

Series 4000 – PERSONNEL

Policy 4020

Drug- & Alcohol-Free Workplace

The Solano County Office of Education (SCOE) believes that the maintenance of drug- and alcohol-free workplaces is essential to its operations.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug, or controlled substance at any SCOE or school workplace. These prohibitions apply before, during, and after work hours. A SCOE workplace is any place where county office work is performed, any SCOE-owned or SCOE-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function where students are under SCOE jurisdiction; or during any period of time when an employee is supervising students on behalf of SCOE or otherwise engaged in county office business.

The County Superintendent (Superintendent) or designee shall notify employees of these prohibitions. (Government Code 8355; 41 USC 8103)

An employee shall abide by the terms of this policy and notify the Superintendent or designee, within five days, of any criminal drug or alcohol statute conviction which they receive for a violation occurring in the workplace. (Government Code 8355; 41 USC 8103)

The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 8103)

In accordance with law and the COE's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.

The Superintendent or designee shall establish a drug- and alcohol-free awareness program to inform employees about: (Government Code 8355; 41 USC 8103)

1. The dangers of drug and alcohol abuse in the workplace
2. The policy of maintaining drug- and alcohol-free workplaces
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs
4. The penalties that may be imposed on employees for drug and alcohol abuse violations

Legal Reference:

EDUCATION CODE

44011 Controlled substance offense

44425 Conviction of controlled substance offenses as grounds for revocation of credential

44836 Employment of certificated persons convicted of controlled substance offenses

44940 Compulsory leave of absence for certificated persons

Legal Reference: (Continued)

EDUCATION CODE

- 44940.5 Procedures when employees are placed on compulsory leave of absence
- 45123 Employment after conviction of controlled substance offense
- 45304 Compulsory leave of absence for classified persons

GOVERNMENT CODE

- 8350-8357 Drug-free workplace

UNITED STATES CODE, TITLE 20

- 7111-7117 Safe and Drug Free Schools and Communities Act

UNITED STATES CODE, TITLE 21

- 812 Schedule of controlled substances

UNITED STATES CODE, TITLE 41

- 8101-8106 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 21

- 1308.01-1308.49 Schedule of controlled substances

Policy Cross-Reference:

- 4020.1 Controlled Substances and Alcohol (Drivers)
- 4032 Reasonable Accommodation
- 4112 Appointment and Conditions of Employment
- 4112.9 Employee Notifications
- 4118 Dismissal/Suspension/Disciplinary Action
- 4119.21 Professional Standards (Ethics)
- 5131.6 Alcohol and Other Drugs
- 7110.1 Tobacco-Free Environment
- 7110.2 Drug-Free Workplace