

# Licking Heights Local School District

## Bylaws & Policies

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### 4170 - SUBSTANCE ABUSE

The Board of Education recognizes alcoholism and drug abuse as treatable illnesses. Such illnesses may impair the performance of ~~support-classified~~ staff. When appropriate, the Board may assist such employees in a manner recommended by appropriate specialists in the treatment of those illnesses.

A ~~support-classified~~ staff member having an illness or other problem relating to the use of alcohol or other drugs including, controlled substances, medications not prescribed by the employee's physician, or medications not taken as prescribed, will receive the same careful consideration and offer of assistance that is presently extended to professional staff members having any other illness.

The responsibility to correct unsatisfactory job performance, attendance or behavioral problems resulting from a suspected health problem rests with the ~~professional-classified~~ staff member. Additionally, regardless of whether a ~~support-classified~~ staff member has an illness or other problem relating to the use of alcohol or other drugs it remains the responsibility of the ~~support-classified~~ staff member to report to work and perform his/her duties in a fit and appropriate condition at all times. Being under the influence of alcohol or other drugs while on duty, on school property, or at a school related activity/event is not acceptable. Failure to correct unsatisfactory job performance, attendance or behavior and/or working or reporting to work under the influence of alcohol or other drugs for whatever reason, will result in appropriate corrective or disciplinary action as determined by the Board, up to and including termination.

If a ~~support-classified~~ staff member sustains a workplace injury while s/he is under the influence of alcohol or a controlled substance not prescribed by his/her physician, s/he may be disqualified for compensation and benefits under the Workers Compensation Act. If the ~~support-classified~~ staff member tests positive or refuses to submit to a test for alcohol and/or other drugs after sustaining a workplace injury, the employee may dispute or prove untrue the presumption or belief that alcohol and/or other drugs are the proximate cause of the injury (i.e., rebuttable presumption). The Board directs the Superintendent to establish guidelines and post a notice advising employees that the results of, or the employees refusal to submit to an alcohol or other drug test may affect an employee's right to receive workers' compensation benefits.

If a ~~support-classified~~ staff member voluntarily requests counseling or assistance before the Board learns of the ~~support-classified~~ staff member's substance abuse problem (through a positive test result or otherwise), the ~~support-classified~~ staff member's job security or promotion opportunities will not be jeopardized by his/her request for counseling or referral assistance. A ~~support-classified~~ staff member may not avoid the consequences of a positive test by requesting counseling or assistance for a substance abuse problem after being instructed to submit to a drug test.

~~Support-Classified~~ staff who suspect they may have ~~an~~ alcoholism or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting resources available for such service.

R.C. 2925.01 et seq., 3313.60, 3719.01 et seq., 3793.02, 4123.54  
Rehabilitation Act of 1973, 29 U.S.C. 794

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Revised 1/05

[Revised \(DATE\)](#)