



## **Administrative Regulation 4214.5**

### **ALCOHOL AND DRUG FREE WORKPLACE**

**Responsible Office:** Office of Human Resources

#### **PURPOSE**

The Superintendent adopts this Administrative Regulation to enforce the Washoe County School District's (District) Alcohol and Drug Free Workplace Board Policy.

#### **REGULATION**

1. Alcohol and drug abuse, and the use of alcohol and drugs in the workplace, are serious issues of concern for the District. It is the policy of the District to ensure that its employees do not: report for work in an impaired condition resulting from the use of alcohol or drugs; consume alcohol while on duty; or unlawfully possess or consume any drugs while on duty, at a work site or on District property. Any employee who violates this policy may be subject to disciplinary action.
2. Anyone with reasonable belief that an employee is in violation of the Alcohol and Drug Free Workplace Board Policy shall report it to the employee's immediate supervisor. The supervisor shall report the allegation to school police, who shall determine whether the allegation poses a possible criminal violation and to Labor Relations for administrative support. School Police will administer any drug or alcohol testing as they see fit prior to determining that a crime has occurred.
  - a. If school police believes a crime has occurred, school police will conduct a criminal investigation, which may include administering the appropriate drug and alcohol test.
  - b. If school police determines that a crime has not occurred or that the allegations do not pose a possible criminal violation, then the appropriate supervisor will send the employee for appropriate drug and/or alcohol test as indicated in this Administrative Regulation and with administrative support from Labor Relations.
3. Drug and alcohol testing shall be conducted when required by state or federal laws or when a supervisor charged with enforcing District Board Policies and Administrative Regulations has reasonable belief that an employee is under the influence of alcohol or controlled substances while on duty.
4. Objective facts upon which a supervisor may base reasonable belief that an employee is under the influence of alcohol or drugs which impair the ability of the employee to perform his or her duties safely and efficiently include, but are not limited to:

- a. Abnormal conduct or erratic behavior by the employee that is not otherwise normally explainable;
  - b. The odor of alcohol or a controlled substance on the breath of the employee;
  - c. Observing the employee consuming alcohol;
  - d. Observing the employee possessing or using a controlled substance;
  - e. Receiving a credible report that an employee was observed consuming alcohol or using a controlled substance;
  - f. A severe and prolonged reduction in productivity that is likely attributable to alcohol or controlled substance use;
  - g. A work related accident;
  - h. Reliable information provided by a credible source that an employee is under the influence of alcohol or controlled substances while on duty; or
  - i. Frequent absenteeism or tardiness.
5. If reasonable belief exists, the District will request an employee to submit to a screening test. The District shall:
  - a. Inform the employee of the specific facts supporting its reasonable belief, and prepare a written record of those facts; and
  - b. Inform the employee in writing:
    - Of whether the test will be for alcohol or drugs, or both;
    - That the results of the test are not admissible in any criminal proceeding against the employee; and
    - That the employee may refuse the test, but that the employee's refusal may result in the employee's dismissal or in other disciplinary action being taken against the employee.
6. If the District requests an employee to submit to a screening test based on a reasonable belief that the employee is under the influence of alcohol or a controlled substance or any other drug and the employee has not refused to submit to the screening test, the District shall provide transportation for the employee to the location of the test.

- a. After the employee submits to the screening test, the District shall, as appropriate:
  - Provide transportation for the employee to his or her residence;
  - Assist the employee in arranging his or her own transportation; or
  - Arrange for emergency medical assistance if the District or any other person reasonably believes, based on objective facts, that the employee is in need of emergency medical assistance.
7. An employee is deemed to have refused to submit to a screening test requested by the District when the employee:
  - a. Provides oral or written notice that he or she refuses to take the requested or required screening test;
  - b. Absent any extenuating circumstances, fails to appear at the collection site for a screening test within a reasonable time after being requested or required to do so;
  - c. Absent any extenuating circumstances, fails to remain at the collection site until the collection process is complete;
  - d. Fails to provide a sufficient amount of specimen when requested or required to do so and fails to undergo a medical evaluation to determine whether there is a legitimate medical explanation for the insufficient amount of specimen;
  - e. Fails to provide a sufficient amount of specimen when requested or required to do so, and it has been determined, through a required medical evaluation, that there was no legitimate medical explanation for the insufficient amount of specimen;
  - f. Fails to cooperate with any part of the process related to the screening test, including, without limitation, refusing to sign any required forms;
  - g. Brings materials or devices to the collection site for the purpose of adulterating, substituting or diluting the specimen;
  - h. Attempts to adulterate, substitute or dilute the specimen; or
  - i. Admits that he or she adulterated or substituted the specimen.

8. An employee who receives a positive test result for being under the influence of alcohol and/or drugs may be subject to disciplinary action, up to and possibly including termination.
9. An employee who receives a positive test will also be referred for a Fitness For Duty (FFD) evaluation and may not return to work until the District's FFD provider verifies that the employee is able to return to duty and perform the essential functions of his or her job.
  - a. The employee is responsible for any costs that exceed the District's covered portion for the FFD evaluation, if any.
  - b. An employee being referred for a FFD evaluation does not prohibit or prevent the District from investigating allegations of workplace misconduct and proceeding with disciplinary action, up to and possibly including termination.

#### **LEGAL REQUIREMENTS & ASSOCIATED DOCUMENTS**

1. This Administrative Regulation reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
  - a. Board Policy 4214, Alcohol and Drug Free Workplace.
2. This regulation complies with Nevada state laws and regulations.

#### **REVISION HISTORY**

Date	Revision	Modification
09/18/2025	1.0	Renumbered from previously AR 4161 to AR 4214.5, and amended to establish a process for testing employees reasonably believed to be under the influence of alcohol or drugs in the workplace