

Missoula County Public Schools
Personnel 5226
Drug-Free Workplace

All District workplaces are drug- and alcohol-free workplaces. All employees are prohibited from:

- Unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance, including medical marijuana, while on District premises or while performing work for the District.
- Distribution, consumption, use, possession, or being under the influence of alcohol while on District premises or while performing work for the District.

For purposes of this policy, a controlled substance is one which is:

- not legally obtainable;
- being used in a manner different than prescribed;
- legally obtainable, but has not been legally obtained; or
- referenced in federal or state controlled substance or dangerous drug acts.

As a condition of employment, each employee shall:

- abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
- notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five (5) days after such a conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:

- provide each employee with a copy of the District Drug- and Alcohol-Free Workplace policy;
- post notice of the District Drug- and Alcohol-Free Workplace policy in a place where other information for employees is posted;
- enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees; and
- inform employees of available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs.

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days after receiving notice of the conviction. Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate state or federal agency from which the District receives contract or grant moneys of the employee's conviction, within ten (10)

days after receiving notice of the conviction.

Legal Reference:

21 U.S.C. § 812

41 U.S.C. § 702

MCA Title 50, Chapter 32

MCA § 50-46-320

Policy History:

Adopted on: August 13, 2002

Revised at PN&P Committee on August 29, 2012 and posted for public comment.

Approved on: November 13, 2012