

Brockton Public Schools School Committee Policy

DRUG-FREE WORKPLACE ACT OF 1988

The Drug-Free Workplace Act of 1988 requires federal government contractors to take specific and affirmative steps to ensure a drug-free workplace. One of the act's central provisions requires employers to prepare and distribute an anti-drug policy statement prohibiting any drug related activity in the workplace. The Brockton Public Schools' policy regarding the work related effects of drug use and the unlawful possession of controlled substances is as follows:

- Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is our intent and obligation to provide a drug-free, healthful, safe and secure work environment.
- The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on school department premises or while conducting school business off school premises is absolutely prohibited. Violation of this policy will result in disciplinary action, up to and including termination, and may necessarily involve legal action.
- As mandated by the Drug-Free Workplace Act of 1988, employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on or off school premises while conducting school business. A report of a conviction must be made within five (5) days after the conviction.
- The school department recognizes drug abuse as a health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use our employee benefits program and health insurance plans, as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job.

Every administrator and supervisor will be responsible for posting this announcement and make available copies of the certification statement to each staff member. Any violation of this policy should be reported to the Office of the Superintendent.

**Certification Regarding Drug-Free Workplace Requirements
Grantees Other Than Individuals**

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F. The regulations, published in the January 31, 1989 Federal Register, require certification by grantees, prior to a award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or government wide suspension or debarment (see 34 CFR Part 85, sections 85.615 and 85.620).

The grantee certifies that it will provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing a drug-free awareness program to inform employees about-
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making is a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
4. Notifying the employee in the statement required by paragraph (1) that as a condition of employment under the grant, the employee will-
 - a. Abide by the terms of the statement; and
 - b. Notify the employer of any criminal drug status conviction for a violation occurring in the workplace no later than five days after such conviction.
5. Notifying the agency within ten days after receiving notice under subparagraph (D02) from an employee or otherwise receiving actual potion of such conviction;
6. Taking one of the following actions, within 30 days of receiving notice under subparagraph (D02), with respect to any employee who is so convicted
 - a. Taking appropriate personnel action against such an employees, up to and including termination: or
 - b. Requiring such employee 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.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6).

Organization Name

Application Number

Name and Title of Authorized Representative

Signature

Date