, rehabilitation and employee assistance programs; and
- d. the penalties that may be imposed for employee drug and alcohol abuse violations.

3260.9 Notification of Policy

Each current employee shall be given a copy of this policy as soon as it is practicable, which shall satisfy the District's obligation to notify each employee of the statement required under §5153(a) (1) (A) of the Act. Each new employee shall be given a copy of this policy upon commencing employment with the District.

Adopted December 4, 1995