

KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION

Drug Free Work Place

Series: G30A

Reference: Public Law 100-690; 126 CSR 8

Issued: 08.16.1989

Revised: 06.27.1994

Revision Number: 2

30.01 Definitions.

30.01.1 “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. “Conviction” shall also mean and include any finding of guilt that results in probation and conditional discharge as provided in 21 USC 44.

30.01.2 “Criminal drug statute” means a Federal or non-Federal Criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

30.02 Condition of Employment/Role Model. In recognition of the pervasive threat posed by student drug abuse, Kanawha County Schools hereby imposes an affirmative duty upon its employees to comport their conduct, both at and away from the work place, in a manner so as to avoid violation of criminal drug statutes. Any conviction for violation of a criminal drug statute significantly impairs the ability to serve as a role model for students and will, therefore, be regarded as willful neglect of duty for which an opportunity to improve would be inappropriate.

30.03 Published Notice. The Personnel division shall publish and post in prominent places in each school and other work places, and include in any publication of an employee handbook, the following statement:

“Drug Free Workplace – Expectations of Employee Consequences For Failure to Meet Expectations”

“The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, except as prescribed by a physician, or use or distribution of alcohol is prohibited in the work place. Any employee who violates this prohibition is subject to appropriate disciplinary action, up to and including termination of employment. Compliance is Mandatory.

“All employees must provide written notice to the superintendent within 5 days of any conviction for violation of a criminal drug statute (includes conviction of offenses both at and away from the work place). Upon receiving said written notice the Superintendent shall recommend appropriate disciplinary action, up to and including termination of employment.”

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30.04 Verification Statement. As a condition of employment all employees shall sign a “Drug-Free Workplace Verification Statement.” See Appendix A.

30.05 Staff Development. The Office of Staff development shall establish a drug-free awareness program to inform employees about:

30.05.1 The dangers of drug and alcohol abuse in the work place.

30.05.2 The policies of Kanawha County Schools of maintaining a drug free work place.

30.05.3 The penalties that may be imposed upon employees for drug abuse violations.

30.06 Notification. Kanawha County Schools will notify any applicable grantor agency in writing within 10 calendar days after receiving notice from an employee or otherwise receiving actual notice of a conviction.

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APPENDIX A

**Kanawha County Schools
DRUG-FREE WORKPLACE VERIFICATION STATEMENT**

NAME _____

SOC. SEC. NO. _____

ADDRESS _____

TELEPHONE _____

DATE EMPLOYED BY KANAWHA COUNTY SCHOOLS _____

I, _____, certify that I have received a copy of the Kanawha County Schools Drug-Free Workplace policy.

As an employee of Kanawha County Schools, I agree to abide by the drug-Free workplace policy which states that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and/or alcohol is prohibited in the workplace. Additionally, no employee shall report for work while under the influence of alcohol and/or an illegal drug.

The workplace shall be defined as a work site where work is performed in connection with the employee's Kanawha County Schools employment. The workplace shall include facilities, property, buildings, offices, structures, automobiles, trucks, trailers, other vehicles, and parking areas, whether owned or leased by the District.

The policy is applicable while employees are engaged in any work-related activity which includes performance of District business during regularly scheduled work days, meal breaks, and/or occasions having a connection with the job or the District.

In addition, I understand that under federal law and as a condition of employment, if I am convicted of any violation of a criminal drug offense in the workplace, I must report this conviction to the Superintendent within five (5) days of the conviction.

Employee Signature

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