



# Huntington Beach Union High School District Board Policies and Administrative Regulations

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## All Personnel

### Drug-Free Workplace

It is the policy of Huntington Beach Union High School District to provide a safe and secure environment that encourages students and staff in their efforts to lead healthy and productive lives. The district believes that the maintenance of drug-free workplaces is essential to school and district operations. The Superintendent shall have the responsibility to implement this policy, as follows:

1. Publish and give to each employee a notification that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace, which includes all facilities under the control of and used by the district. The notification shall specify the actions that will be taken against employees who violate this prohibition as set forth in Item 6 hereinafter. The notification shall also state that as a condition of employment, the employee will abide by the terms of this policy and notify the district within five (5) days of any criminal drug statute conviction which he/she receives for a violation occurring in the workplace.

For the purpose of this policy, "conviction" shall mean a finding of guilt, including a plea of nolo contendere or imposition of sentence, or both, by any judicial body charged to determine violations of federal or state criminal drug statutes.

2. Establish a drug-free awareness program to inform employees about:
  - A. The dangers of drug abuse in the workplace;
  - B. The district 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.
3. Notify the appropriate federal granting or contracting agencies within ten (10) days after receiving notification from an employee or otherwise of a conviction for any workplace drug abuse violation.

Drug-Free Workplace (continued)

4. Initiate disciplinary action for workplace drug-related offenses no later than thirty (30) days after receiving notice of a conviction from an employee or otherwise.
5. Make a good faith effort to continue maintaining a drug-free workplace through implementation of Board policy.
6. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace, which includes all facilities under the control of and used by the district, is expressly prohibited and will result in disciplinary action up to and including termination unless the district determines that satisfactory participation in a drug abuse assistance or rehabilitation program is appropriate. Any decision concerning discipline shall be in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and district policies and practices. It is expressly understood that this policy is in addition to and not a replacement of such laws, contract, agreements, policies and practices.

(cf. 4117.4 - Dismissal)

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
- 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 , 21, 41
- 7111-7117 Safe and Drug Free Schools and Communities Act
- 812 Schedule of controlled substances
- 701-707 Drug Free Workplace Act

Policy approved: 2/27/90  
Revised: 3/2/11