

Policy Subject	Location Code	Adoption Date
DRUG FREE SCHOOL AND WORKPLACE POLICY	401.4	4/8/91
	Rescinds/Amends	Adopted

Madison County School District Number 2, Norfolk Public Schools, is committed to providing an employment environment that is safe and provides appropriate motivation to ensure a creative and productive work force. To this end, the District unequivocally endorses the philosophy that the workplace should be free from the detrimental effects of illicit drugs and alcohol.

It is unlawful and, therefore, absolutely prohibited for any employee of the District to:

1. Engage in the unlawful manufacture, possession, use, or distribution of illicit drugs.
2. Possess, use, or distribute alcohol on school premises.
3. Be under the influence of illicit drugs and/or alcohol while directly supervising student activities off school property, or as a part of any of the schools' activities held on school property.

DEFINITIONS

As used in this policy, items 1., 2., and 3. above shall include, but not be limited to the following:

1. The manufacture, possession, use, or distribution of any substance which is declared by the State of Nebraska or any other applicable law to be an illicit substance
2. The possession, use, or distribution of alcohol on school premises or as a part of any of the schools' activities involving students.
3. Being under the influence of drugs, alcohol or illicit drugs.
4. As used in this policy, administration means Superintendent or his/her designee.

PROCEDURES

1. All employees and each new employee will receive a copy of this policy,
2. Each employee will sign a receipt form acknowledging the District's policy of absolutely prohibiting conduct as set forth herein, and that:
 - a. sanctions can and will be taken against an employee, including termination of employment and referral for prosecution for any failure to comply with the above-stated standards of conduct;
 - b. such compliance is mandatory;
 - c. this policy is adopted pursuant to P.O. 101-226,34 C.F.R., Part 86, and other applicable statutes; and
 - d. failure to comply with such federal requirements may put the District's receipt of federal funds in jeopardy.
3. In the event the employee does not understand the terms and conditions of this policy, it shall be the duty of the employee to ask for clarification by the administration at the time this policy is distributed to the employee. If no question is asked it shall be the legal position of the District that the employee has understood and will abide by this policy.

4. In the event of any non-compliance by an employee to this policy, it shall be the duty of the administration to inform that employee about any drug and alcohol counseling, rehabilitation, and re-entry programs that are available to employees within fifty (50) miles of the administrative offices of the District. All costs of such services/programs will be at the employee's expense. The administration shall maintain a list of available services.
5. Sanctions which may be taken against an employee for non-compliance with this policy may be any one or more of the following:
 - a. An oral reprimand.
 - b. A written reprimand.
 - c. Suspension with pay.
 - d. Suspension without pay.
 - e. Termination of employment.
 - f. Cancellation of employment.
 - g. Non-renewal of employment.
 - h. Referral to appropriate authorities for criminal prosecution
 - i. Mandatory enrollment in counseling, inpatient care, or otherwise as a term and condition to any continuing employment by the District.
 - j. Mandatory enrollment in an educational and/or rehabilitation program.
6. Disciplinary action to be imposed by the administration shall be carried out in accordance with any applicable policies of the District and the bounds of applicable law. However, nothing in this policy shall be construed to vest any right for any employee beyond that required by law.
7. Conviction of an employee of the District of any criminal statute relating to the unlawful manufacture, use, possession, or distribution of any controlled substance or alcohol, will result in disciplinary action being taken against such employee. When such conviction shall come to the attention of the administration or other official of the District, any employee convicted as above described may be disciplined in any manner provided by statute, the contract of the employee, any existing policy of the District, or any other applicable body of law.
8. As an alternative to discipline or as a concurrent requirement to disciplinary action as referred to in the immediately preceding paragraph, the District administration may require the employee (at the employee's expense) to successfully finish a drug or alcohol rehabilitation program. As used herein, the term "drug or alcohol rehabilitation program" shall mean a rehabilitation program sponsored by an approved private or governmental institution. The administration may require the employee to provide written documentation that the employee has successfully completed such program. If aftercare is recommended by such institution, the administration may require an employee to participate in aftercare and specify the terms of participation. The administration may require ongoing reports of participation as a term and condition of continuing employment with the District.
9. An employee who has been charged or convicted of a violation of any statute referred to in this policy will be required to report such charge or conviction to the administration. Any information received pursuant to this policy may be used in any lawful manner. Any employee having concerns about an admission hereunder constituting self-incrimination shall bear the burden of seeking his/her own legal advice regarding any such potential self-incrimination.