

Drug, Alcohol, and Tobacco

Section A - Introduction

It is the policy of the Board of Education that all District workplaces shall be free from drugs and alcohol.

Section B - Definitions

For purposes of this policy,

1. "District premises" means:
 - a. Workplace as defined in the Cannabis Regulation and Tax Act (CRTA)
 - b. District and school buildings, grounds, and parking areas;
 - c. Vehicles used for school purposes; and
 - d. Any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities.
2. "School grounds" means:
 - a. The real property comprising any school;
 - i. Any conveyance used to transport students to school or a school-related activity;
 - ii. Any public way within 1,000 feet of any school grounds;
 - iii. Designated school bus stops where students are waiting for the school bus; and
 - iv. School-sponsored or school-sanctioned events or activities.
3. "School property" has the meaning provided in Board Policy 8:30 - Visitors.
4. "Vehicles used for school purposes" means school buses or other school vehicles.
5. "Cannabis" has the meaning provided in the CRTA, 410 ILCS 705/1-10.
6. "Controlled substance" means a substance that is:
 - a. Not legally obtainable;
 - b. Being used in a manner different from prescribed;
 - c. Legally obtainable, but has not been legally obtained; or
 - d. Referenced in federal or State controlled substance acts.
7. "E-Cigarette" is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.
8. "Tobacco" has the meaning provided in 105 ILCS 5/10-20.5b.

Section C - Drug and Alcohol-Free Workplace

All employees are prohibited from engaging in any of the following activities while on District premises or while performing work or being on call for the District:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance.
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on District premises or while performing work for the District when alcohol consumption is detectable, regardless of when and/or where the use occurred.
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on District premises or while performing work for the District when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator pursuant to Ashley's Law, 105 ILCS 5/22-33. The District considers employees impaired by or

under the influence of cannabis when there is a good faith belief that an employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Upon the Superintendent or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Superintendent or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation. State law protects the District from liability when it takes actions pursuant to a reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test.

Unless otherwise prohibited by this policy, prescription, and over-the-counter medications are not prohibited when taken in standard dosages and/or according to prescriptions from the employee's licensed health care provider, provided that an employee's work performance is not impaired.

Section D - Cigarette, Tobacco, and Cannabis Prohibition

All employees are covered by the conduct prohibitions contained in Board Policy 8:30 - Visitors. The prohibition on the use of e-cigarettes, tobacco, and cannabis products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event's location.

Section E- Condition of Employment

As a condition of employment, each employee shall by accepting employment in the District:

1. Agree to abide by the terms of this policy respecting a drug, alcohol, and tobacco-free workplace; and
2. Agree to notify his or her supervisor of his or her conviction of any criminal drug, alcohol or marijuana statute for a violation occurring on the District premises no later than five calendar days after such a conviction.

Section F - Employee Awareness

In order to make employees aware of the dangers of drug and alcohol abuse, the District shall:

1. Provide each employee with a copy of the District Drug and Alcohol Policy;
2. Post notices of the District Drug and Alcohol Policy in a place where other information for employees is posted;
3. Make available materials from local, state, and national anti-drug and alcohol abuse organizations;
4. Enlist the aid of community and state agencies with drug and alcohol information and rehabilitation programs to provide information to District employees;
5. Establish a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs; and
 - c. The penalties that the District may impose upon employees for violations of this policy.

Section G - Consequence of Policy Violation

1. An employee who violates the terms of the policy may be subject to disciplinary action, up to and including termination.
2. The Board shall take disciplinary action with respect to an employee conviction of a drug or marijuana offense in the workplace within thirty business days after receiving notice of the conviction.
3. Should the District be a current participant in a federal education program in which the District is the prime grantee and a direct receiver of federal funds, the superintendent shall notify the appropriate federal agency from which the District receives grant monies of the employee conviction within ten days after receiving notice of the conviction.
4. The Superintendent or designee may require an employee who violates the terms of this policy to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program.
5. Disciplinary actions by the Board of Education may include, but are not limited to, suspension, termination of employment, and/or referral for prosecution.
6. The Superintendent shall have the authority to suspend, without prejudice, an employee from his position when, in the judgment of the Superintendent, the employee has violated this policy. The suspension may be for up to ten work days, with or without pay, and shall be effective until acted upon by the Board of Education if the employee chooses to appeal to the Board of Education for review within ten work days of the first day of the suspension.
7. An employee who acknowledges to the Superintendent that he or she has a drug/chemical or alcohol dependency problem, prior to a violation of this policy, will be referred to resource information on available rehabilitation programs. No disciplinary action will be taken by the District when the employee voluntarily seeks help for a drug/chemical or alcohol dependency problem. If the employee, after voluntarily seeking help for a drug/chemical or alcohol dependency problem, violates this policy, the employee may be subject to disciplinary action as outlined in this policy.

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