

MORRISVILLE BOROUGH SCHOOL DISTRICT

SECTION: CLASSIFIED EMPLOYEES

TITLE: DRUG AND SUBSTANCE
ABUSE

ADOPTED: November 14, 2007

REVISED:

551. DRUG AND SUBSTANCE ABUSE	
<p>1. Purpose P.L. 100-690</p>	<p>The Board endorses and subscribes to the laws of the Commonwealth of Pennsylvania and the federal government concerning the use and misuse of narcotics and drugs. The school administration has not only the right, but also the obligation to take whatever appropriate action is necessary to ensure the health, well-being and safety of the school community and to prevent any disruption of the school program.</p>
<p>2. Definitions 35 P.S. Sec. 780-101 et seq</p> <p>P.L.100-690 SC 527</p>	<p>For the purposes of this policy, drugs shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.</p> <p>Conviction shall be defined as 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 statute. Any classified employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district.</p> <p>Criminal drug statute shall be defined as a federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.</p> <p>Drug-free workplace shall be defined as the site for the performance of work done in connection with a specific grant at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.</p>
<p>3. Delegation of Responsibility P.L. 101-226 Sec. 5115</p>	<p>A statement notifying classified employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the classified employee's workplace shall be provided by the Superintendent and shall specify the actions that will be taken against the classified employee for violation of this policy, up to and including termination and referral for prosecution.</p>

The Board requires that each classified employee engaged in the performance of the grant be given a copy of the statement and notification to the employee that, as a condition of employment under the grant, the classified employee will abide by the terms of the statement and notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

The grantor of such funds shall be notified within ten (10) days after receiving notice from an employee or otherwise receiving actual notice of such conviction.

The district shall be responsible for taking one (1) of the following actions within thirty (30) days of receiving notice, with respect to any convicted classified employee:

1. Take appropriate personnel action against such an employee, up to and including termination.
2. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.

In establishing a drug-free awareness program, the Superintendent shall inform classified employees about:

1. The dangers of drug abuse in the workplace.
2. The district's policy of maintaining a drug-free workplace.
3. The availability of drug counseling, drug rehabilitation, and employee assistance programs.
4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The district shall make a good faith effort to continue to maintain a drug-free workplace through the implementation of this policy.

School Code
527

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35 P.S.
Sec. 780-101 et seq

P.L. 100-690
P.L. 101-226
Sec. 5115