

SUBSTANCE ABUSE – EMPLOYEES
(Drug-Free Workplace Policy)

The Board will not tolerate the possession, distribution, or use of drugs or alcohol on Board Property or at any school activity. The purpose of this policy is to eliminate drugs and alcohol from Hardy County Schools and school activities.

Pre-employment Investigation

Criminal Records: The Superintendent shall request from the State Criminal Identification Bureau the record of all prospective employees, before they are recommended to the Board, concerning criminal convictions relating to child abuse, sexual offenses, or possession of controlled substances with the intent to deliver same as required by Section 18-5-15c of the West Virginia Code.

Drug Testing: The Superintendent may require a drug test of any or all prospective employees which require drug testing such as transportation employees.

Removal for Drug Use: The Superintendent may remove from consideration any applicant who has a police record of conviction for drug offenses or who tests positive on a drug test.

Regular Employees

Possession: If the Principal or other supervisor has reason to believe that an employee of the Board has a controlled substance in his/her possession, that supervisor shall immediately contact the Superintendent who may notify the proper law enforcement authorities and attempt to obtain a warrant to search the employee and/or his/her belongings for the controlled substance. If an employee is found to have in his/her possession a controlled substance, he/she shall be suspended by the Superintendent pending a hearing before the Board.

Use of a Controlled Substance or Alcohol: If a Principal or other supervisor has reason to believe that an employee of the Board is under the influence of a controlled substance or alcohol, he shall immediately notify the Superintendent. The Superintendent may notify the proper law enforcement authorities and request that the employees undergo testing to determine the presence or absence of the controlled substance or alcohol. If the employee refuses such examination, he/she shall be suspended, pending a hearing before the Board. If the employee is found to be under the influence of a controlled substance or alcohol, he may be suspended pending a hearing before the Board.

Employee's Responsibility

It shall be the responsibility of all teachers and other employees to report immediately to the Principal or other appropriate supervisor, any student whose behavior is observed to be indicative of one under the influence of a controlled substance. Teachers and other employees shall attempt to confiscate any material in a student's possession that appears to be a controlled substance and shall report and give same immediately to the Principal or other supervisor.

The Board, pursuant to Section 29-12-5a of the West Virginia Code, shall defend any teacher or other employee against legal action brought against them for reporting in good faith an incident of suspected possession or use of a controlled substance.

In-service Education

The Board shall provide in-service education programs for teachers and other employees in the identification of controlled substances and drug paraphernalia, and in the identification of those under the influence of a controlled substance. Employees will also be informed about counseling and treatment programs available.

Notification

All employees will be given a copy of this policy annually. New employees will be given a copy of this policy prior to their employment.

Review

This policy shall be reviewed on a biannual basis by the Board to:

1. determine its effectiveness and implement changes to the program if they are needed.
2. insure that the sanctions required by this policy are constantly enforced.

SOURCE: Board of Education Minutes

DATE: October 7, 1991 – June 18, 2001

LEGAL REFERENCE: West Virginia Code §18-5-15c - §18A-2-10 - §29-12-5a

DRUG.FREE.WORKPLACE