

# SMYRNA SCHOOL DISTRICT

## *POLICY*

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<b>Section:</b>	<b>4000 Personnel</b>	<b>Office Responsible:</b>	<b>Human Resources</b>
<b>Policy:</b>	<b>4139 Employee Drug and Alcohol</b>		
<b>Related Policies:</b>			

### **I. Purpose**

To establish that the Smyrna School District is a drug and alcohol-free workplace

### **II. Authority**

*Delaware Code, Title 14*

*US Code, Title 41, Subtitle IV, Chapter 81*

### **III. Definitions**

**Drug:** Any chemical substance that produces physical, mental, emotional, or behavioral change in use. Drugs include all alcoholic beverages, narcotics, analgesics, stimulants, depressants, including marijuana, hashish, and otherwise controlled substances or medications other than those sold to the public on a non-prescription basis or those prescribed to the employee by a licensed physician.

**Possession:** Implies that an employee has authorized on their person or with their personal property or under their control by placement of and knowledge of the whereabouts of same within the school environment or during school-related activities.

**Use:** Implies that an employee is reasonably known to have assimilated an unauthorized drug or is reasonably found to be under the influence of same within the school environment or during a school related activity.

**Distribution or Sale:** Implies the transfer of unauthorized drugs or lookalike substances to any other person with or without the exchange of money or other valuable consideration. The receiving party shall be considered as “in possession.”

**Unauthorized:** That which is prohibited by the Superintendent of Schools and/or government.

**School Environment:** Within or on school property, and/or school sanctioned and/or supervised activities.

**Prescription Drug:** A controlled substance dispensed directly by a medical practitioner or by a pharmacy with a written prescription from the practitioner.

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**Non-Prescriptive Drug:** A non-controlled substance used for medical reasons.

**Drug Paraphernalia:** Paraphernalia includes objects used to manufacture, compound, convert, produce, process, prepare, analyze, pack, repack, store, conceal, inject, ingest, inhale, or otherwise provide a means to enter the human body. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia.

**Inservice Days:** During the regular work hours of the employee, consumption of alcoholic beverages and/or controlled substances will be prohibited.

#### IV. Policy Statement

- A. Employees are the District's most valuable resource and their health and safety is therefore a serious concern. Furthermore, substance abuse education is one of the District's most important missions. It is not enough for staff to instruct students regarding substance abuse. District staff must lead by example. Finally, employees have the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs.
- B. The Smyrna School District believes the school environment should promote learning, physical and emotional growth, socialization, and individual development. It also believes alcohol and/or drugs adversely affect these disciplines. Therefore, possession, use, and/or distribution of alcohol and/or unauthorized drugs, or drug paraphernalia shall be prohibited within the school environment.
- C. See Administrative Procedure 4139 Employee Drug and Alcohol for details.

#### Board Approval Acknowledged by:



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Kristi Pelezo, President  
Smyrna School District Board of Education

#### Policy Actions

Adopted: 10/20/1982

Revised: 3/15/2023

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