

Santa Barbara County Special Education Local Plan Area

SELPA Policy: Drug and Alcohol-Free Workplace

(4020 BP)

The Santa Barbara County SELPA JPA Board believes that the maintenance of a drug- and alcohol-free workplace is essential to staff and student safety and to help ensure a productive and safe work and learning environment.

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace.

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

The SELPA Executive Director or designee shall notify employees of the SELPA's prohibition against drug use and the actions that will be taken for violation of such prohibition.

An employee shall abide by the terms of this policy and shall notify the SELPA, within five days, of his/her conviction for violation in the workplace of any criminal drug statute.

The SELPA Executive Director or designee shall notify the appropriate federal granting or contracting agency within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.

In accordance with law and the SELPA's employment contracts, the Executive Director or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.

Drug-Free Awareness Program

The SELPA Executive Director or designee shall establish a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug-free workplace
3. Available drug counseling, rehabilitation, and employee assistance programs
4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace

California Code

Education Code 44011	Definition of Controlled Substance Offense
Education Code 44425	Certificated Employees: Revocation and Suspension of Certification Documents
Education Code 44836	Certificated Employees: Employment
Education Code 44940	Certificated Employees: Resignations, Dismissals, and Leaves of Absence
Education Code 44940.5	Certificated Employees: Resignations, Dismissals, and Leaves of Absence
Education Code 45123	Classified Employees: Employment
Education Code 45304	Classified Employees: Compulsory Leave of Absence
Government Code 8350 <i>et seq.</i>	Drug-Free Workplace Act of 1990

United States Code

20 U.S.C. 7101 <i>et seq.</i>	Safe and Drug-Free Schools and Communities Act
21 U.S.C. 812	Schedules of Controlled Substances
41 U.S.C. 8101 <i>et seq.</i>	Drug-Free Workplace

Code of Federal Regulations

21 C.F.R. Part 1308	Schedules of Controlled Substances
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Websites

United States Drug Enforcement Administrative Drug Scheduling (www.dea.gov/drug-information/drug-scheduling)

Approved: June 1, 2026