

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY

4218

DRUG AND/OR ALCOHOL FREE WORKPLACE

The Milford Board of Education believes that illegal drugs and alcohol have no place in the work environment. Furthermore, Congress passed the Drug-Free Workplace Act of 1988, requiring the certification of federal grantees of a drug-free workplace, and the Milford Board of Education supports that Act.

The Milford Board of Education believes that the school environment should promote learning, physical and emotional growth, socialization, and individual development. It also believes that alcohol and/or drugs adversely affect these disciplines. Therefore, the manufacturing, possession, use, and/or distribution of alcohol and/or unauthorized drugs or drug paraphernalia shall be prohibited in the workplace.

The Milford School District will assist any employee with drug and/or alcohol use problems to seek counseling and rehabilitation who voluntarily seeks such assistance.

However, reporting to work under the influence of drugs and/or alcohol will result in disciplinary action.

1. The manufacturing, possession, sale, use or distribution of drugs, drug paraphernalia, counterfeit drugs or alcohol in the workplace shall:
 - a. Result in termination.
 - b. For teachers the Milford Board will follow the Rules of Procedure For Conducting A Teacher Termination Hearing unless a separate collective bargaining agreement requires otherwise. For employees with employment contracts, the board will follow Board Policy #4214 The Conduct of Termination Proceedings. No other employees shall have the right to a pre-termination hearing.
 - c. Nothing in this policy shall preclude the Milford Board of Education from taking concurrent and/or independent personnel action against the employee for immorality, misconduct in office, incompetence or willful neglect of duty or under existing Board Policies.
2. The Drug-Free Workplace Act of 1988 requires that:
 - a. Copies of this policy shall be given to all employees, informing them that they must comply with the policy as a condition of employment; and

- b. All employees shall notify the superintendent in writing of any criminal drug statute conviction within five (5) days of the conviction; and
- c. The superintendent must notify the federal granting agency within ten (10) days of receiving notice of any employee's conviction; and
- d. Within thirty (30) days of an employee's conviction for a drug violation, the district is required to take appropriate personnel action against the employee, which can include termination, or require the employee to participate satisfactorily in a drug abuse rehabilitation program.

ADOPTED: 2/25/91

AMENDED: 4/18/11