

MIDDLE BUCKS  
INSTITUTE OF  
TECHNOLOGY

SECTION: PROFESSIONAL EMPLOYEES

TITLE: DRUG AND SUBSTANCE  
ABUSE

ADOPTED: July 1, 1991

REVISED:

451. DRUG AND SUBSTANCE ABUSE	
<p>1.Purpose</p>	<p>The Executive Council recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the whole school community. As such, the Executive Council is very much concerned about the problem that may be caused by drug use by professional employes, especially as the use relates to the safety, efficiency and productivity of professional employes.</p> <p>The primary purpose and justification for any action on the part of the school staff would be the protection of the health, safety and welfare of students, staff and school property.</p>
<p>2.Definitions P.S. 35 Sec. 780101 et seq</p> <p>P.L. 100690 SC 527</p>	<p>For the purposes of this policy, drugs shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.</p> <p>Conviction shall be defined as finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statute. Any professional employe convicted of delivery of controlled substance or convicted of possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the school.</p> <p>Criminal drug statute shall be defined as a federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.</p> <p>Drug-free workplace shall be defined as the site for the performance of work done in connection with a specific grant at which professional employes are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.</p>
<p>3.Delegation of Responsibility P.L. 101226</p>	<p>A statement notifying professional employes that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the professional employe's workplace shall be provided by the Director or a designee</p>

<p>Sec. 5115 (a)(4)</p>	<p>and shall specify the actions that will be taken against the professional employe for violation of this policy.</p> <p>The Executive Council requires that each professional engaged in the performance of the grant be given a copy of the statement and notification to the employe that, as a condition of employment under the grant, the employe 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.</p> <p>The grantor of such funds shall be notified within ten (10) days after receiving notice from an employe or otherwise receiving actual notice of such conviction.</p> <p>The school shall be responsible for taking action within thirty (30) days of receiving notice, with respect to any convicted professional employe.</p> <p>The school may take appropriate personnel action against such an employe, up to and including termination or may require the employe to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.</p> <p>In establishing a drug-free awareness program, the Director or a designee shall inform professional employes about:</p> <ul style="list-style-type: none"><li>- the dangers of drug abuse in the workplace;</li><li>- the school's policy of maintaining a drug-free workplace;</li><li>- the availability of drug counseling, drug rehabilitation, and employe assistance programs; and</li><li>- the penalties that may be imposed upon employes for drug abuse violations occurring in the workplace.</li></ul> <p>The school shall make a good faith effort to continue to maintain a drug-free workplace through the implementation of this policy.</p>
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