

BERMUDIAN SPRINGS SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: DRUG/ALCOHOL TESTING -
COVERED DRIVERS

ADOPTED: March 14, 2006

REVISED:

810.1. DRUG/ALCOHOL TESTING - COVERED DRIVERS	
1. Purpose	The Board recognizes that the use and abuse of drugs and alcohol is a serious problem that may be present in the workplace. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.
2. Definition	<p>A covered driver shall mean any district employee who drives or operates a motor vehicle with a gross vehicle weight rating of 26,001 or more pounds or is designed to transport sixteen (16) or more passengers, including the driver; or any other district employee who is regularly assigned to drive a school district vehicle of any size or kind.</p> <p>The phrase includes drivers and mechanics who operate such vehicles, including full-time, regularly employed individuals; casual, intermittent or occasional individuals; and leased drivers and independent owner-operator contractors who are either directly employed by or under lease to the district or who operate a bus owned or leased by the district.</p>
3. Authority	<p>In accordance with its authority and responsibility, the Board adopts this policy to comply with federal regulatory mandates and to establish programs and practices designed to help prevent accidents and injuries resulting from misuse of drugs and alcohol by covered drivers employed by the district.</p> <p>The Board establishes that transportation companies contracted by the Board shall provide a program of drug and alcohol testing for covered drivers. A statement ensuring such program shall be included in the contracted agreement.</p> <p>The Board prohibits a covered driver from reporting or remaining on duty while using or possessing alcohol, having an alcohol concentration of 0.02 or greater, or within four (4) hours after using alcohol.</p>
SC 510 49 CFR Sec. 382.305	
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810.1. DRUG/ALCOHOL TESTING - COVERED DRIVERS - Pg. 2

<p>49 CFR Sec. 382.305</p>	<p>The Board prohibits a covered driver from reporting or remaining on duty while using any drugs or testing positive for drugs. Hemp product consumption is not an acceptable alternative medical explanation for a positive marijuana result. An exception shall be made for an employee with a physician's written instructions advising the driver that the prescribed substance will not adversely affect the employee's ability to safely operate a commercial motor vehicle.</p>
<p>4. Guidelines</p>	<p>Staff shall be required to undergo testing for drugs and alcohol, as required by law. The district shall require covered drivers to submit to the following tests: pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up.</p> <p>Consistent with contractual, legal and constitutional requirements, a determination shall be made as to the appropriate disciplinary action to be imposed upon a covered driver who violates any of the prohibitions or mandates set forth in Board policy or procedures. Nothing in this policy shall limit the district's authority to impose discipline, including discharge.</p> <p>A covered driver who is tested and is found to have an alcohol concentration of 0.02 or greater shall be suspended without pay until the start of the driver's next regularly scheduled duty period that is at least twenty-four (24) hours following administration of the test.</p>
<p>5. Delegation of Responsibility</p>	<p>The Superintendent or designee shall develop procedures to implement this policy and the requirements of law which include the following components:</p> <ol style="list-style-type: none"> 1. Contracts with a qualified medical review officer and substance abuse professional and a certified laboratory. 2. Establishment of procedures for required testing for covered drivers. 3. Maintenance of the confidentiality of all aspects of the testing process. 4. Delegation of responsibility for monitoring employee compliance with the provisions of Board policy and procedures. 5. Designation of an employee responsible for receiving and handling results of drug and alcohol tests. 6. Implementation of procedures for the preparation, maintenance, retention and disclosure of records, as required by law.

810.1. DRUG/ALCOHOL TESTING - COVERED DRIVERS - Pg. 3

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| | <p>7. Distribution of information and materials relevant to district policies and procedures regarding drug and alcohol testing to affected employees.</p> |
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