
*Rescinds Policy Number:**Issued: 01/07/2002*

It is the policy of the Orange County Board of Education that all employees have a drug and alcohol free workplace. Therefore, the Board prohibits all employees from possessing, using, manufacturing, dispensing, selling, distributing or being under the influence of illegal drugs and from the use, sale, distribution or possession of drug paraphernalia. All employees are prohibited from unlawfully possessing, using, manufacturing, dispensing, selling, distributing, or being under the influence of alcohol.

- A. This policy shall govern each employee before, during and after school hours, while on any property owned, leased or used by the Board, and at any time during which an individual employee is meeting the responsibilities of his/her job. It is presumed that the violation of a law involving unlawful drugs has an adverse effect on an educator's job performance.
- B. The Board further prohibits the possession, sale, distribution, or use of alcohol or its counterfeit by its employees while on duty, and in the case of an employee who operates a vehicle or repairs or operates equipment, from driving at any time while under the influence of alcohol or other drugs.
- C. It is a condition of employment that each individual employee shall comply with this policy and shall notify his/her supervisor in writing of his/her conviction (or plea of guilty or nolo contendere) of any criminal drug statute within five days of any such conviction or plea. Similarly any employee whose duty it is to drive a vehicle or repair equipment or vehicles shall comply with this policy and shall notify his/her supervisor of any conviction (or plea) of any criminal drug statute or any motor vehicle violation involving the use of alcohol or controlled substances at any time and shall notify his/her supervisor of any pending charges for those offenses within five days of being charged.
- D. Violation of this policy shall subject an employee to immediate disciplinary action including, but not limited to, termination of employment with the Orange County Schools, or the requirement that the employee participate satisfactorily in a drug and alcohol assistance or rehabilitation program approved for such purposes by the administration or suspension, with or without pay, or conditional continuation of employment or any combination of the enumerated actions.
- E. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider, or over-the-counter medication that could alter the employee's ability to perform the duties and responsibilities of his/her position, shall not be a violation of this policy. Prescription drugs are to be taken by no one other than the person for whom the drug was prescribed. However, the employee must notify his/her immediate supervisor in the event of use of any prescription drug, which may or could affect his/her ability to perform the duties expected of the employee.
- F. The school system reserves the right to test employees whose duty it is to drive a vehicle which requires a CDL, repair vehicles, and other persons in similar safety-sensitive positions anytime prior to or during employment. The system reserves the right to test any employee upon reasonable suspicion of drug or alcohol use.
- G. Any eligible employee who refuses to submit to random test(s) to detect alcohol and/or drug use or refuses to search procedures after reasonable suspicion is established will be suspended immediately from safety-sensitive duties pending consideration of a decision to terminate employment.
- H. A copy of this policy shall be distributed to all employees

Legal References: [G.S. 115C-325](#), Drug-Free Workplace Act of 1988 U.S.C. Section 701, et.seq.