



3. Delegation of Responsibility  
P.L. 101-226  
Sec. 5115 (a) (4)

A statement notifying professional employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the professional employee's workplace shall be provided by the Superintendent and shall specify the actions that will be taken against the professional employee for violation of this policy up to and including termination and referral for prosecution.

The Board requires that each professional engaged in the performance of the grant be given a copy of the statement and notification to the employee that, as a condition of employment under the grant, the employee will abide by the terms of the statement and notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

The grantor of such funds shall be notified within ten (10) days after receiving notice from an employee or otherwise receiving actual notice of such conviction.

The district shall be responsible for taking one of the following actions within thirty (30) days of receiving notice, with respect to any convicted professional employee.

The district shall take appropriate personnel action against such an employee, up to and including termination.

In establishing a drug-free awareness program, the Superintendent shall inform professional employees about:

- the dangers of drug abuse in the workplace;
- the district's policy of maintaining a drug-free workplace;
- the availability of drug counseling, drug rehabilitation, and employee assistance programs available; and
- the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The district shall make a good faith effort to continue to maintain a drug-free workplace through the implementation of this policy.