



**Responsible Office:** Office of Human Resources

## **BOARD POLICY 4214**

### **ALCOHOL AND CONTROLLED SUBSTANCE FREE WORKPLACE**

#### **PURPOSE**

The Board of Trustees (Board) is committed to protecting the safety, health and well-being of all students, visitors, and employees of the Washoe County School District (District). The use and abuse of alcohol and controlled substances can pose a significant threat to the mission and goals of the District. An alcohol and controlled substance free workplace program is established that balances the District's respect for individuals with the need to maintain an alcohol and controlled substance free environment.

#### **DEFINITIONS**

1. "Alcohol" Also called: ethanol, ethyl alcohol. A colorless flammable liquid, the active principle of intoxicating drinks, produced by the fermentation of sugars, esp glucose, and used as a solvent and in the manufacture of organic chemicals. Formula:  $C_2H_5OH$ . Includes but is not limited to beer, wine, wine cooler, liquor, liqueur, mixed alcoholic beverages, fermented malt beverages or malt, vinous, spirituous liquors or any product, including "non-alcoholic" beer, containing an alcohol content greater than zero.
2. "Controlled substance" A drug or chemical substance whose possession and use are regulated under the Uniformed Controlled Substances Act. Includes but is not limited to any drug listed in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or Nevada state law including but not limited to: narcotics, depressants, stimulants, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, cannabis/marijuana, marijuana concentrate, anabolic steroids (drugs commonly known or referred to as: acid, LSD, speed, Quaaludes, valium, cocaine, crack, PCP, ice, and other names), and any other controlled substances as defined in state or federal law, or any prescription or nonprescription drug, medicine, vitamin or other chemical substance not taken in accordance with the District's policy, regulations, or procedures. Controlled substance also includes:
  - a. A prescription drug or medication that is not listed as a Controlled Substance under the Uniform Controlled Substances Act, which has not been lawfully prescribed for the individual possessing or using the medication. This includes, but is not limited to, a counterfeit controlled

- substance and any chemical compound that will induce a condition of intoxication when inhaled for that purpose;
- b. A counterfeit controlled substance;
  - c. Controlled substances presented in alternative forms such as edibles, patches, oils, etc.;
  - d. An imitation substance that an individual believes to be a controlled substance or that is represented to be such by the individual, and/or imitation, synthetic or designer drugs that are used as substitutes or imitations for controlled substances (this includes synthetic cannabinoids or salvia divinorum); and,
  - e. A chemical compound or substance used to induce a condition of intoxication when inhaled or digested for that purpose. This includes, but is not limited to, household or office products such as aerosol products or liquid correction tape (white out).
3. "District Property" refers to any building, owned, or leased by the District, used for instruction, administration, support services, maintenance, parking lots or storage; the grounds and surrounding buildings; bus stops; and all District-owned, rented, and leased vehicles.
  4. "Impaired" means under the influence of a substance such that the individual's motor senses (i.e., sight, hearing, balance, reaction, reflex) or judgment either are or may be reasonably presumed to be affected.
  5. "Under the influence" refers to any level of consumption of alcohol or a controlled substance by an individual.
  6. "Use" refers to the consumption, injection, inhalation, or absorption of either alcohol or a controlled substance into a person's body by any means.

## **POLICY**

1. This Board Policy applies to applicants for employment, District employees, trustees and volunteers who are representing or conducting business for the District, on District property or at District-sponsored events.
2. This Board Policy is not intended to prohibit employees, trustees and volunteers from the legal use of alcohol and/or controlled substance(s) when not representing or conducting business for the District, on District property or at District-sponsored events.
  - a. The District strives to honor the private medical decisions of employees while ensuring a working environment which is free from disruption.

Administration of prescription medications by an employee on District property, or at a District/school-sponsored event shall be in accordance with this Board Policy and any associated governing documents of the District, and state and federal laws and regulations.

3. The use of recreational or medical THC/cannabis/marijuana or marijuana derivatives is prohibited on District property in accordance with state and federal laws as the District is a recipient of federal funding.
4. No employee, Trustee or volunteer shall report for work impaired by alcohol or controlled substance. Employees, Trustees, and volunteers must plan for and allow enough time to pass between any use of a controlled substance that causes impairment and commencement of their District duties, whether on District property, remote location or at a District-sponsored event to ensure that they are not under the influence in any way.
5. The District prohibits the marketing, display, or promotion of alcohol and controlled substances on District property, at school or District sanctioned activities and events and in school or District sponsored publications, websites or social media.
  - a. Commercial advertisement of prohibited substances does not apply to the use of such advertisements by employees in a school program or activity on the harmful effects of alcohol and drugs.
  - b. Commercial advertisement of prohibited substances shall not apply to magazines, newspapers and other publications having a general circulation in the community, state or nation which are purchased by the school or District for their educational value.
6. The Board hereby directs the Superintendent to adopt an Administrative Regulation to implement and maintain the purpose of this Board Policy. The Superintendent shall include in the Administrative Regulation the following provisions:
  - a. The prohibition against the use of tobacco products, to include electronic delivery devices, on or within school property, to include athletic fields and parking lots, as well as within other District buildings and places of public use. This prohibition extends to District-owned, leased, and rented vehicles and school buses;
  - b. Requirements for District employees who must maintain a Commercial Driver's License (CDL) as a condition of employment (e.g., school bus drivers) related to transportation and the use of controlled substances. This includes being aware that marijuana,

to include medical marijuana, is an illegal substance under federal law;

- c. Communication of the alcohol and controlled substance free workplace policy to all employees, Trustees, and volunteers, to include the procedure in place when alcohol and controlled substance use is suspected;
- d. Consequences for engaging in any of the prohibited behaviors described in this Board Policy; and
- e. Compliance with all state and federal laws and regulations pertaining to an alcohol and controlled substance free workplace.

### **LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS**

1. This Board Policy reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
  - a. Board Policy 4505, Standards of Professional Conduct;
  - b. Board Policy 1500, Volunteers;
  - c. Board Policy 1505, Visitors to District Property (Meaningful Access);
  - d. Board Policy 5250, Alcohol, Tobacco, and Controlled Substances – Student Prevention and Intervention;
  - e. Board Policy 7500, Transportation of Students; and
  - f. Board Policy 7505, District Vehicles.
2. This Board Policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
  - a. Chapter 202, Crimes Against Public Health and Safety;
  - b. Chapter 391, Personnel
  - c. Chapter 392, Pupils, and specifically;
    - i. NRS 392.463, Adoption of plan to ensure public schools are safe and free of controlled substances; and
  - d. Chapter 453, Controlled Substances.
3. This Board Policy complies with federal laws and regulations, to include:

- a. Title 49, Transportation, Part 382, Controlled substances and alcohol use and testing, through the U.S. Department of Transportation's Federal Motor Carrier Safety Administration;
- b. Title 49, Transportation, Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs; and
- c. Drug-Free Workplace Act of 1988.

**REVISION HISTORY**

Date	Revision	Modification
4/11/1967	1.0	Adopted as Alcohol and Drug Testing (commercial drivers)
10/27/1992	2.0	Revised
2/28/1995	3.0	Revised
7/14/1998	4.0	Revised
4/13/1999	5.0	Revised
12/08/2015	6.0	Revised: name changed to Drug Free Workplace
4/9/2019	7.0	Revised: clarifies rules related to being impaired, marijuana use, etc.
09/14/2021	8.0	Revised: Formatted per BP 9070, update definitions.