

STATEMENT TO EMPLOYEES

1. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace.
2. The term "controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substance Act, 21 USC 812.
3. The term "conviction" means a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.
4. As a condition of employment in the Jefferson School District, (hereinafter "District") employees must agree to abide by the terms of this statement and notify the Superintendent of the district of a conviction for violation of any criminal drug statute for a violation occurring in and outside the workplace no later than five days after such conviction.
5. Pursuant to California Education Code 45123, the governing board of the District may not employ or retain in employment, persons convicted of a controlled substance offense as defined in Education Code 44010. If any such conviction is reversed and the person is acquitted of the offense in a new trial or the charges against him/her are dismissed, this section does not prohibit his/her employment thereafter.

Furthermore, the District may employ a person convicted of a controlled substance offense only if the District determines, from the evidence presented, that the person has been rehabilitated for at least five years. Pursuant to Education Code 45123, the determination of the Board as to whether or not the person has been rehabilitated is final.

Pursuant to California Education Code 44425, whenever the holder of any credential issued by the State Board of Education or the Commission for Teacher Preparation and Licensing has been convicted of a controlled substance offense as defined in section 44011, the commission shall forthwith suspend the credential. When the conviction becomes final or when imposition of sentence is suspended, the commission shall forthwith revoke the credential. Pursuant to California Education Code 44065, the District may not employ in positions requiring a certificate, noncertificated persons.

6. "Controlled substance offense" as used in Education Code 44011 means any one or more of the following offenses:

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(continued)

- a. Any offense in Section 11350 to 11355, inclusive (offenses involving controlled substances formerly classified as narcotics), 11366 (opening or maintenance of unlawful places), 11368 (forged or altered prescriptions), 11377 to 11382, inclusive, (offenses involving controlled substances formerly classified as restricted dangerous drugs), and 11550 (unlawful acts) of the California Health and Safety Code.'
 - b. Any offenses committed or attempted in any other state or against the laws of the United States which, if committed or attempted in this state, would have been punished as one or more of the above-mentioned offenses.
 - c. Any offense committed under former Section 11500-11503, inclusive, 11557, 11715, and 11721 of the California Health and Safety Code.
 - d. Any attempt to commit any of the above-mentioned offenses.
7. The use of drugs or alcohol in the workplace jeopardizes the health and safety of the employee involved, fellow workers, and the students the District serves.
 8. Information regarding currently available drug or alcohol counseling, rehabilitation, or employee assistance programs may be obtained from the District Personnel Office.

Any questions regarding the District's Drug/Alcohol Free Workplace Policy may be addressed to the District Personnel Office.

Please sign the attached acknowledgment and return it to the Personnel Office.

ACKNOWLEDGMENT

I have read the "Statement to Employees" regarding the district's Drug/Alcohol-Free Workplace Policy. As a condition of employment, I agree to abide by its terms and to notify my employer of any criminal statute conviction for a violation occurring in or outside the workplace no later than five days after such a conviction.

Date: _____

Signature of Employee

(Print Employee Name Here)

Date: _____

Signature of Witness

(Print Witness Name Here)

Title