



**SOUTHWESTERN ILLINOIS COLLEGE
DISTRICT 522**

BOARD POLICY

TITLE:	Substance Abuse/Employees
CODE:	3023
DATE ADOPTED:	July 1991
DATE REVIEWED:	Mar 1996; Sept 2001; Oct 2010; March 2015
DATE AMENDED:	May 1996; Nov 2001; Nov 2010; March 2015

It is the policy of Southwestern Illinois College to comply with both the letter and the intent of legislation directed at the national problem of substance abuse. Specifically, it is the policy of Southwestern Illinois College to comply fully with the provisions of the Federal Drug-Free Workplace Act of 1988 (Title V-D of Public Law 100-690) and of the Federal Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and of the Omnibus Transportation Employees Act of 1991 (Public Law 102-143) and the Compassionate Use of Medical Cannabis Pilot Act (Public Act 098-0122, effective 1/1/14). This policy applies to all employees.

A. An illegal drug is defined for the purposes of this policy as any drug that is either not legally obtainable or has not been legally obtained. The term includes prescribed drugs not legally obtained, prescribed drugs not being used for prescribed purposes, prescribed drugs being used by a person other than the prescription holder, and marijuana.

B. Legally prescribed medications are not covered under this policy and are permitted to the extent that their use does not adversely affect the employee, student, or enrollee's work ability, job performance, or the safety of others in the workplace/educational setting. Medical cannabis may not be possessed or used on college property or in any college vehicle. The use of medical cannabis is prohibited by a Public Safety Officer (Commissioned or Non-Commissioned) and by ATS drivers.

C. The policy does not apply if the illegal drug is prescribed or authorized by a medical practitioner while acting in the course of her/his professional practice and such illegal drug is used by the employee at the prescribed or authorized dosage level, and such level is consistent with the safe performance of the employee's duties.

D. Any employee, at Southwestern Illinois College shall not possess or use any illegal or controlled drug or substance in either refined or crude form except under the direction of a licensed physician. Those who violate any provision of federal or state law pertaining to the manufacture, possession, purchase, sale or use of drugs on College property will be referred to the appropriate civil authority. Since the College possesses an interest in such violations, employees or students may also be subject to College disciplinary action based upon current policies. This discipline may include termination of employment.

E. Possession and use of intoxicants on College property is prohibited except as provided for in Board Policy #7015. Irresponsible behavior attributed to the influence of intoxicants is not condoned and will be subject to actions by civil authorities and the College based upon current policies. The word "intoxicants" includes alcohol.

F. In order to provide a drug-free workplace Southwestern Illinois College will:

(a) Provide an annual statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establish a drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The college's policy of maintaining a drug-free workplace;

(3) Information about how to reach community providers of drug counseling and rehabilitation; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring on College property;

(c) Make it a requirement that each employee to be engaged in the performance of any external grant be given a copy of the statement required by paragraph (a);

(d) Notify all grant employees that, as a condition of employment under the grant, the employee will--

(1) Abide by the terms of the statement; and

(2) Notify the college of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notify the grant or agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Take one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-- (1) Taking appropriate personnel action against such an employee, up to and including termination; or (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency; (g) Make a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

G. In order to provide a drug-free workplace, Southwestern Illinois College has adopted and will continue to implement a drug prevention program for its students and employees which, at a minimum, includes:

(a) Standards of conduct applicable to employees that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol on college premises or as part of any of its activities.

(b) A clear statement that disciplinary sanctions (consistent with local, State, and Federal law) up to and including termination of employment and referral for prosecution, will be imposed on employees who violate the standards of conduct, and a description of those sanctions. A disciplinary sanction may include the completion of an appropriate rehabilitation program as approved by the college.

(c) Information about any drug and alcohol counseling and rehabilitation and reentry programs that are available to employees.

(d) A requirement that employees have access to a copy of the standards of conduct and the statement of disciplinary sanctions required.

(e) A biannual review of the program by the college committee identified in H. below to determine the program's effectiveness and to implement any needed changes to the program and to ensure that the disciplinary sanctions are consistently enforced.

H. This policy shall be implemented by the Substance Abuse Prevention Committee consisting of the Director of Human Resources, the Director of Disability and Access Center, the Director of Student Financial Aid and Placement, a Dean appointed by the Vice President for Instruction, two faculty members appointed by the Faculty Union, one representative from each of the full-time employee bargaining units or non-unit groups, and a representative from the part-time employee bargaining units. I. In order to provide a safe work place free from drug and alcohol abuse Southwestern Illinois College has adopted and will continue to implement a drug and alcohol testing program for specific employees and applicants for specific positions.

(a) Effective January 1, 1996, the college is required to establish a drug and alcohol abuse testing program for specific safety sensitive personnel. This requirement results from the federal Omnibus Transportation Employees Act of 1991 (Public Law 102-143). The college will consider the following safety sensitive personnel for the purpose of the Testing Program: ATS drivers and dispatchers, designated Physical Plant personnel, Athletic Department Coaches, and Public Safety Officers, Additionally, faculty and staff can be tested for cause.

(b) The policy shall be implemented by the Drug and Alcohol Abuse Testing Program Committee chaired by the Vice President of Administrative Services. The committee members are the Director of Human Resources, the Director of ATS, the Athletic Director, the Director of the Physical Plant, the Director of Public Safety and a Substance Abuse Professional from the Counseling department.