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| SCHOOL DISTRICT OF JOHNSON CREEK<br>BOARD OF EDUCATION POLICY | POLICY: 522.1 |
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**Drug-Free Workplace**

It is the policy of the School District of Johnson Creek that students and employees have the right to attend school and work in an environment that is free from the use of alcohol, mood-altering substances or the non-medical use of drugs. These substances interfere with the learning environment and job performance of employees.

Employees, therefore, are to report to work free of the effects of alcohol or mood-altering drugs. The use, possession, sale of or intent to sell and/or to transfer drugs, drug paraphernalia (as defined in statutes), or use of electronic communications devices to facilitate sale or transfer on school property is prohibited. This prohibition extends likewise to district-owned or contracted vehicles wherever they may be and to school sponsored events.

Any employee found to be under the influence of any restricted substance or having these substances in their possession or for sale purposes will be subject to disciplinary procedures.

**A. DEFINITIONS**

1. Alcohol or alcoholic beverage means any beverage that may legally be sold as alcohol. This includes, but is not limited to, fermented malt beverages, intoxicating liquor, and wine.
2. Drug means any substance other than alcohol, which is capable of altering the mood, perception, pain level, or judgment of the individual consuming it, and which is recognized as a drug in the official pharmacopoeia of the United States and the national formulary or official homeopathic pharmacopoeia of the United States or any supplement to either of them.
3. Prescription drug means any substance prescribed for the individual consuming it by a licensed medical practitioner.
4. Illegal drug means any drug or controlled substance, the sale or possession or consumption of which is illegal.

**B. ALCOHOLIC BEVERAGES**

1. Employees shall not introduce, possess, or consume alcoholic beverages in or upon the premises of buildings or property of the Johnson Creek Public Schools. Violation of this rule shall be cause for disciplinary action.

2. Any employee who drinks or consumes alcoholic beverages while on duty or who is determined to be under the influence of alcohol while on duty is subject to disciplinary action.
3. Excessive absenteeism, tardiness, unacceptable work performance and negligent conduct resulting in personal injury or property damage are cause for disciplinary action even though related, in whole or in part, to off-duty abuse of alcohol.
4. The sale, trade, exchange, or delivery of an alcoholic beverage, under circumstances not authorized by law, by an employee to a person who has not attained the legal drinking age in the State of Wisconsin, is conduct inconsistent with the educational goals of the Johnson Creek School District and is cause for disciplinary action. This applies whether an employee is on or off duty.

### C. PRESCRIPTION DRUGS

1. No prescription drugs shall be brought upon school premises by any person other than the person for whom the drug is prescribed, and shall be used in the manner, combination, and quantity prescribed.
2. Employees are encouraged to advise their supervisor that they are taking drugs when the use of such drugs for medical purposes may affect their behavior and performance.
3. If an employee's improper performance of assigned duties presents a substantial risk of causing property damage or personal injury to the employee or other persons, the employee must report the taking of prescription drugs to the employee's supervisor or administrator. These duties may include, but are not limited to operation of machinery and power hand tools, driving a motor vehicle, and working with stoves and heating systems.
4. The school district may require a medical evaluation and/or opinion as to the effect of a prescription drug on the ability of the employee to safely perform required duties. In the best interests of the employee, co-workers, students, and the district, an employee may be prohibited from working or may be required to work under restrictions while taking prescription drugs as medical information or advice may indicate.
5. Excessive absenteeism, tardiness, unacceptable work performance, and negligent conduct resulting in personal injury or property damage are cause for disciplinary action even though related, in whole or in part, to off-duty abuse of prescription drugs.

### D. ILLEGAL DRUGS

1. Possession, use, sale, manufacture, and/or delivery of illegal drugs or controlled substances on school district property, in school-owned vehicles, or vehicles used to transport students to and from school or school related activities by school employees will

not e tolerated. Such conduct is cause for disciplinary action up to and including dismissal.

2. The sale, trade, exchange, or delivery of illegal drugs or controlled substances by an employee to another person under any circumstances is cause for disciplinary action up to and including dismissal.

