

DRUG & ALCOHOL TESTING OF CDL LICENSE HOLDERS

POLICY

The Board of Education believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, 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, the Board has established this policy and others related to employees' health and well being.

For purposes of this policy and the guidelines associated with the policy, the following definitions shall 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, other staff members who may drive students in District vehicles or inspect, repair, and maintain District vehicles.
- 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 s/he is relieved from work and all responsibility for performing work.

The Board expects all CDL license holders to comply with the Board Policy on Drug Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, 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 directs the Superintendent to establish a drug and alcohol testing program whereby each regular and substitute bus driver, as well as any other staff member who holds a CDL license, is tested for the presence of alcohol in his/her system as well as for the presences of the following controlled substances:

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

The drug tests are to be conducted in accordance with Federal and State regulations

- A. Prior to employment (Controlled Substance Only)
- B. For reasonable cause
- C. Upon return to duty after any alcohol or drug rehabilitation
- D. After any accident
- E. On a random basis
- F. On a follow-up basis

Candidates shall also be tested for the presence of alcohol in their system prior to employment.

Any staff member who tests positive shall be prohibited from driving any school vehicle and be referred to the District's Employee Assistance Program.

Prior to the beginning of 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 Policy on Drug Free Workplace
- C. The sanctions that may be imposed for violations of the Board Policy on Drug Free Workplace

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members 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 and 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 sites(s) in accordance with the requirements of the law.

49 C.F.R. 382. 101 et. seq.

Adopted 09/07/95; Revised 03/20/08