

1. Definitions

A. For the purpose of this Policy, these terms are defined as follows:

1. Alcohol -Any liquor, wine, beer or other beverage.
2. Alcoholism -A condition caused by the continued use of alcohol, lasting a considerable length of time and expected to limit the person's functional ability.
3. Chemical Dependency -A condition caused by the continued use of drugs, lasting a considerable length of time and expected to limit the person's functional ability.
4. Drugs -Any drug, including illegal drugs, marijuana, inhalants, legal prescription and over-the-counter drugs used or possessed or distributed for unauthorized purposes, and counterfeit (look alike) controlled substances.
5. Substance Abuse -The use of drugs or alcohol in violation of state or federal law or in violation of school policy.
6. Under the Influence -Can be measured by the employee's impaired job performance resulting from substance abuse and/or an alcohol level of the .10 on a positive urinalysis result.

The particular quantities of alcohol or drugs used to determine if one is "under the influence" should be established in consultation with appropriate medical authorities or the medical laboratory conducting the testing.

II. Drug or Alcohol Use or Possession

- A. The use, possession, or being under the influence of drugs or alcohol by anyone during the school day or on the school premises is absolutely prohibited. Violation of this rule by any employee will be cause for disciplinary action up to and including discharge.
- B. In order to enforce these rules, the Board reserves the right to carry out personal searches of individuals and their property upon a reasonable suspicion that this policy has been violated.
- C. Furthermore, the Board may, upon reasonable suspicion, require an employee to submit to certain tests designed to indicate the presence of drugs or alcohol in the employee's body fluids or breath.
- D. For those individuals employed in a position whereby there is a public safety interest insuring that the employee is not.. impaired by drug or alcohol use, the employee may be tested for evidence of drug or alcohol use upon any degree of suspicion by the Board.

III. Alcoholism and Chemical Dependency

- A. The Board, upon a finding that an employee is an alcoholic or is chemically dependent on any drug, will not discipline that employee for his use of drugs or alcohol unless such use has affected such employee's job performance.
- B. These rules in no way limit the Board's authority to discipline or discharge any employee who is an alcoholic or chemically dependent, where the employee's current use of alcohol or drugs affects the employee's qualifications for and performance of his job.

IV. Due Process

Any disciplinary action taken against an employee employed pursuant to a collective bargaining agreement for a violation of this policy will be subject to the grievance procedures set forth in the collective bargaining agreement. Any disciplinary action taken by the Board pursuant to this policy against an employee who is not employed pursuant to a collective bargaining agreement may be formally appealed to the Board within 10 days. An employee bringing such an appeal will have the opportunity to offer evidence and cross-examine the witnesses and may have an attorney present at the hearing.

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LEGAL REFERENCE:

Board Action
Idaho Code
Federal Law

ADOPTED: 9/11/89
Reviewed 1/10/2000
AMENDED: 7/26/90