DRUG AND ALCOHOL TESTING

A. The District believes that for learning to take place students must be in a safe environment at all times. That means among other enumerated safety concerns that staff working with, driving, or in any way in contact with students must not be under the influence of an illegal drug or alcohol. For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:

1. *Illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.

2. *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.

3. *Controlled substance abuse* includes excessive use of alcohol as well prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.

4. *Safety-sensitive functions* includes all tasks associated with the operation and maintenance of district vehicles.

5. *Commercial Driver’s License (CDL) 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.

6. *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.

B. The District expects all CDL license holders to comply with Board Policy 3122.01 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.
C. The Superintendent will, if appropriate, 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 presence of the following controlled substances:

1. Marijuana
2. Cocaine
3. Opiates
4. Amphetamines
5. Phencyclidine (PCP)

D. The drug tests are to be conducted in accordance with Federal and State regulations a) prior to employment (Controlled Substances 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, and f) on a follow-up basis.

E. Any employee who tests positive shall be:

1. Prohibited from driving any school vehicle
2. Subject to discipline, up to and including discharge, in accordance with District guidelines and the terms of any applicable collective bargaining agreements.

F. No employee who has tested positive for alcohol or a controlled substance may be returned to a safety sensitive position without having been evaluated by a qualified substance abuse professional, completed any required treatment program, and passed a retest. Return to a safety sensitive position is solely at the District’s discretion.

G. The Superintendent shall contract with a qualified, certified provider to furnish testing and screening in compliance with the law.

LEGAL CITATION: 49 C.F.R. 382.101 et seq.

ADMINISTRATIVE REGULATION

Approved: July 19, 2016