



Provo City School District Policy Series 5000: Personnel

5200 P1

Drug-Free Workplace: Procedure

Expectations:

District employees, volunteers, or patrons may not unlawfully manufacture, dispense, possess, distribute or be impaired in the workplace by alcohol or any controlled or counterfeit substance during working hours, on district property, while representing the district, or while operating a district vehicle, or while operating any vehicle while on duty, except where legally permissible.

No district employee, volunteer, or patron will use, distribute, or manufacture tobacco products or electronic cigarettes on district property, in district vehicles, while representing the district, or while attending any school-related activity.

As a condition of employment, Provo City School District employees are required to report his/her arrest, citation, other than for minor traffic offenses, or conviction to the Deputy Superintendent within 48 hours.

Testing:

District employees may be required to subject immediately to medically accepted drug or alcohol testing as defined in Utah Code 34-41-104 and/or to a field breathexam administered by an authorized agency under one or more of the following circumstances:

- a. Pre-employment screening in a safety-sensitive position as defined by Utah State Law.
- b. District-wide random drug testing program for individuals who operate district owned vehicles and/or safety sensitive equipment.
- c. Post-accident or critical-incident investigation.
- d. Where reasonable suspicion exists that a District employee is using or is under the influence of alcohol or a controlled substance.
- e. Prior to return to duty or as a condition of continued employment if a controlled substance or alcohol played a part in the District employee's absence from duty.
- f. Employees in positions that require a commercial driver license (CDL) shall also be subject to testing requirements and prohibitions under Federal and State laws.

- g. Follow up in combination with a mutually agreed upon rehabilitation program.

Discipline:

In the event that an employee tests positive for unlawful controlled substances; tests positive for alcohol; refuses to submit to a drug or alcohol test; attempts to taint, avoid, delay, or circumvent the testing process; is arrested (charged or convicted) on an alcohol or drug related offense; or violates this policy in some other way, the District will initiate appropriate administrative and criminal investigations, and a confirmed violation of this policy may result in discipline up to and including termination of employment and or removal as a volunteer.

Employees are responsible to seek assistance for substance abuse problems before policy infractions occur and disciplinary action is required.

Treatment:

Any employee who has a substance abuse or alcohol abuse problem is encouraged to voluntarily obtain assistance through a drug or alcohol abuse treatment program.

All such treatment will be at the employee's expense. Employees are strongly urged to seek assistance before usage affects the performance of their job duties. The District Benefits Office may provide information about Employee Assistance Programs, or provide information related to coverage for substance abuse treatment programs.

Seeking drug or alcohol treatment may be taken into consideration by the district when making decisions related to discipline. The district may, at its sole discretion, based on the particular facts of a given matter, agree to allow an employee to seek assistance through a drug or alcohol treatment program as a condition of continued employment.

References:

41 USC 702 et seq., Drug-Free Workplace Requirements
Utah Code 34-41-101, 104 Local Government Entities Drug-Free Workplace Policies
Utah Code 26-38-101 Utah Indoor Clean Air Act
Utah Administrative Code R277-515 Standards for educators
Utah Administrative Code R477-14 Substance Abuse and Drug-Free Work Place
USBE Pupil Transportation Drug and Alcohol Testing Policy