

**RESCIND BOARD REPORTS 96-0828-PO8 AND 94-0928-PO1 AND
ADOPT A NEW POLICY ON SUBSTANCE ABUSE BY EMPLOYEES**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

That the Board adopt a new Policy on Substance Abuse by Employees.

PURPOSE: To implement the requirements of Board Rule 4-50 Drug and Alcohol Free Workplace.

POLICY TEXT:

I. All employees of the Board of Education of the City of Chicago are hereby notified that the unlawful manufacture, distribution, possession, consumption or use of drugs or alcohol, on Board of Education property or premises or any site of Board sponsored activities, is prohibited. For the purposes of this Policy, drugs are defined as any controlled substance pursuant to 21 U.S.C. 812, 720 ILCS 550/1 et seq. and 720 ILCS 570/100 et seq. (1992), or legally obtainable drugs that have not been legally obtained, or which are not being used for prescribed purposes or taken according to prescribed dosages.

II. Any employee of the Board of Education who violates the drug and alcohol prohibitions contained in this Policy shall be subject to discharge in accordance with the Board's employee discipline policy; and/or other appropriate action as determined by the Chief Executive Officer or designee. Any employee who is identified as possessing or distributing illegal drugs will be referred to local law enforcement agencies, which may result in fines, imprisonment or both.

III. Procedures:

1. Applicants for Employment. All applicants for employment with the Board of Education shall complete and sign a "Drug and Alcohol Free Statement" which indicates that the applicant is drug and alcohol free and will remain so during the course of his/her employment. In addition, the statement will notify the applicant that violations of this condition of employment will result in discharge.

Applicants for employment with the Board of Education may be subject to drug and alcohol tests before beginning employment. The Chief Executive Officer or designee shall establish pre-employment drug and alcohol testing procedures.

2. Employees Convicted of Criminal Drug Violations. Any employee of the Board of Education who is convicted of a criminal drug violation must report such conviction to the Chief of Human Resources within five (5) days of the conviction. Conviction for a violation of a criminal drug violation means a finding of guilt, a no contest plea or imposition of sentence by any judicial body for any violation of state or federal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance. After receiving such notice from an employee or otherwise receiving actual notice of a conviction, the Chief Executive Officer will take appropriate personnel action against the employee up to and including discharge from employment.
3. Reasonable Suspicion Drug and Alcohol Testing of Employees. Any employee of the Board of Education for whom there is a reasonable suspicion of drug or alcohol abuse or intoxication on Board property or at school sponsored activities shall be required to submit to drug and alcohol testing in accordance with Board Rule 4-50. The Chief Executive Officer or designee may establish additional guidelines and procedures for reasonable suspicion drug and alcohol testing. Employees who refuse to submit to drug and alcohol testing or who submit specimens that have been altered or tampered with shall be subject to termination and suspension pending termination in accordance with the Board's employee discipline policy.

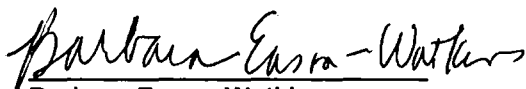
4. Special Provisions with respect to Employees who Operate Commercial Vehicles. Pursuant to applicable United States Department of Transportation ("DOT") regulations, all Board employees who operate commercial vehicles as part of their job duties shall be tested for drugs (1) upon application for employment, (2) biennially, as part of the required physical examination required by DOT, (3) when there is reasonable cause to believe that a driver is using drugs, and (4) randomly, as allowed by law. The Board shall follow DOT procedural requirements for drug testing, records maintenance, and disclosure of drug test results as set forth in 40 CFR 40-1 et seq., 49 C.F.R. §382.101 et seq. and as set forth in Board Rule 4-50. Any commercial drivers' license ("CDL") holder who fails to submit to testing shall be subject to discharge from employment.

Any employee who tests positive for controlled substances or is found to have a breath alcohol level or blood alcohol level greater than .02 while on duty, in accordance with the shall be subject to termination.

5. Additional Guidelines. The Chief Executive Officer or his/her designee may develop guidelines to implement this policy consistent with this policy and Board Rule 4-50.

LEGAL REFERENCES: 40 CFR §40.1 et seq, 49 CFR §382.101 et seq.

Approved for Consideration:



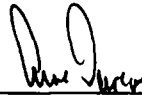
Barbara Eason-Watkins
Chief Education Officer

Noted:



John Maiorca
Chief Financial Officer

Approved



Arne Duncan
Chief Executive Officer

Approved as to Legal Form



Ruth Moscovitch
General Counsel