

### **DRUG-FREE WORKPLACE**

The Board of Education prohibits the illegal, improper or unauthorized manufacture, distribution, dispensing, possession or use of any controlled substances in the workplace. "Workplace" shall mean any site on district or school grounds, at school-sponsored activities, or any place in which an employee is working within the scope of his/her employment or duties. "Controlled substances" shall include all drugs which are banned or controlled under federal or state law, including those for which a physician's prescription is required, as well as any other chemical substance which is deliberately ingested to produce psychological or physiological effects, other than accepted foods or beverages. All applicants selected for employment with the Rochester City School District shall be subject to a pre-employment drug test.

The Superintendent of Schools or his/her designee shall implement related regulations which outline the requirements of the federal Drug-Free Workplace Act of 1988.

Cross-ref: 3230, Organization Chart  
9220, Staff Qualifications  
9610, Staff Substance Abuse

Ref: Drug-Free Workplace Act (DFWA), 41 U.S.C. §§702-707

21 CFR §§1300.11-1300.15  
34 CFR Part 85 (U.S. Dept. of Ed. Regulations under the DFWA)  
49 CFR Part 40 (U.S. Dept. of Transportation Drug and Alcohol Regulation) Civil Service Law §75  
Education Law §3020-a  
*Patchogue-Medford Congress of Teachers v. Board of Education*, 70 NY2d 57 (1987)

Note: Policy added, August 20, 1998; Amended December 13, 2012 pursuant to Resolution No. 2012-13: 375.