

### **ALCOHOL AND DRUG-FREE SCHOOLS**

- A. The Board believes that quality education is not possible in an environment affected by alcohol and drugs. The Board will, therefore, establish and maintain an educational setting which meets the requirements of all applicable federal, state, and local laws, including but not limited to the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1986 and any amendments thereto as they relate to employees and students.
- B. To establish and maintain an environment free of drugs, the Board, as it has in the past, prohibits the manufacture, possession, use, distribution, or dispensation of any controlled substances, marijuana, hemp or hemp products, as defined in R.C. 928.01, as well as alcohol, by any member of the Board’s staff or by any student at any time while on Board property or while involved in any District-related activity or event. The prohibition against “controlled substances” set forth in this Policy does not apply to the possession or use of a controlled substance, by a person who has been prescribed the controlled substance by a licensed physician, in accordance with such prescription. The prohibition against “controlled substances” does apply to marijuana and its derivatives, regardless of whether it has been prescribed by a licensed physician.
- C. Employees
1. Employees are prohibited from being under the influence of alcohol, controlled substances, marijuana, hemp or hemp products, as defined in R.C. 928.01, during work hours or when they are representing the Board at meetings or in the community.
  2. An employee who must use prescribed drugs which could impair his/her ability to perform the job duties must report this fact to his/her supervisor along with acceptable medical documentation. A determination will then be made as to whether the employee is able to perform his/her job safely and properly.
  3. The Board will not employ an individual whose current use of alcohol prevents him/her from performing the job duties or who constitutes a direct threat to the property or safety of himself/herself or others. The Board will not employ an individual who is currently using controlled substances.
  4. An employee convicted of any criminal drug violation occurring in the workplace must report such conviction to the Superintendent within five (5) working days of the conviction. The Superintendent shall notify those agencies required by the Drug-Free Workplace Act of 1988 of an employee’s conviction within ten (10) days of receiving notice from an employee or otherwise receiving actual notice. A conviction means a finding of guilt or imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

5. The Superintendent shall take one or a combination of the following actions within thirty (30) days of receiving notice from the employee as set forth in paragraph 4 of this policy:
    - a. Appropriate personnel action against such employee, up to and including termination in accordance with the applicable law or provisions in a collective bargaining agreement;
    - b. Requiring the employee to complete a drug assistance or rehabilitation program approved for such purposes by the federal, state, or local health, law enforcement or other appropriate agency.
  6. A drug-free awareness program shall be created to inform the employees about:
    - a. The dangers of drug abuse in the workplace;
    - b. The Board's policy of maintaining a drug-free workplace;
    - c. Any available drug counseling, rehabilitating and employee assistance programs; and
    - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  7. Information on controlled substance or alcohol counseling and/or rehabilitation programs is available from the Superintendent or his/her designee.
  8. Disciplinary sanctions consistent with local, State, and Federal law up to and including termination of employment and referral for prosecution will be imposed on employees who violate the standards of conduct required by this Policy.
  9. Federal law requires that employees comply with the standards of conduct set forth in this policy.
  10. Employees shall be given a copy of the standards of conduct required under this Policy as well as a statement of disciplinary sanctions described herein.
- D. This Policy and the Board's Drug Prevention Program shall be reviewed biennially.

LEGAL REFS: 20 U.S.C. §7101; 20 U.S.C. §3171; 20 U.S.C. §701

Adopted: November 20, 2019