

### **Drug and Alcohol-Free Workplace**

All District workplaces are drug- and alcohol-free workplaces. All employees are prohibited from engaging in any of the following activities while on District premises or while performing work for the District:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance, or being under the influence of any illegal substance or any detectable use of any illegal substance regardless of when or where the use occurred.
2. Distribution, consumption, use, possession, or being 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, use, possession, or being under the influence or under the influence of cannabis; being present on District premises or while performing work for the District when being impaired or under the influence of cannabis, regardless of when and/or where the use occurred. An exception to this rule applies to the school nurse or designated school employee pursuant to *Ashley's Law*. An employee will be considered impaired or under the influence of cannabis when there is good faith belief that the 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.

"Cannabis" is defined by the meaning provided in the Cannabis Regulations and Tax Act (CRTA) – 410 ILCS 705/1-10.

"District Premises" is defined by the Cannabis Regulations and Tax Act (CRTA) - 410 ILCS 705/1-10. It includes all school buildings, parking areas, and school grounds; school vehicles or vehicles being used for school district purposes; any location being used as a school athletic event site, a school board meeting site, or site of any school-district related event or activity during which employees are performing job duties.

For purposes of this policy, a controlled substance means a substance that is:

1. Not legally obtainable,
2. Being used in a manner different than prescribed,
3. Legally obtainable, but has not been legally obtained, or
4. Referenced in Federal or State controlled substance acts, if the substance impairs the employee's ability to perform work for the District.

As a condition of employment, each employee shall:

1. Abide by the terms of the Board policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five calendar days after such a conviction.

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.

To make employees aware of the dangers of drug and alcohol abuse, the Superintendent or designee may perform each of the following

1. Provide each employee with a copy of this policy and post notice that this policy shall exist somewhere employee-related information is generally posted.
2. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations.
3. Enlist the aid of community and State agencies with drug- and alcohol informational and rehabilitation programs to provide information to District employees.
4. Establish a drug-free awareness program to inform employees about drug- and alcohol counseling, rehabilitation, re-entry, and employee assistance programs, as well as the penalties that the District may impose upon employees for violations of this

policy, which include but are not limited to suspension and/or termination.

### **Tobacco and E-Cigarette Prohibition**

The use of tobacco and e-cigarettes is prohibited (1) while on school property and (2) while an employee is engaged in work-related duties at a school district-related event, regardless of the location of such event. "Tobacco" is defined consistent with the meaning provided in 105 ILCS 5/10-20.5b.

"E-cigarette" is defined as any electronic nicotine delivery system, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any component parts or accessory devices.

### **District Action Upon Violation of Policy**

An employee who violates this policy may be subject to disciplinary action, including but not limited to suspension and/or termination. Alternatively, the Board may

require an employee to successfully complete an appropriate drug- or alcohol-abuse rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within thirty days after receiving notice of the conviction.

Should District employees be engaged in the performance of work under a Federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or Federal agency from which the District receives contract or grant monies of the employee's conviction within ten days after receiving notice of the conviction.

### **Legal Reference:**

Americans With Disabilities Act, 42 U.S.C. 12114  
Controlled Substances Act, 21 U.S.C. 812; 21 C.F.R 1308.11-1308.15  
Drug-Free Workplace Act of 1988, 41 U.S.C. 8101  
Safe and Drug-Free Workplace Act, 30 ILCS 580/ 105 ILCS 5/10-20.5b

Cannabis Regulations and Tax Act (CRTA), 410 ILCS 705/1-1  
Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/720 ILCS  
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**Cross Reference:** #4121 Tobacco and E-Cigarette Prohibition

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