POLICY: 614 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL POLICY

EFFECTIVE DATE: Inception

REVISED DATE: 6.1.15
6.25.18
3.22.21

PURPOSE
It is the policy of World Learner School to maintain a safe and healthy environment for students, employees, and the public by prohibiting the use of alcohol, toxic substances, and controlled substances without a physician's prescription.

GENERAL STATEMENT OF POLICY
Use of controlled substances, toxic substances, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited. It shall be a violation of this policy for any student, teacher, administrator, other school district personnel, or member of the public to use or be under the influence of alcohol, toxic substances, or controlled substances in any school location. The school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

DEFINITIONS
Alcohol includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor; or other alcoholic substances used or possessed with the intent of inducing intoxication.

Controlled substances include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.

Toxic substances includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.

Use includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.

Possess means to have on one's person, in one's effects, or in an area subject to one's control.

School location includes any school building or on any school premises; in any school owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at 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 the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

Positive test result means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. 181.953, Subd. 1.

Reasonable suspicion means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

EXCEPTIONS

It shall not be a violation of this policy for a person to bring onto a school location, for such person's own use, a controlled substance which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy. It shall not be a violation of this policy for a person to possess an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

PROCEDURES

Students who have a prescription from a physician for medical treatment with a controlled substance must comply with the school district's student medication policy.

Employees who have a prescription from a physician for medical treatment with a controlled substance are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform the Director. The employee may be required to provide a copy of the prescription.

Each employee shall be notified of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the Director.

Possession of alcohol on school grounds, pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the School Board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

ENFORCEMENT

Students

A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's student discipline and drug and alcohol policies. Such discipline may include suspension or expulsion from school.

The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

Employees

As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any school location as defined above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction.

In any case where there is reasonable suspicion that any employee is under the influence of drugs or alcohol or has violated the provisions of this policy, World Learner School may require the employee to undergo drug and alcohol testing. An employee has the right to explain a positive test result on a confirmatory test or to request and pay for a confirmatory retest. Any employee who refuses to undergo drug and alcohol testing or otherwise violates the terms of this policy is subject to disciplinary action, including non-renewal, suspension, termination, and/ or referral to civil authorities for prosecution as deemed appropriate by the School Board.

Sanctions against employees, including non-renewal, suspension, and termination shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and World Learner School policies. Any employee may appeal discipline imposed under the provisions of this policy consistent with applicable collective bargaining agreements or laws, including Minn. Stat. 122A.40.

The Public
A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

Legal References: Minn. Stat. § 121A.22 (Admission of Drugs and Medicine)
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Liquor in Certain Buildings or Grounds)
20 U.S.C. § 7101–7165 (Safe and Drug-Free Schools and Communities Act)
21 U.S.C. § 812 (Schedules of Controlled Substances)
41 U.S.C. § 701-707 (Drug-Free Workplace Act)
21 C.F.R. § 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)