

ALCOHOL AND DRUG-FREE WORKPLACE

In order to protect the health, welfare and safety of students and employees, no employee of the Evansville Community School District shall engage in any of the following conduct in any school building or on school premises, in any school-owned vehicle, or off premises at any school-approved activity, event or function where students are under the jurisdiction of the District and where employees are performing official duties as an employee of the District:

Possess, manufacture, distribute, dispense, use, or be under the influence of alcohol, inhalants, any controlled substance, or substances represented as such. The sole exception to these prohibitions involves prescription medication prescribed to an employee and used by the employee in accordance with his/her medical professionals' instructions. In addition, the District does not condone the involvement of any employee with illegal controlled substances, even when the employee is not on District premises.

If the immediate supervisor has reasonable suspicion concerning an employee's use of alcohol or controlled substances while on the job or if the immediate supervisor has reasonable suspicion that the employee's job performance is impaired due to the recent use of alcohol or any controlled substance, the employee may be asked to submit to alcohol and drug assessment testing, which will be done with procedures that ensure the confidentiality and privacy interests of the employee. Refusal to submit to the test shall be considered insubordination and will result in disciplinary action up to and including termination. In addition, refusal to take the test shall be the basis for inferring that the employee is under the influence of drugs or alcohol, in violation of the policy. Employees suspected of being in violation of this policy may also request an alcohol or drug screen to be administered immediately following suspected violation. The first testing cost shall be reimbursed by the District. Any re-testing costs will be the responsibility of the employee.

After required procedures have been administered, or after an employee refuses to be tested, the immediate supervisor should safely send the employee home. If needed, a plan for improvement will be developed. The employee will also be referred to the Employee Assistance Program.

Employees who violate this policy will be subject to the following discipline: immediate dismissal, suspension without pay, or suspension with pay, at the discretion of the District Administrator.

Any employee engaged in the performance of a federal grant shall notify the District Administrator of any criminal drug statute conviction occurring in the work place within five days of such conviction and the District Administrator will then notify the appropriate federal agency. After receiving notice from an employee, the District shall either:

1. Take appropriate personnel action against the employee, up to and including termination of employment.

2. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency.

Actions by employees that are considered to be unlawful shall be reported to the appropriate law enforcement agency, which will conduct an investigation. The District will also meet with the employee to gather additional information and determine employment consequences.

Information obtained from this conference will not be turned over to law enforcement unless by order of the court. No part of this policy or its implementing procedures shall be limited by any legal action taken by other authorities.

The District shall distribute drug-free awareness information to employees regarding the dangers of drug abuse in the workplace; the District's policy for maintaining a drug-free workplace; any available drug counseling, rehabilitation, and (if applicable) employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

Legal Ref.: Sections 111.35 Wisconsin Statutes (Use or Nonuse of Lawful Products)
120.13 (School Board Powers)
121.02(1)(i) (Safe Facilities)
125.09(2) Wisconsin Statutes (General Restrictions)
Chapter 961
Drug Free Workplace Act of 1988

Local Ref.: Employee Handbook
Policy #443.4 – Student Alcohol and or Other Drug Use
Policy #443.41/522.11 – Definitions Relating to Alcohol, Tobacco/Nicotine and
Other Drug Prohibitions
Policy #453.4 – Administering Medications to Students
Policy #522.2 – Tobacco/Nicotine/Electronic Cigarette Use by Staff on School
Premises
Policy #832 – Tobacco/Nicotine-Free School Property
Policy #832.1 – Use of Tobacco/Nicotine Products on School Premises