

DRUG-FREE WORKPLACE

FILE: GBEC

TITLE: Drug-Free Workplace

POLICY:

- (1) The School Board of Orange County, Florida ("Board") hereby affirms its intent to maintain a workplace that is free from drugs and other forms of substance abuse.
- (2) **Controlled Substances.** No employee shall use, possess, manufacture, distribute, or be under the influence of controlled substances or alcohol while on duty or on property owned or operated by the Board, except when he/she is using a controlled substance in conformance with the instructions of a physician. Possession of a controlled substance or alcohol while on duty may result in a recommendation to terminate the employee. Employees on duty shall not use or take prescription drugs above the level recommended by the prescribing physician, and shall not use prescribed drugs for purposes other than that for which they were intended. Employees shall not distribute or dispense any drugs while on duty, except as permitted by Board Policy JLCD Medicines/Administering Medicines to Students.
- (3) **Reasonable Suspicion Testing.**
 - (a) Reasonable Suspicion testing is based upon a belief that an employee is using or has used alcohol or drugs in violation of the School Board's policy. Reasonable suspicion testing must be based on specific, contemporaneous documented objective and articulable observations and circumstances which are consistent with the long and short term effects of alcohol or substance abuse; including, but not limited to, physical signs and symptoms, appearance, behavior, speech and/or odor on the person.
 - (b) Supervisors who have Reasonable Suspicion that an employee may be under the influence while on duty are required to immediately direct the employee to submit to testing as provided for by the Board. Reasonable Suspicion shall be in accordance with training provided to managers and will require confirmation by two trained managers. One of the two managers may include the supervisor, if trained. A refusal to submit to testing will result in a recommendation to terminate the employee.
 - (c) The observation checklist includes, but is not limited to, the following:
 - i. Slurred speech;
 - ii. Confusion/disorientation;
 - iii. Odor of alcohol on breath or person;
 - iv. Unsteady gait or lack of balance;
 - v. Glassy eyes;

- vi. Rapid/continuous eye movement or inability to focus;
- vii. Drowsiness;
- viii. Inattentiveness;
- ix. Apparent intoxicated behavior (without odor);
- x. Physical injury;
- xi. Tremors or bodily shaking;
- xii. Poor coordination;
- xiii. Runny nose or sores around nostrils;
- xiv. Very large or small pupils;
- xv. Slow or inappropriate reactions;
- xvi. Inability to respond to questions;
- xvii. Complaints of racing or irregular heartbeat;
- xviii. Marked Irritability;
- xix. Aggressiveness;
- xx. Inappropriate laughter or crying;
- xxi. Fainting or loss of consciousness;
- xxii. Improper job performance and/or violation of authority;
- xxiii. Other criteria as specified in the Random Testing-Omnibus Transportation Employee Testing Act ("OTETA"), when applicable.

(4) Positive Findings for Controlled Substances or Alcohol.

Except in extraordinary circumstances, the Superintendent shall consistently recommend termination for positive findings of controlled substances or alcohol, except when an employee is using a controlled substance under, and in accordance with, the direction of a physician. A test result for alcohol at or above 0.02 will be considered a positive finding for the purpose of discipline; however, a negative result for alcohol will not be the sole determinant of whether or not alcohol was present.

(5) Post-Employment Offer Testing.

Upon being offered employment, individuals are required to take and pass a screening for controlled substances as a condition of employment.

(6) Random Testing-Omnibus Transportation Employee Testing Act (OTETA).

(a) Those employees who fall under the Omnibus Transportation Employee Testing Act are additionally subject to the provisions of the act including, but not limited to, random drug and alcohol testing.

(b) Employees shall be advised of counseling, treatment and rehabilitation services as may be available through the Board's Employee Assistance Program.

SPECIFIC AUTHORITY:

45 CFR Part 76, Subpart F
 49 CFR Part 40
 Sections 1012.22; 1012.33; and 1012.335, Florida Statutes

ADOPTED: 10/23/01
REVISED: 9/27/16