

CENTENNIAL SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: DRUG/ALCOHOL TESTING
FOR EMPLOYEES

ADOPTED: March 8, 2016

REVISED:

<p>Purpose</p> <p>Definitions</p>	<p style="text-align: center;">351. DRUG/ALCOHOL TESTING FOR EMPLOYEES</p> <p>It is the policy of the Centennial School District to provide a safe and healthful workplace for its employees and students.</p> <p>The following terms have the meanings stated below, unless the context clearly indicates to the contrary:</p> <ol style="list-style-type: none"> 1. ALCOHOL or ALCOHOLIC BEVERAGE means any beverage or other liquid, including medication, which has an alcoholic content, in excess of 1.0% by volume. 2. COVERED EMPLOYEE means any employee who: (a) drives a commercial vehicle for the School District; (b) drives any bus or van of the School District, even if the van or bus is not a commercial vehicle; or (c) drives any student for the School District in a School District vehicle of any kind. 3. EMPLOYEE means any employee of the School District, Including Covered Employees, and Incidental Drivers. 4. ILLEGAL DRUG means a controlled substance, the sale, possession or consumption of which is illegal. 5. INCIDENTAL DRIVER means a School District employee whose primary job with the School District does not include driving a commercial vehicle or students, but who drives one or more students on an incidental basis in his or her own vehicle, such as extra-curricular employees who drive students in connection with an extra-curricular activity. 5. PRESCRIPTION DRUG means any substance prescribed for a particular individual by a licensed medical practitioner. 6. SCHOOL BUS DRIVER means any individual hired to drive a commercial vehicle, a bus or a van for the school district or whose job requires the driving of a commercial vehicle, bus or van for the School District. It does not include employees who transport students in their personal vehicles.
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<p>Policies</p>	<p>1. <u>Drug and/or Alcohol Testing</u>. Employees shall be subject to drug and/or alcohol testing in accordance with the following terms, conditions and limitations:</p> <ul style="list-style-type: none"> a. <u>Commercial Vehicle Drivers</u>: All employees who are required to drive commercial vehicles shall be subject to all drug and alcohol testing as required and/or permitted by Applicable Law. b. <u>Bus and Van Drivers</u>: All employees who are required to drive any school district bus or van, even if not a commercial vehicle, shall be subject to all drug and alcohol testing as if the vehicle were a commercial vehicle in accordance with the law that is applicable to commercial vehicle drivers employed by the School District. c. <u>Employees Driving Students</u>. All Covered Employees and Incidental Drivers, shall be subject to the following drug and/or alcohol testing: (i) reasonable suspicion testing; (ii) post-accident testing; (iii) return to work testing in the event that there is a drug or alcohol incident at work; and (iv) follow-up testing in the event that there is a drug or alcohol incident at work. d. <u>Reasonable Suspicion Testing</u>. All employees shall be subject to reasonable suspicion drug and/or alcohol testing. The determination that reasonable suspicion exists to require the employee to undergo drug or alcohol testing must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee and must be made by a supervisor who has received the training required by this policy. e. <u>Return-to-Work and Follow-up Testing</u>. In the event that there is a drug and/or alcohol incident at work, the employee involved shall be subject to (i) return-to-work testing in the event that there is a drug or alcohol incident at work; and (ii) follow-up testing in the event that there is a drug or alcohol incident at work. f. <u>Drug and Alcohol Testing Processes and Procedures</u>. The processes for drug and alcohol testing shall comply with the processes that are applicable for bus drivers in 49 C.F.R., Part 40. For purposes of clarity, this means that the procedure and process for the collection and testing of samples is to comply with the collection and testing procedures contained in 49 C.F.R., Part 40.
<p>Prohibitions</p>	<p>2. <u>Prohibitions</u>. The following prohibitions apply to School District employees:</p>

