

Alcohol, Drugs and Tobacco

LEARN is committed to maintaining a safe and healthy working and learning environment for all staff and students. LEARN recognizes the importance of maintaining a drug-free environment for its staff and students.

Alcohol and Drugs

In compliance with federal and state requirements, employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of any alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance (as defined in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. 812, and 21 C.F.R. 1300.11 through 1300.15) in the workplace. "Workplace" includes any school building or premises; any school-owned or school-approved vehicle used to transport students to and from school or school activities; off-school property during 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 LEARN.

Employees Funded by Federal Grant

Any employee employed under a federal grant must notify the Human Resources Department of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such conviction.

Within ten (10) days after receiving such notice LEARN will notify the federal granting agency.

Within thirty (30) days after receiving such notice, LEARN will take action, either by issuing discipline, up to and including termination, or by requiring the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program that is approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency. Said employee will be required to submit to random drug testing.

Tobacco

There shall be no smoking or other use of tobacco products on school property, on transportation provided by LEARN, or during the course of any trip sponsored by LEARN or under the supervision of LEARN or its authorized agents.

"Tobacco product" includes, but is not limited to, cigarettes, cigars, blunts, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products, including electronic nicotine delivery systems (e-cigarettes) or vaping products.

Dissemination of policy – Consequences for Violation

A copy of this policy shall be distributed to all LEARN employees once per year.

An employee who violates the terms of this policy may be required to successfully complete an appropriate rehabilitation program; may be not renewed; or may be suspended or terminated, at the discretion of the Executive Director, or, as appropriate, the Board of Directors.

Legal References: Federal Regulation 34 C.F.R. Part 85

Drug-Free Workplace Act. 102 Stat. 4305-4308.

Drug-Free Schools and Community Act, P.L. 99-570, as amended by P.L. 101-226 (1991)

21 U.S.C. 812, Controlled Substances Act, I through V, 202.

21 C.F.R. 1300.11 through 1300.15 regulation.

54 Fed. Reg. 4946 (1989)

Policy adopted: September 13, 1991

Revised: November 10, 2021

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