

## PERSONNEL

### GENERAL PERSONNEL - DRUG AND ALCOHOL FREE WORKPLACE

It is the policy of School District 93 that its workplace be free from drugs and alcohol.

#### Purposes

The purposes of this policy include the following:

1. to establish and maintain a safe, healthy and productive educational environment for all employees;
2. to ensure the reputation of the District and its employees within the community;
3. to reduce the occurrence of accidental injuries to persons or property;
4. to reduce absenteeism and tardiness, and improve the quality of the educational program in the District;
5. to recommend rehabilitation assistance to any employee who needs such help; and
6. to comply with the requirements of applicable state and federal laws, rules and regulations.

#### Definitions

For the purposes of this policy, the following definitions shall apply:

1. A "controlled substance" is one:
  - a. which is identified in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulation at 21 C.F.R. 1308.11 - 1308.15;
  - b. which is defined as a controlled substance in the Illinois Controlled Substances Act, or cannabis as defined in the Illinois Cannabis Control Act;
  - c. which is not legally obtainable;
  - d. which is being used in a manner different from that prescribed; or
  - e. which is legally obtainable but has not been legally obtained.
2. "Alcohol" is any beverage that may be legally sold and consumed that has any alcoholic content.
3. A "conviction" is defined as a finding of guilt (including a plea of no contest) or imposition of a sentence, or both, by any judicial body charged with the responsibility of determining violations of the federal or State criminal drug statutes.
4. A "criminal drug statute" is defined as any criminal law involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.

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1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, by any employee while on District property or any facilities operated by the District, while performing work for or on behalf of the District, or while engaged in any School District activities, is prohibited. This prohibition extends to vehicles when they are located on School District property.
2. The distribution, consumption, use or possession of alcohol by any employee on District property or any facilities operated by the District, while performing work for or on behalf of the District, or while engaged in any School District activities, is prohibited. This prohibition extends to vehicles when they are located on School District property.
3. Being under the influence of alcohol or any controlled substance while on District property or any facilities operated by the District, while performing work for or on behalf of the District, or while engaged in any School District activities, is prohibited. This prohibition extends to vehicles when they are located on School District property.
4. A copy of this policy shall be distributed to all District employees personally and by posting in a place where employment notices are commonly posted. All District employees are hereby notified that compliance with the standards of conduct referenced in this policy is mandatory.
5. Effective as of the date of the adoption of this policy, every employee shall, as a condition of employment:
  - a. Abide by the terms contained in this policy; and
  - b. Notify the Superintendent of Schools in writing of any criminal drug statute conviction for a violation occurring on District property or any facilities operated by the District or while performing work for or on behalf of the District, no later than five (5) calendar days after such conviction.
6. The District shall attempt in all instances to maintain a drug-free workplace for its employees in compliance with the requirements of the Drug Free Workplace Act of 1988 (U.S.C. ' 701, *et seq.*) the Safe and Drug Free School and Communities Act (20 U.S.C. ' 7101, *et seq.*), and the Illinois Drug-Free Workplace Act (30 ILCS 580/1, *et seq.*).

Disciplinary and Other Employer Action

1. Violation of these prohibitions will result in disciplinary action up to and including termination of employment and referral for prosecution.
2. Disciplinary action shall also be in accordance with applicable provisions of the School Code, collective bargaining agreements, if any, and Board policy.

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3. The District may require an employee who violates any of these prohibitions to participate satisfactorily in an approved substance or alcohol abuse assistance or rehabilitation program.
4. The District shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within thirty (30) calendar days after receiving notice of such a conviction from the employee or from another source.
5. The Superintendent shall notify the appropriate federal agency from which the District receives grant moneys, in writing, of an employee conviction within ten (10) calendar days after receiving notice or otherwise learning of such a conviction.

Drug-Free Awareness Program

The District shall establish a drug-free awareness program to inform its employees about:

1. The dangers of drug and alcohol abuse in the workplace;
2. The District's policy of maintaining a drug and alcohol-free workplace;
3. Any drug and/or alcohol counseling, rehabilitation, employee assistance or re-entry programs available to District employees;
4. Available materials from local, State and national anti-drug and alcohol-abuse organizations;
5. Community and State agencies with drug and alcohol informational and rehabilitation programs which may provide information to District employees;
6. The penalties that may be imposed upon employees for violation of this policy.

Any employee who feels that he or she has developed an addiction or dependence on alcohol or drugs is encouraged to seek assistance. Requests for assistance will be confidential.

Rehabilitation itself is the responsibility of the employee. An employee seeking medical attention for alcoholism or drug addiction is entitled to whatever benefits may be available for that purpose under the District's group medical insurance plans.

Review

The District shall review its drug and alcohol abuse prevention program on a biennial basis to determine its effectiveness, to implement changes to the program if they are needed, and to ensure that the sanctions referenced herein are consistently enforced.

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LEGAL REF.:            Drug-Free Workplace Act of 1988, 41 U.S.C. ' 701, *et seq.*;  
                             Illinois Drug-Free Workplace Act, 30 ILCS 580/1, *et seq.*;  
                             Illinois Controlled Substances Act, 720 ILCS 570/100, *et seq.*;  
                             Illinois Cannabis Control Act, 720 ILCS 550/1, *et seq.*;  
                             Controlled Substances Act, 21 U.S.C. ' 812; 21 C.F.R. 1308.11 - 1308.15;  
                             Safe and Drug Free School and Communities Act, 20 U.S.C. ' 7101, *et seq.*;  
                             and Americans With Disabilities Act, 42 U.S.C. ' 12114.

Adopted:            August 9, 1990  
Revised:            March 12, 1998  
Revised:            August 11, 2011