#### E. PRINCIPLES OF DISCIPLINE

1. The underlying principle of all disciplinary measures is that they be corrective instead of punitive. Discipline should be administered so as to assist the employee in correcting any faults which may have caused the problem and to provide positive assistance to the employee in order to reach a desired level of performance. The proper amount of discipline to be administered is the least amount to correct the undesirable behavior.
2. Progressive Discipline: When a problem persists despite the administration of prior corrective discipline, the proper course of action is to gradually increase the level of discipline in the hope of bringing about a satisfactory result. An offense that by itself would justify no more than a written or oral reprimand may call for a suspension or even discharge, if the employee has a history of similar offenses and has not responded to prior disciplinary actions. For progressive discipline to be effective, supervisors must maintain good disciplinary records. It is recognized that in some cases a higher or more severe level of discipline may be warranted and appropriate, even though lesser forms of disciplinary measures have not been utilized.
3. Employee Handbook: Any disciplinary procedures must be administered in accordance with any applicable employee handbook and applicable Board policy(s).

#### F. REFERRAL/DISCIPLINARY PROCEDURES

The following procedures shall be used by supervisors when (a) the job performance of any employee has become unacceptable; (b) the supervisor begins to notice a decline and begins to document the file; (c) early discussions with the employee, re-training or informal disciplinary measures have not corrected the problem; (d) the supervisor suspects that the job performance decline is not due to lack of skill, a lack of motivation, or to a job-related cause; and/or (e) the supervisor suspects a personal problem because standard management procedures have proved ineffective.

##### Step 1: Oral Warning

- a. The supervisor will review with the employee his/her job performance record.
- b. The supervisor will specify expectations of the employee and the behavior required and will explain the consequences of failure to improve.

- c. The supervisor will offer assistance through the resources of the school district and other public agencies, if the employee feels that there is a personal problem interfering with his/her work. Such resources may include but are not limited to the following: staff mentoring, employee assistance program, Jefferson County Human Services, Alcoholics Anonymous, Alanon, Directions Counseling Center, and Kettle Moraine Hospital.
- d. The fact that an employee participates or does not participate in a program of assistance, accepts, rejects, or fails to respond to treatment for alcoholism or other chemical or drug abuse does not excuse him/her from meeting all performance standards associated with the employee's job. Employee assistance is not to be considered an escape from disciplinary measures.
- e. Oral warnings are to be documented in writing and placed in the employee's file.

Step 2: Written Warning

- a. If the employee has followed a program of assistance or had declined to accept it and performance does not improve, a written warning indicating that improvement is required shall be issued.
- b. The written warning shall be identified as such and shall include all of the following: (1) identification of the reason(s) for disciplinary measures, (2) a review of the employee's work record that supports the need for disciplinary measures, (3) a description of the behavioral changes required or the expectations of the employee, and (4) a warning of further disciplinary measures if a change in behavior is not forthcoming.
- c. The supervisor shall again offer to the employee program assistance as outlined in Step 1 of this section.
- d. A copy of the written warning shall be placed in the employee's file.

Step 3: Suspension

- a. If the employee's behavior does not improve after Steps 1 and 2 of this section, a suspension without pay shall be considered appropriate.
- b. Employees shall be suspended for a defined period of time. They shall be notified of suspensions in writing. The notice shall include each of the following: (1) a statement of the work rule and the violation, (2) a review of the records, (3) the specific behavior(s) required, and (4) a warning of further disciplinary measure(s).
- c. The supervisor shall again offer program assistance to the employee as outlined in Step 1 of this section.
- d. A copy of the suspension notice shall be place in the employee's file.

Step 4: Termination

- a. If an employee has failed to improve his/her performance after reasonable efforts and a reasonable time period, termination will be recommended to the district administrator by the employee's supervisor.
- b. Together with supporting documentation as described in the foregoing section of this policy, the district administrator will present the recommendation for termination to the Personnel Committee of the Board of Education meeting in closed session as permitted by Wis. Stats. 19.85(1)(b) and (f). The Personnel Committee shall in turn prepare a formal recommendation to the Board of Education based on the evidence provided.
- c. The Board shall have the final decision concerning termination of employment.

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