TRIO Wolf Creek Distance Learning Charter School #4095

416 DRUG AND ALCOHOL TESTING

I. PURPOSE

A. The charter school board recognizes the significant problems created by drug and alcohol use in society in general, and for public schools in particular. The charter school board further recognizes the important contribution that the public schools such as charter schools have in shaping the youth of today into the adults of tomorrow.

B. The charter school board believes that a work environment free of drug and alcohol use will be not only safer, healthier, and more productive but also more conducive to effective learning. Therefore, to provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in federal law and Minn. Stat. §§ 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

A. All charter school employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy.

B. The charter school may request or require that any school employee or job applicant, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.

C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school property (which includes school vehicles), while operating school vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school property.

D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on charter school property (which includes school owned/rented vehicles), while operating school vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school

property. Employees under the influence of alcohol are prohibited from entering or remaining on school property.

E. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

It is acknowledged at this time that we purchase services for all transportation from Hunts Transportation services. Based on this contract, the charter school does not possess a policy on bus drivers due to the fact that it does not currently employ any bus drivers. If this status changes in the future, this policy will be reviewed as appropriate for needed changes.

IV. POSTING

The charter school shall post on its website that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection upon request.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 43A (State Personnel Management)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. § 152.32 (Protections for Registry Program Participation)
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
Minn. Stat. § 221.031 (Motor Carrier Rules)
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)

Cross-References: Policy 403 (Discipline, Suspension, and Dismissal of Charter School Employees)
Policy 406 (Public and Private Personnel Data)
Policy 417 (Chemical Use and Abuse)
Policy 418 (Drug-Free Workplace/Drug-Free School)