

DRUG AND ALCOHOL TESTING OF CDL LICENSE HOLDERS

The Board is committed to the safety of students while being transported to and from school or school activities. Safety is the primary responsibility of the driver of the school vehicle. Each driver, as well as others who perform safety-sensitive functions with District vehicles, must be mentally and physically alert at all times while on duty. To that end, and in accordance with Federal law, the Board has established this policy and others related to employees' health and well-being.

For purposes of this policy, the following definitions apply:

- A. The term *illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- B. The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes all tasks associated with the operation and maintenance of District vehicles.
- E. The term *CDL license holder* means all regular and substitute bus drivers, and other employees who are required to have a commercial driver's license; applicants for such positions are also included to the extent required under Federal law.
- F. The term *while on duty* means all time from the time the CDL license holder begins to work or is required to be in readiness for work until the time the holder is relieved from work and all responsibility for performing work.

The Board expects all CDL license holders to comply with all Board policies pertaining to a drug-free workplace, which policies prohibit, among other things, the manufacture, dispensing, possession, use, sale, or distribution of alcohol and any controlled substance on school property or at school-sponsored or school-related activities at all times. The Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substance while on duty.

The Board authorizes and directs the Superintendent to establish a drug and alcohol testing program whereby each regular and substitute bus driver, as well as any other employee required to hold a CDL license, or applicant for such a position, is tested for the presence of alcohol in their system as well as for the presence of the following controlled substances:

- A. Marijuana;
- B. Cocaine;
- C. Opiates;
- D. Amphetamines;
- E. Phencyclidine (PCP).

Such tests are to be conducted in accordance with Federal and State regulations a.) prior to employment, b.) upon reasonable suspicion that the employee has engaged in prohibited conduct relating to alcohol or a controlled substance, c.) before returning to duty after engaging in prohibited conduct relating to alcohol or a controlled substance, d.) after any accident while performing a safety-sensitive function that involves the loss of human life or after any accident involving a citation to the employee for a moving traffic violation arising out of the accident, e.) on a random basis, and f.) on a follow-up basis.

Any CDL license holder who tests positive shall be prohibited from driving any school vehicle and be referred to the District's Employee Assistance Program. As a condition of returning to duty, the employee must submit to a return-to-duty test as mandated by Federal law. The employee may also be subjected to discipline as deemed appropriate under the particular circumstances.

Prior to beginning the testing program, the District shall provide a drug-free awareness program which will inform each CDL license holder about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. Board policies pertaining to a drug-free workplace;
- C. sanctions that may be imposed for policy violations.

The Superintendent shall arrange for the required amount of training for appropriate supervisory employees in drug recognition, in the procedures for testing, and in the proper assistance of employees who are subject to the effects of substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. Testing of all first and second test urine samples;
- B. Clear and consistent communication with the District's Medical Review Officer (MRO).
- C. Methodology and procedures for conducting random tests for controlled substances and alcohol;
- D. Preparation and submission of all required reports to the District, the MRO, and to Federal State governments.

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with legal requirements.

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