

<p>P.L. 100-690</p> <p>SC 527</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. Administrative employee(s) 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 District.</p>
	<p>Criminal drug statute shall be defined as a federal or nonfederal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance.</p> <p>A statement notifying administrative employees that the unlawful manufacture, distribution, dispensation, transporting, possession, or use of a controlled substance is prohibited in the administrative employee's workplace shall be provided by the Director of Human Resources and shall specify the actions that will be taken against the administrative employee for violation of this policy up to and including termination and referral for prosecution.</p>
<p>3. Authority</p> <p>SC 111</p> <p>41 U.S.C.</p> <p>Sec. 8103</p> <p>P.L. 101-226</p> <p>Sec. 5115 (a) (4)</p>	<p>The Board requires that each administrative employee be given a copy of the statement and notification to the employee that, as a condition of employment, 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 immediately, but no later than seventy-two (72) hours, after such conviction.</p>
<p>SC 527</p> <p>35 P.S.</p> <p>Sec. 780-101</p> <p>et seq</p>	<p>Any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district.</p>
<p>4. Delegation of Responsibility</p> <p>41 U.S.C.</p> <p>Sec. 8103, 8104</p>	<p>A statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Director of Human Resources and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution.</p>
<p>41 U.S.C.</p> <p>Sec. 8103</p>	<p>Within ten (10) days after receiving notice of the conviction of a district employee, the district shall notify any federal agency or department that is the grantor of funds to the district.</p>
<p>41 U.S.C.</p> <p>Sec. 8103, 8104</p>	<p>The District shall take appropriate personnel action within thirty (30) days of receiving notice against such an employee, up to and including termination, and require the 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.</p>

<p>41 U.S.C. Sec. 8103</p>	<p>In establishing a drug-free awareness program, the Director of Human Resources shall inform employees about:</p> <ol style="list-style-type: none"> 1. Dangers of drug abuse in the workplace. 2. Board’s policy of maintaining a drug-free workplace. 3. Availability of drug counseling, drug rehabilitation, and employee assistance programs. 4. Penalties that may be imposed for drug abuse violations occurring in the workplace.
<p>41 U.S.C. Sec. 8103</p>	<p>The District shall make a good faith effort to continue to maintain a drug-free workplace through the implementation of this policy.</p>
<p>5. Guidelines SC 1302.1-A, 1303-A</p>	<p>The Superintendent or designee shall immediately report incidents involving the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by any employee while on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school’s property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</p>
<p>SC 1303-A Pol. 805.1</p>	<p>In accordance with state law, the Superintendent shall annually by July 31, report all incidents of possession, use or sale of controlled substances or drug paraphernalia to the Office for Safe Schools on the required form.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 111, 527, 1302.1-A, 1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21</p> <p>PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. Sec. 780-101 et seq.</p> <p>Board Policy – 317, 805.1</p>