

### 3.11 EMPLOYEE ALCOHOL AND OTHER DRUG POLICY (DRUG-FREE WORKPLACE)

It is the policy of the Franklin Local Board of Education to maintain an alcohol and drug-free workplace in full compliance with all applicable federal, state, and local laws. All employees of the District shall receive a copy of this policy and a copy of the Board-adopted resolution regarding an alcohol and drug-free workplace.

#### A. Prohibited Conduct

1. Unlawful manufacture, distribution, dispensation, possession, use, or being under the influence of controlled substances (drugs) and/or alcohol by any employee, during work hours on Franklin Local Schools premises, or at any activity or function sponsored by or related to employment with the Franklin Local Schools, is prohibited. (To avoid misunderstandings, prescribed medications should be reported to your supervisor.)
2. Any plea of guilty to, finding of guilty by a jury or court of, or conviction of any state motor vehicle and/or traffic laws while under the influence of drugs or alcohol.

#### B. Definitions

1. The term “drug” means any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; or any article, other than food, intended to affect the structure or any function of the body of man or other animals.
2. The term “controlled substance” means a drug or other substance, or immediate precursor, included in schedule I, II, III, IV or V of the Federal Controlled Substances Act or listed in Ohio’s Schedules of Controlled Substances Reference Table.
3. “Distribution” shall include dealing in, shipping, transporting, or delivering a controlled substance.
4. “Dispensing” shall include selling, leaving with, giving away, or delivering a controlled substance.
5. “Workplace” shall be defined as any school building, school property, school-owned vehicles, or school-approved vehicles used to transport students to and from school or school activities, or off school property during any school-sponsored student-related activity, event or function.
6. The term “illegal drug” means drugs, controlled substances, and harmful intoxicants (as defined in O.R.C. §2925.01), the possession or use of which is unlawful, pursuant to federal, state, and local laws and regulations.

#### C. Drug-Related Criminal Conviction

Employees convicted of violating any federal, state or local criminal drug statute, where the violation occurred during work hours, or on Franklin Local Schools premises, must report the conviction to the Superintendent within five (5) working days of the conviction.

#### D. Penalties

Violations of this policy will result in severe disciplinary action, up to and including immediate termination, unless the employee uses the Rehabilitation Option described in this policy. Any action against any member for drug abuse offenses must be in accordance with the applicable law.

E. Rehabilitation Option

Where this policy has been violated, the employee may elect to seek rehabilitation through an approved treatment program, provided the employee is otherwise eligible for continuing employment. A Re-Entry Agreement, which will include an understanding that the employee will cooperate in all recommended treatment(s) and abstain from the use of any mind altering substance, must be signed by any employee electing this Rehabilitation Option. Rehabilitation in lieu of discipline is available only one (1) time during any employee's tenure of employment.

Rehabilitation, whether undertaken voluntarily, or in lieu of discipline, shall be entirely at the employee's expense, and without pay, except as may be covered by applicable group health plan terms, sick leave policies, and other leaves of absence policies.

F. Alcohol and Other Drug Awareness Program

Employees will be provided with information concerning alcohol and other drug abuse, as follows:

1. All employees will be provided with a copy of this policy.
2. The Superintendent will maintain information on community resources and employee benefits available to employees for assistance in dealing with chemical dependency problems;
3. Every year there will be available, for each employee, at least one educational opportunity addressing the physical, mental and emotional dangers of alcohol and other drug abuse, as well as rehabilitation assistance resources available to employees. (Such educational opportunities may include: Inservice programs, discussions or presentations at employee meetings, or other seminars.);
4. Franklin Local Schools publications, especially those distributed among employees, will from time to time contain articles on the dangers of substance abuse and rehabilitation.

G. Confidentiality

Information provided to administrative personnel as to any problem related to alcohol and other drug abuse or chemical dependency shall be considered part of the employee's medical record, and shall be confidential. Except as may be required by law, no person may discuss or otherwise divulge any information concerning such matters.

Chemically dependent employees are urged to seek help before the dependence causes problems with their jobs.

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