Sec. 1. DRUG- AND ALCOHOL-FREE WORKPLACE

Raul Yzaguirre Schools for Success ("RYSS") intends to provide a safe and drug- and alcohol-free environment for employees and students. With this goal in mind, RYSS expressly prohibits:

1. The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on RYSS property or while performing an assignment.
2. Being impaired or under the influence of legal or illegal drugs or alcohol away from RYSS, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or put at risk RYSS's reputation.
3. Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from RYSS, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk RYSS's reputation.
4. The presence of any detectable amount of prohibited substances in the employee's system while at work, while on RYSS property, or while on RYSS -related business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

Sec. 2. DRUG AND ALCOHOL TESTING

RYSS will conduct drug and/or alcohol testing under any of the following circumstances:

a) *School Drivers*

Employees who drive RYSS -owned or leased vehicle(s) on school-related business may be subject to drug and/or alcohol testing as determined necessary by the RYSS administration.

b) *Random Testing*

Employees may be selected at random for drug and/or alcohol testing at any interval determined by RYSS.

c) *Reasonable Suspicion Testing*

RYSS may remove an employee from duty and require the employee to submit to drug and/or alcohol testing if there is reasonable suspicion that that the employee may be under the influence of drugs in violation of RYSS policy. Circumstances supporting a finding of reasonable suspicion include, but are not limited to, the following circumstances:

1. Evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity;

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2. Unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol;
3. Negative performance patterns; or
4. Excessive and unexplained absenteeism or tardiness.

The determination of reasonable suspicion will be based on specific observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity seems to be impaired while on duty, or other relevant information.

d) *Post-Accident Testing*

Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

Sec. 3. POLICY VIOLATIONS

An employee is subject to disciplinary sanctions under this policy if:

1. The employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy;
2. The employee is tested for drugs or alcohol in accordance with this policy and the results indicate a violation of this policy; and/or
3. The employee refuses to submit to testing under this policy.

Disciplinary sanctions for violations of this policy may include, but are not limited to:

1. Referral to drug and/or alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Referral to appropriate law enforcement officials for prosecution;
4. Removal from safety-sensitive functions;
5. Employment actions, up to and including termination of employment; and/or
6. Any other form of disciplinary sanction deemed appropriate by RYSS.

Sec. 4. DRUG-FREE AWARENESS PROGRAM

The Superintendent shall establish, as needed, a drug-free awareness program complying with legal requirements. The program shall provide relevant information to employees in the following areas:

1. The dangers of drug use and abuse in the workplace.

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2. RYSS's drug-free workplace policy.
3. Counseling, rehabilitation, and other assistance programs available to employees in the community, if any.
4. Consequences on employment for violating RYSS's drug use and abuse prohibitions.

The employee shall be responsible for all fees or charges related to drug/alcohol counseling or rehabilitation, if any.

Sec. 5. TOBACCO USE

RYSS further intends to provide a tobacco-free environment for employees and students. Smoking (including, but not limited to cigarettes, cigars, and pipes) and the use of tobacco by employees is prohibited on all RYSS -owned property, in RYSS -owned vehicles, and while supervising students during school-related events.

RYSS also prohibits the use of any "vapor products"—meaning electronic cigarettes (e-cigarettes) or any other device that uses a mechanical heating element, battery, or electronic circuit to deliver vapor that may include nicotine to the individual inhaling from the device; any substance used to fill or refill the device-cigarette; inhalants; electronic cigarette devices; and/or other devices or paraphernalia used with vapor products, other inhalants, or chemicals—at all times on RYSS property, at any RYSS event or activity (whether or not on school property), or in RYSS vehicles.

An employee who violates this tobacco use policy is subject to disciplinary action, up to and including termination from employment.

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