

Richmond School District Policy Statement
Alcohol and Drug-Free Work Place

Policy #: 522.1

The Richmond School District is committed to maintaining a drug-free work place. To protect the health and safety of students and employees, no employee shall manufacture, distribute, dispense, possess, use or be under the influence of alcohol or drugs in any school building or on school premises; any school-owned vehicle used to transport students to and from school or school activities; or off school property during any school-sponsored or school-approved activity, event or function. Therefore, the following conduct is strictly prohibited by employees in the workplace:

- The unlawful manufacture, distribution, dispensing, possession or use of controlled substances. (These are prohibitions required by the Drug-Free Workplace Act.)
- The use, distribution or possession of an intoxicating beverage.
- Being under the influence of alcohol, controlled substances or hazardous inhalant.
- The sale, delivery or intent to sell or deliver alcohol or controlled substances.
- The sale, distribution or intent to sell or distribute look-alike controlled substances (substances that are represented as an illegal drug regardless of the true nature of the substance) or synthetic drugs that produce similar subjective effects to illegal recreational drugs.
- The use, possession or distribution of drug paraphernalia.
- The sale or distribution of prescription medication.
- The misuse of prescription medication or nonprescription drug products.

For the purposes of this policy:

“Drugs” include, but are not limited to, controlled substances as defined by state and federal law, drug paraphernalia, hazardous inhalants, copycat or synthetic drugs, and look-alike drugs (substance that are represented as drugs regardless of the true nature of the substance). Prescription medication will be exempt from this policy only when used by the individual for whom the medication was prescribed, and in the manner and amount prescribed. Over the counter medication will be exempt from this policy when used consistently with the stated purpose of the medication and in the manner and amount directed.

“Alcohol” includes, but is not limited to, copycat or synthetic alcohol and look-alike alcohol (substances that are represented as alcohol regardless of the true nature of the substance).

In addition, no employee shall use tobacco in any school building or on school premises, in any school-owned vehicle used to transport students, or off school property during any school-sponsored or school-approved activity, event, or function. For the purposes of this policy, “tobacco” includes, but not omitted, to, cigarettes (including clove cigarettes, electronic cigarettes, nicotine vaporizers, and other substitute forms of cigarettes); cigars, loose tobacco, smokeless tobacco (including dipping tobacco, chewing tobacco, and snuff); liquid nicotine, and other substances containing tobacco.

This policy does not prohibit the use of prescription medication by an employee to whom it is prescribed and in the amount prescribed provided the employee is able to perform the essential functions of his/her position with or without a reasonable accommodation (if required by law).

All employees shall be expected to abide by provisions of this policy. Employees shall notify the District Administrator of any convictions for violations of a criminal drug statute five (5) calendar days of such conviction. The district office shall notify the appropriate federal agency of convictions for violations occurring

in the workplace within ten (10) calendar days of receiving notice from the employee or otherwise receiving actual notice of such conviction.

Adherence to the District's alcohol-free and drug-free workplace policy is a condition of employment with the District. Employees who violate the District's policies or rules regarding these substances are subject to consequences, including possible referral for a drug or alcohol evaluation, referral to a counseling or rehabilitation program, referral to any available employee assistance program (EAP), reassignment, monitoring plans (which, to the extent permitted by law, may include testing), discipline (up to and including immediate termination), and/or referral to appropriate law enforcement officials.

An employee may be referred for alcohol or drug counseling, assessment or treatment at the discretion of the employee's supervisor. The employee shall be responsible for all costs associated with such counseling, assessment or treatment program.

This policy, or reference to, shall be published in the employee handbook.

Failure to abide by this policy shall result in disciplinary action in accordance with the procedures established by the Board of Education. Employees may also be referred to law enforcement authorities for prosecution.

Legal References:

Wisconsin Statutes

Section 111.35	[use or nonuse of lawful products; exceptions and special cases]
Section 121.02(1)(i)	[safe and healthful facilities]
Section 125.09	[restrictions on alcohol on school property and at school activities]
Section 346.63	[operating under influence of an intoxicant or other drug]
Section 939.22(15)	[definition of hazardous inhalant]
Chapter 961	[controlled substances laws]

Wisconsin Administrative Code

Trans 300.16	[student transportation; driver requirements]
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Federal Laws and Regulations

41 U.S.C Ch. 81	[federal drug-free workplace requirements for federal contractors and grantees]
2 C.F.R. Ch. 1, Part 182, Subpart B	[federal regulations implementing the federal Drug-Free Workplace Act]
21 C.F.R. Part 1308	[federal schedules of controlled substances]

Cross References: Employee Handbook

Adopted: 4/25/2016
Reviewed: 7/13/2020