

**Substance Abuse Procedure**

**Statement of Purpose:**

Establish a drug-free workplace for the safety and health of our employees, students, and the general public. This is in accordance with Federal Law: PL 100-690, Title V. Subtitle D known as the Drug-Free Workplace Act & Drug-Free Schools and Community Act.

**Scope:**

All employees, prospective employees and contract personnel, are subject to the conditions and terms of this policy.

**Policy:**

In keeping with Jerome School District's objective to provide a safe and healthy work environment, it is the District policy that:

1. The possession, sale, transfer, attempt to sell or use of illegal drugs including, but not limited to marijuana, cocaine, PCP, opiates, and amphetamines, while on the job or on district property is strictly prohibited. Any illegal substance that is found in the possession of an employee or on the premises will be turned over to appropriate law enforcement agencies and may result in criminal prosecution.
2. Employees will not be permitted to work under the influence of alcohol or with a detectable level of prohibited drugs in their system. Prohibited drugs, include both legal substances and prescription drugs that have not been specifically prescribed by a licensed physician for specific treatment purposes of the employee.
3. All employees must report any convictions under a criminal drug statute for violations occurring on or off the district's premises. A report of a conviction must be made to Jerome School District within twenty-four (24) hours after the conviction. This includes pleas of nolo contendere.
4. When supervisory personnel determine there are reasonable grounds to believe an employee is under the influence of or in possession of any substance prohibited by these standards or is otherwise in violation of these policies, the district may:
  - a) Search any of the employee's or district's property. Such search can include locker, desk, office, or any other district property.
  - b) Require that the employee submit to appropriate tests to determine the existence of prohibited substances within their system. Selection of specific testing technique is at the discretion of supervisory personnel or a physician, most frequent methodology will be urine drug screen.
5. Violation of the above indicated policies will result in disciplinary action up to and including termination of the employee.

**Substance Testing:**

To support the objectives of a drug and alcohol free work place, testing for substances is required under the following circumstances:

**Pre-Employment:**

All applicants who are being seriously considered for any position or promotion with this district must test free of drugs or alcohol as a condition of employment. No applicants will be employed until a negative drug/alcohol screen is forwarded to the district.

**Post-accident:**

Any employee, whose performance either contributed to an accident or cannot be completely discounted as a contributing factor to an accident, will be tested immediately based upon the following conditions:

1. If the accident caused injuries resulting in medical treatment being provided by a physician (other than 1st aid) will result in the responsible individual(s) being tested.
2. Accidents resulting in significant property damage will also result in the testing of responsible individual(s).

**Reasonable Cause:**

The district will require an employee to be tested when management believes there is reasonable cause to indicate that an employee is under the influence of a substance, including alcohol. Decision to test an individual under the reasonable cause section of this policy must be based on specific physical, behavioral or performance indicators of probable drug/alcohol use. Two witnesses, one who is a supervisor, must observe and concur in the decision to test.

**Right Not To Be Tested:**

Refusal to submit to a search or inspection of his or her person or personal property located on the district's premises, work site or facilities, or refusal to submit to physical testing (e.g., urine sample, blood sample, physical examination, sobriety examination), is grounds for disciplinary action up to and including termination.

This program is not intended to violate individual rights. It is intended to provide for a drug-free environment that enhances the performance of the responsibilities assigned to employees.

- 1) All individuals who are required to be tested under the conditions of this policy will report to St. Luke's Occupational Health (8:00 a.m. to 5:00 p.m. Monday – Friday) for purposes of providing appropriate samples. The actual analysis of all samples will be conducted by St. Luke's Occupational Health Lab. All sample collection activity will be consistent with requirements established by the National Institute on Drug Abuse to assure the validity, confidentiality, and security of the samples and test results.
- 2) Refusal to submit to testing or adulteration of samples by prospective employees or current employees shall be grounds for disciplinary action as specified previously.
- 3) All test results will be maintained in a manner which assures the confidentiality of the test results. All test results will be maintained by Jerome School District and will be available to other parties only upon specific written consent of the individual tested.
- 4) All prospective and current employees will be fully informed of the substance abuse testing policies and procedures prior to any testing being administered. Employees will be provided with information concerning the impact of the use of drugs on job performance. The district shall inform the employees of the reasons for conducting testing, the tests to be conducted, what the test has determined, and the consequences of testing positive for drug or alcohol use. All covered employees, current and prospective, will be provided with a copy of this policy and indicate by their signature that they understand and agree to adhere to this policy. No covered or prospective employee will be tested until this information is provided to him/her.

Jerome School District recognizes drug and alcohol dependency as an illness and a major health problem. It is also a health, safety, and security threat to the district. Employees who need help in overcoming such dependency should contact their supervisor and available alcohol and drug abuse treatment resources within the community, or the district's Employee Assistance Program. A voluntary, conscious effort to seek such help will not jeopardize employment. Jerome School District will maintain a list of resources available to assist an employee who may wish to seek assistance.

Under the Federal Drug-Free Workplace Act & Drug-Free Schools and Communities Act, and in order for the Jerome School District to be considered eligible to receive any federal funds, this policy has been developed. All employees will be asked to acknowledge that they have read and agreed to abide by it as a condition of initial employment and continued employment as required by Federal Law.

Legal Reference:

Federal Laws: PL 100-690, Title V, Subtitle D  
PL 101-226, Title V, Subtitle D  
Idaho Code: Section 33-513

Policy History:

Adopted on: 09/27/2011  
Revised on: 01/28/2014