



Book	BYLAWS AND POLICIES
Section	4000 CLASSIFIED STAFF
Title	TOBACCO, DRUGS, AND ALCOHOL
Number	4170
Status	ACTIVE
Legal	41 USC 701 et seq., Drug-Free Workplace Act of 1988; 20 U.S.C. 3224A; I.C. 20-30-5-11; 20 U.S.C. 3171 et seq., Drug-Free Schools and Communities Act of 1986; I.C. 16-41-37; 20 U.S.C. 6081 et seq.; U.S.D.O.E. Memorandum, 1995
Adopted	November 17, 2020

1. GENERAL POLICY STATEMENT

- a. The Board desires a policy reflecting the commitment of the school to provide a tobacco, drug, and alcohol free educational and workplace environment.
- b. The Board recognizes that the use of tobacco, drugs, and alcohol present a health hazard which can have serious consequences and is, therefore, of concern to the Board.
- c. Definitions
 - i. "Tobacco" shall mean all types and uses of tobacco, including cigars, cigarettes, pipes, snuff, chewing tobacco, vapor/e-cigarettes, or any other matter of substance that contains tobacco.
 - ii. "Drugs" shall mean:
 - A. all illegal drugs, controlled substances, marijuana, intoxicants, "look-alike" substances, designer drugs, counterfeit or synthetic drugs, and inhalants; and
 - B. all prescription drugs, unless the prescription drugs (1) have been prescribed by an authorized medical practitioner for current use of the person in possession of the drugs, (2) are kept in their original or other child-proof container, (3) are taken in accordance with the dosage recommendations and usage cautions, and (4) generally do not affect the person's ability to safely perform assigned duties.

2. PROHIBITED USE OF TOBACCO, DRUGS AND ALCOHOL

- a. In order to protect students and staff who chose not to use tobacco from a proven dangerous environment, and because the Board cannot condone the use of tobacco, the Board prohibits the use of tobacco by anyone in school buildings or on property owned and/or leased by the District at all times.
 - i. This prohibition includes all vehicles, school or personally owned, while on school property at all times
 - ii. This prohibition shall be enforced on school buses or at any school-related event at all times.
- b. Consumption, use, possession, control, distribution, dispensation, sale, transfer or manufacture of tobacco, alcohol or drugs in any amount, at any time during working hours or at any time while on school property, including parking areas, is strictly prohibited.
- c. Reporting to work or being at work or on school property while under the influence of alcohol and/or drugs is also strictly prohibited.
- d. The use, possession, sale, consumption, control, distribution, sale, transfer, or manufacture of illegal drugs or alcohol in any circumstances, whether on or off school property, or before, during or after working hours, that involves criminal activity or which could bring adverse publicity or public scrutiny or criticisms of the school, or which could cause parents, students and other employees or third parties dealing with the school to be fearful or concerned for their safety or the safety of others is strictly prohibited.

3. CORRECTIVE MEASURES AND ADMINISTRATIVE GUIDELINES

- a. The administration will take appropriate disciplinary action (up to and including a recommendation for termination as to staff) against staff and students who are in violation of this policy.
- b. The administration will take appropriate investigative and corrective measures including, but not limited to, searches and compulsory drug/alcohol screening tests whenever it has reasonable suspicion to believe that an employee or other person on Edison School of the Arts property may be violating this policy, or when a person is returning to work after completion of a drug or alcohol rehabilitation program.
- c. Persons applying for and currently holding positions within the school which involve the potential high risk of significant injury or damage in the event of an accident, to undergo a post-offer medical examination prior to hire and periodic medical examination each year after employment, which are to include a drug/alcohol test(s) at the expense of the school.
- d. The Executive Director, CEO is hereby authorized and directed to develop a set of administrative regulations to further implement the intent and purpose of this policy with particular attention to identifying those job categories for which post-offer and periodic medical examinations with drug screening tests will be required and otherwise providing procedures for the enforcement of this policy.