- a. Employees shall not be in possession of any Illegal Drug, Alcohol, or Alcoholic Beverage at school, on school property, in school vehicles, while driving any student, or at any school sponsored activity.
- b. Employees shall not use Illegal Drugs at any time.
- c. No Covered Employee shall report for duty or remain on duty:
 - i. having an alcohol concentration of 0.02 or greater;
 - ii. while possessing alcohol;
 - iii. while using alcohol;
 - iv. within four (4) hours after using alcohol.
- d. No Incidental Driver shall drive any student:
 - i. having an alcohol concentration of 0.02 or greater;
 - ii. while possessing alcohol;
 - iii. while using alcohol; or
 - iv. within four (4) hours after using alcohol.
- e. No Covered Employee shall report for duty or remain on duty when the employee uses any controlled substance (except when the use is pursuant to the written instructions or prescription of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate the motor vehicle) or tests positive for controlled substances.
- f. No Covered Employee or other employee required to take a post-accident alcohol test under this Policy shall use alcohol for eight (8) hours following the accident, or until s/he undergoes a post-accident alcohol test, whichever comes first.
- g. No Covered Employee or other school district employee shall refuse to submit to an alcohol or controlled substance testing required under this policy, or mandated due to a controlled substance or alcohol incident at work on School District property or at a School District event.
- h. Except for Incidental Drivers, no employee who is hired to drive a commercial vehicle, bus, van, or car for the purpose of driving one or more students shall be hired by the School District as a School Bus Driver or transferred into a School Bus Driver position unless:

<p>Procedures</p>	<ul style="list-style-type: none"> i. S/he has undergone and passed pre-employment testing for alcohol and controlled substances in accordance with this policy; ii. S/he has either certified that s/he has not been employed for the previous two (2) years or has given written consent and authorization for the School District to obtain information from the individual's employers during the preceding two (2) years pertaining to the employee's alcohol tests showing concentration results of 0.02 or greater, positive controlled substance test results, and refusals to be tested, within the preceding two (2) years, which are maintained by the employee's previous employers; and iii. The School District has received the required information from the employee's previous employer, if any. iv. A School Bus Driver candidate shall not be recommended for hire if the Supervisor of Transportation obtains information on the candidate's alcohol test with a concentration of 0.02 or greater, verified positive controlled substance test result, or refusal to be tested, without obtaining records of a subsequent substance abuse noted in the candidate's performance's evaluation and/or determination under the Applicable Law. v. Any School Bus Driver shall be deemed to have consented to such testing as is required of him/her by this Policy. Consent is implied by agreeing to continue to drive a covered school bus after notification of this Policy. <p>3. Administrative Authority and Responsibilities.</p> <ul style="list-style-type: none"> a. The Superintendent and the Director of Human Resources have the power and authority to require drug and alcohol testing in accordance with this Policy and Applicable Law. b. The Supervisor of Transportation has the power and authority to require drug and alcohol testing under this Policy with respect to all employees in the Transportation Department. The Director of Transportation shall ensure that all requirements of Applicable Law, including the applicable requirements of 49 C.F.R, Chapter 40, are fulfilled by the School District. c. All principals, assistant principals, directors, and supervisors shall
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Discipline	<p>receive at least sixty (60) minutes of training on alcohol misuse and receive at least an additional sixty (60) minutes of training on controlled substance use. The training will be used by the principals, assistant principals, directors, and supervisors to determine whether reasonable suspicion exists to require an employee to undergo testing. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.</p> <p>d. Testing can be authorized only by the Superintendent, the Director of Human Resources, or the Supervisor of Transportation, or the designee of any of them.</p> <p>e. Where testing is required, a designated supervisor shall transport the employee to be to a collection facility designated by the District. Two (2) persons will transport the employee at all times, a supervisor and union representative or two (2) members of the administrative staff, as appropriate.</p> <p>4. Discipline. The failure or refusal of any employee to comply with the requirements of this Policy may lead to disciplinary action up to, and including, discharge.</p> <p>Legal References: 49 CFR, Part 40 49 CFR, Part 382</p>
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