

ALCOHOL & DRUG FREE WORKPLACE

The Board believes that quality education is not possible in an environment affected by the use of illegal drugs and alcohol as well as the abuse of prescription drugs. It will seek, therefore, to establish and maintain an educational setting which is free from a drug-free workplace.

In order to protect the health, welfare and safety of students and employees, no employee of the 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:

Prohibited Acts

The Board prohibits any member of the District's staff from any of the following at any time while on or in District property or while performing duties at a District-related activity or event:

- A. manufacturing, possessing, using, distributing, dispensing, or being under the influence of any controlled substance or alcohol;
- B. using, distributing, or possessing drug paraphernalia; or
- C. unlawfully possessing, using, distributing, dispensing, or abusing a prescribed or over-the-counter medication.

Permitted Acts

Staff members who use or possess a prescription drug that has been lawfully prescribed to the staff member according to Wisconsin and Federal law, and take the prescription in accordance with the prescribed dosage, shall not be deemed to be in violation of this policy. Staff members who use or possess over-the-counter medications and take them in accordance with the recommended dosage, shall not be deemed to be in violation of this policy. Wherever possible, a staff member should take prescribed and/or over-the-counter medications at home and not bring them to school. Where that cannot be accomplished, any staff member in possession of prescribed and/or over-the-counter medications while at school is responsible for taking appropriate precautions to assure that the drugs remain in the staff member's possession at all times and are taken only in private, out of the view of students. Any staff member who violates this policy shall be subject to disciplinary action in accordance with District guidelines.

Reasonable Suspicion Testing

Staff members shall be required to undergo alcohol and/or drug testing at any time the District has reasonable suspicion to believe that the staff member may have violated this policy.

Disciplinary Action

Any staff member who violates this policy shall be subject to disciplinary action, up to and including termination from District employment in accordance with District policies. In addition to disciplinary action, the District may, at its discretion, refer the staff member to drug and alcohol counseling or to employee assistance or rehabilitation programs and/or may refer the matter to law enforcement.

After required procedures have been administered and they indicate a problem, 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.

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, or
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. 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.

Off Work Conduct

Disciplinary action may result from conduct related to drug and alcohol usage even on the staff member's personal time if the circumstances create a connection to or nexus with the staff member's role with the District. Disciplinary action may result if a staff member's conduct involves the depiction of the staff member engaging in use of alcohol or drugs on social media or other outlets in a fashion that tends to provoke public scrutiny, damage the staff member's credibility, depict inappropriate involvement of minors, or in some fashion diminish the staff member's ability to safely and effectively perform his/her duties. If the District administration becomes aware of such circumstances, it will investigate the matter even though the events occurred on one's personal time and not on District property or at a District event.

Use of Resources for Treatment

The District makes available resources to assist staff members in overcoming substance abuse. However, the decision to seek diagnosis and accept treatment for substance abuse is primarily the individual staff member's responsibility. Any costs associated with treatment in excess of those costs covered by the staff member's medical insurance plan shall be borne by the individual.

Legal Ref.: 120.13-Wisconsin Statutes (School Board Powers)
121.02(1)(i) - Wisconsin Statutes (Safe Facilities)
125.09(2) Wisconsin Statutes (General Restrictions)
Chapter 961
Drug Free Workplace Act of 1988

APPROVED: March 9, 1993
January 21, 2013
January 16, 2017
November 21, 2022

SEPTEMBER 16, 2024