

**EMPLOYEE'S NOTICE REQUIREMENT REGARDING CRIMINAL
DRUG STATUTE CONVICTION
(GATEWAY SCHOOL DISTRICT BOARD POLICIES 351, 451, AND 551)**

1. All employees of Gateway School District are required to notify either the Superintendent or the Board of any criminal drug statute conviction for a violation occurring in or out of the workplace no later than five (5) days after such conviction.
2. All employees of Gateway School District are required to notify either the Superintendent or the Board of any conviction for delivery of a controlled substance or conviction for possession of a controlled substance with the intent to deliver, as prohibited by said Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. Section 780-101, et seq.) no later than five (5) days after such conviction.
3. Gateway School District shall notify the federal granting agency within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of the employee's criminal drug statute conviction for a violation occurring in the workplace.

PENALTIES

1. Any employee who is convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to sell or deliver, as prohibited by said Controlled Substance, Drug, Device and Cosmetic Act, shall be terminated from his or her employment with the Gateway School District, pursuant to Section 527 of the Public School Code (24 P.S. Section 5-527). This penalty is mandatory and shall apply even if the violation did not occur in the workplace.
2. Any criminal drug statute conviction occurring in or out of the workplace will result in Gateway School District taking appropriate personnel action against the employee up to and including termination and referral for prosecution; provided, if the conviction for a violation occurring in the workplace was for selling or delivering of a controlled substance or possession of a controlled substance with intent to deliver, the employee shall be terminated.
 - a. An employee who is disciplined, but not terminated, may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency. Furthermore, an employee who is not subject to mandatory termination may, as a condition precedent to returning to work, be required to certify that he or she has enrolled in and/or completed such drug abuse assistance or rehabilitation program.

Please acknowledge the receipt of this document by signing and returning to the Personnel Office within one (1) week.

Employee's Signature

Date