

- CERTIFIED PERSONNEL -**Drug-Free/Alcohol-Free Schools****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

District employees shall not manufacture, distribute, dispense, be under the influence of, purchase, possess, use, or attempt to purchase or obtain, sell or transfer any of the following in the workplace or in the performance of duties:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances, and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the employee's intent to pass off the item as a controlled substance.

In addition, employees shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance shall mean any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or regulations promulgated thereunder.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in [KRS 217.900](#) or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

AUTHORIZED DRUGS

Employees who personally use or who are designated to administer to a student a drug authorized by and administered in accordance with a prescription from a health professional shall not be considered in violation of this policy.

WORKPLACE DEFINED

Workplace shall mean the site for the performance of work done for the District including any place where work on a District program, project or activity is performed, including, but not limited to, a school building or other school premises and any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities. "Workplace" shall also include school-sponsored or school-approved activities, events or functions which are held off school property and in which students are under District jurisdiction including, but not limited to, field trips and athletic events.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

Drug-Free/Alcohol-Free Schools**DRUG/ALCOHOL TESTING PROGRAM**

The Board has established drug and alcohol testing for employees. A plan to implement the drug and alcohol testing program shall be developed by District personnel in cooperation with the testing company approved by the Board and shall be provided to all schools and kept on file in the Central Office.

Pre-Employment Testing

All applicants will be tested for the purpose of detecting illegal use of drugs. Any applicant with a confirmed positive test result will be denied employment.

Reasonable Suspicion Testing

Employees may be tested for drug or alcohol use when there is reasonable suspicion that an employee is using or has been under the influence of drugs or alcohol.

RANDOM DRUG TESTING

All employees employed in safety-sensitive positions shall participate in random drug testing which will be conducted on a neutral selection basis with all employees having an equal chance of being selected.

DEFINITION OF SAFETY-SENSITIVE POSITIONS

Safety-sensitive positions are positions where a single mistake by an employee can create an immediate threat or serious harm to students or other employees and expose the Board to potential liability. Safety-sensitive positions shall include, but not be limited to: Superintendent, administrator, teacher, itinerant teacher, instructional assistant, full-time substitute teacher, school secretary, custodian (maintenance), school-based food service employee, and others as indicated in the job description for the position.

Bus drivers are tested under a similar but separate policy in accordance with federal guidelines.

BOARD CONTRACTED FACILITY

Drug screening shall be conducted by a Board approved, independent, certified laboratory utilizing recognized techniques and procedures. The contract with such facility shall specify the substances to be tested for which will be:

5 Panel + Alcohol Breathalyzer

Marijuana (THC)	Amphetamines (including Methamphetamines)
Phencyclidine (PCP)	Cocaine
Opiates	Alcohol

EMPLOYEE ACKNOWLEDGMENT

Personnel shall acknowledge having read or having received an explanation of this policy and should understand compliance with this policy is a condition of employment. Personnel shall sign an acknowledgement prior to substance screening permitting the summary result to be transmitted to the Superintendent/designee. Personnel refusing to complete any part of the drug testing procedure shall be deemed insubordinate.

Drug-Free/Alcohol-Free Schools**CONFIDENTIALITY**

As reflected in the drug and alcohol testing program, the Superintendent/designee shall establish a process to reasonably ensure employee privacy during the taking of samples, security of samples once obtained, and designation of laboratory services that are accurate and reliable. Appropriate measures shall be taken to protect confidentiality throughout the testing process and in the handling of test results. Access to drug testing results shall be restricted on a need-to-know basis to those persons in positions designated by the Superintendent.

DISCIPLINARY ACTION

Any employee who violates the terms of the District's Drug-Free/Alcohol-Free Schools Policy or Drug/Alcohol Testing Program will be subject to disciplinary action, including employment termination.

NOTIFICATION BY EMPLOYEE

Any employee convicted of a workplace violation of criminal drug statutes shall, within five (5) working days, provide notification of the conviction to the Superintendent.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all employees which shall include notice of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/employee assistance programs; and
5. Penalties that may be imposed upon employees for violations of this policy.

REFERENCES:

[KRS 160.290](#); [KRS 160.380](#); [KRS 161.120](#); [KRS 161.175](#)
[KRS 161.790](#); [KRS 217.900](#); [KRS 218A.1430](#); [KRS 218A.1447](#)
[016 KAR 001:030](#); [701 KAR 005:130](#); 34 C.F.R Part 85

RELATED POLICIES:

03.1325; 08.1345; 09.2241

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