

Adopted: 4.20.16

Revised:

NORTH METRO FLEX ACADEMY POLICY No. 4.6.4 DRUG-FREE WORKPLACE / DRUG-FREE SCHOOL

I. PURPOSE

The purpose of this policy is to maintain an alcohol and drug-free workplace and safe and healthy environment for students and employees.

II. POLICY STATEMENT

For the health and safety of students and employees, North Metro Flex Academy prohibits employees from manufacturing, distributing, dispensing, possessing or using illegal controlled substances in the workplace. Employees, volunteers, visitors and contractors are further prohibited from possessing, using or distributing alcohol in the workplace.

III. POLICY

- A. **Controlled Substances.** It is a violation of this policy to illegally manufacture, distribute, dispense, possess or use illegal controlled substances on school premises, during school-sponsored activities or in the workplace.
- B. **Alcohol.** It is a violation of this policy to possess, use or distribute alcoholic beverages on school premises or during school-sponsored activities.

IV. DEFINITIONS

- A. For purposes of this policy, the following terms shall mean:
 - 1. “Alcohol” includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
 - 2. “Controlled substances” include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. §812, including analogues and look-alike drugs.
 - 3. “Toxic substances” includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.

4. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
5. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
6. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school; or during any period of time such employee is supervising students on behalf of the school otherwise engaged in school business.

V. MANDATORY REPORTING

Employees shall, within five (5) calendar days of conviction, notify the Principal of any criminal drug statute conviction occurring outside the workplace. The Principal shall notify the appropriate federal agency of conviction.

VI. ENFORCEMENT

Any employee who violates this policy shall be subject to disciplinary action up to and including termination of employment in accordance with the provisions of the current employee agreement or other procedures established by the Board and referral for prosecution.

VII. EXCEPTIONS

It is not a violation of this policy for a person to possess an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. §624.701, subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder) and has been approved by the Board of Directors.

VIII. DISTRIBUTION OF POLICY

This policy shall be distributed to all employees of North Metro Flex Academy. In addition, in-service programs shall be held periodically which inform employees about the dangers of alcohol and other drug abuse in the workplace, the school's employee assistance

program or other rehabilitation programs available, and the penalties that may be imposed upon employees for violations of this policy.

All employees are expected to abide by the provisions of this policy.

Legal References: Minn. Stat. §624.701 (Liquor in Certain Buildings or Grounds)
41 U.S.C. §§701-707 (Drug-Free Workplace Act)
20 U.S.C. §§7101-7165 (Safe and Drug-Free Schools and Communities Act)
21 U.S.C. §812 (Schedules of Controlled Substances)
21 C.F.R. §§1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 85 (Government-Wide Requirements for Drug-Free Workplace)