

DRUG AND ALCOHOL OFFENSES BY EMPLOYEES

No employee shall distribute, dispense, possess, use, or be under the influence of any alcoholic beverage, malt beverage, or fortified wine or other intoxicating liquor or unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. sub-paragraph 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15, before, during, or after hours at school or in any other school district location as defined below.

"School district location" means in any school building or on any school premises; on any school owned vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engages in school district business.

As a condition of employment in a federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his/her supervisor in writing of his/her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction.

EMPLOYEE REPORTING OF CONTROLLED SUBSTANCES

Indiana Code 35-48-5 (P.L. 224-1987) requires school employees and administrators to report crimes involving controlled or illegal substances. Any employee who either personally sees or has personal knowledge of a crime involving a controlled or illegal substance occurring in, on, or within 1000 feet of school property, shall make an immediate written report to the school principal. School property includes school buses.

A school principal or other administrative staff member who receives a report, or has personal knowledge of a crime involving controlled or illegal substances occurring in, on, or within 1000 feet of school property, shall make an immediate written report using the form on file in each school building designated for this specific purpose. A copy of this report shall:

1. Be retained by the school originating the report;
2. Be forwarded to the proper law enforcement agency; and
3. Be forwarded to the Indiana Criminal Justice Institution at the end of each semester.

Crimes involving controlled substances include possession, use, transmittal, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, intoxicant, drug paraphernalia, or counterfeit drug.

Counselors, social workers, and psychologists who learn of a violation of the controlled substances from privileged communications are exempt from the reporting requirement.