

1 **Bainville K-12 Schools District**

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3 **PERSONNEL**

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5 Drug-Free Workplace

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

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- 9 • Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the influence of a controlled substance while on District premises or while performing work for the District, **including employees possessing a “medical marijuana” card.**
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- 12 • Distributing, consuming, using, possessing, or being under the influence of alcohol while on District premises or while performing work for the District.
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15 For purposes of this policy, a controlled substance is one that is:

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- 17 • Not legally obtainable;
- 18 • Being used in a manner other than as prescribed;
- 19 • Legally obtainable but has not been legally obtained; or
- 20 • Referenced in federal or state controlled-substance acts.
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22 As a condition of employment, each employee will:

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- 24 • Abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
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- 26 • Notify his or her supervisor of his or her conviction under any criminal drug statute, for a violation occurring on District premises or while performing work for the District, no later than five (5) days after such conviction.
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30 In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:

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- 33 • Provide each employee with a copy of the District drug- and alcohol-free workplace policy;
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- 35 • Post notice of the District drug- and alcohol-free workplace policy in a place where other information for employees is posted;
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- 37 • Enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs, to provide information to District employees; and
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- 39 • Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and any employee-assistance programs.
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42 District Action Upon Violation of Policy

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44 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, employee-assistance rehabilitation program.

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4 The Board will take disciplinary action with respect to an employee convicted of a drug offense
5 in the workplace, within thirty (30) days of receiving notice of a conviction.
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7 Should District employees be engaged in the performance of work under a federal contract or
8 grant, or under a state contract or grant, the Superintendent will notify the appropriate state or
9 federal agency from which the District receives contract or grant moneys of an employee's
10 conviction, within ten (10) days after receiving notice of the conviction.
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14 Legal Reference: 41 USC 702, 703, 706 Drug-free workplace requirements for
15 Federal grant recipients
16 *Johnson v. Columbia Falls Aluminum Company LLC*, 2009 MT 108N.
17 **§ 50-46-205(20(b), MCA Limitations of Medical Marijuana Act**
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19 Policy History:

20 Adopted on: 2/23/11

21 Reviewed on: 1/24/11

22 Revised on: