

## Policy M 417 Chemical Use and Abuse

Copied from 417 MSBA Model Policy Manual, Chemical Use and Abuse

*Note: This policy reflects mandatory provisions of state and federal law and is not discretionary.*

### I. PURPOSE

The executive board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees. Chemical use and abuse also creates significant problems for society in general. The executive board believes that BrightWorks has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist BrightWorks in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

### II. GENERAL STATEMENT OF POLICY

- A. Use of controlled substances, medical cannabis, toxic substances, and alcohol is prohibited at BrightWorks in accordance with BrightWorks policies with respect to a Drug-Free Workplace.
- B. The executive director, with the advice of the executive board, shall be responsible for establishing an advisory team to address chemical abuse problems.
- C. BrightWorks shall establish and maintain a program to educate and assist employees in understanding this policy and the goals of achieving drug-free workplaces.

*[Note: Comprehensive drug prevention programs are required to be adopted and carried out by school districts/MN Service cooperatives pursuant to the Safe and Drug-Free Schools and Communities Act. In addition, school districts/MN service cooperatives are required by the Drug-Free Workplace Act to establish drug-free awareness programs for employees. Further, state law authorizes school district/MN service cooperatives to provide instructional programs in chemical abuse and the prevention of chemical dependency.]*

### III. DEFINITIONS

- A. "Chemical abuse" means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the employee's normal function in BrightWorks activities is chronically impaired.
- B. "Chemicals" includes, but is not limited to, alcohol, toxic substances, medical cannabis, and controlled substances as defined in BrightWorks' Drug-Free

Workplace/Drug-Free School policy.

- C. "Use" includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration.

#### IV. STUDENTS

##### A. Reports of Chemical Use and Abuse

1. In the event that a BrightWorks employee knows that a student is abusing, possessing, transferring, distributing, or selling chemicals in a BrightWorks location, the employee shall notify the appropriate school administrator.
2. If a BrightWorks employee has reason to believe that a student is abusing, possessing, transferring, distributing, or selling chemicals, the employee shall notify the appropriate school administrator.

#### V. EMPLOYEES

##### A. The executive director or designee shall undertake and maintain a drug-free awareness and prevention program to inform employees, students, and others about:

1. The dangers and health risks of chemical abuse in the workplace.
2. BrightWorks' drug-free workplace/drug-free policy.
3. Any available drug or alcohol counseling, treatment, rehabilitation, re-entry, and/or assistance programs available to employees.
4. The penalties that may be imposed on employees for drug abuse violations.

##### B. The executive director designee shall notify any federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice of a conviction of an employee for a criminal drug statute violation occurring in the workplace. To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the executive director.

*[Note: Notification to the federal granting agency within ten (10) days is required by the Drug Free Workplace Act. 41 U.S.C. § 8103.]*