

1.9 -- DRUG AND ALCOHOL PROGRAM FOR BUS DRIVERS - SAFETY SENSITIVE EMPLOYEE

I. GENERAL POLICY: The Van Buren School District has adopted a policy that all employees must report to work completely free from the effects of alcohol and/or the presence of drugs, unless used as prescribed by a physician for that individual.

II. DRUG USE/DISTRIBUTION/IMPAIRMENT/POSSESSION: All employees are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, abused prescription drugs, or any other mind-altering or intoxicating substances present in their systems while at work or on duty.

III. ALCOHOL USE/POSSESSION/IMPAIRMENT: All employees are prohibited from possessing, drinking, or being impaired or intoxicated by alcohol in their systems while on duty. A Blood Alcohol Count (BAC) of .04 will be accepted as presumptive evidence of intoxication for personnel 21 years of age and older. For employees under the age of 21, a blood alcohol count of .02 is considered presumptive evidence of intoxication.

IV. PRESCRIPTION DRUGS: The proper use of medication prescribed for the employee by a physician is not prohibited; however, the Van Buren Public Schools prohibits the misuse of prescribed (or over-the-counter) medications and requires all employees using medication at the direction a physician to notify their supervisor(s) with a doctor's statement if these medications may affect their job performance.

V. SUBSTANCE SCREENING:

A. Applicant: Substance screening is required for all pre-employment applicants applying for a position for which drug and alcohol testing is required by the provisions of the Omnibus Transportation Employee Testing Act of 1991. Such testing may be required alone or as part of a pre-employment physical examination. Applicants are required to sign a consent/release form before submitting to screening. Applicants may be disqualified for hire if their test is confirmed positive after medical officer review, refuse to submit to a test, or refuse to execute the required consent/release form.

B. All current employees subject to the Omnibus Transportation Employee Testing Act of 1991:

Reasonable Cause: All employees will be required to submit to screening whenever a school district administrator observes or becomes aware of circumstances which provide reasonable cause to believe an employee has violated the substance abuse rules.

Random Testing: The Van Buren Public Schools will conduct random, unannounced screening of all employees. Tests of employees of illicit drugs will be conducted in a number equal to or greater than 50% of the

affected workforce, without advance notice, in any given 12 month period. Tests of employees for alcohol will be conducted in a number equal to or greater than 25% of the affected workforce, without advance notice, in any given 12 month period. The list of employees in the random pool will be updated on a monthly basis. Employees will be required to report to the designated collection site for testing as soon as possible, but in no case later than 4 hours following notification. Annually the tests will be conducted reasonably throughout the 12 months.

Post-Accident Testing: An employee involved in a reportable accident, defined as an accident resulting in injury requiring more than simple first aid or resulting in damage to property, is required to undergo substance screening as soon as practical after the occurrence of the accident; in accordance with Federal Highway Administration requirements. Failure to report an accident or submit to substance screening may result in termination.

C. Testing Procedures:

Substances Tested For: All employees will regularly be tested for: amphetamines, cocaine, cannabinoids, opiates, and phencyclidine. Testing for alcohol will also be conducted subject to the Omnibus Transportation Employee Testing Act of 1991.

Testing Procedure: All testing methodology will have been approved by the U.S. Department of transportation.

D. Collection Sites and Procedures: The Van Buren Public Schools will designate collection sites where sample collection will be performed in accordance with DOT guidelines.

E. Evaluation and Return of Results to the Board of Education: The laboratory will transmit the results of all tests to the Van Buren Public Schools medical review officer. The medical review officer will be responsible for reviewing the quantified test results of employees and confirming that the individuals testing positive have used drugs in violation of board policy. Prior to making a final decision, the medical review office shall give the individual an opportunity to discuss the results either face-to-face or by telephone. The medical review officer shall then promptly advise the drug program coordinator which employees or applicants test positive.

F. Request for Retest:

1. An employee may submit a written request for a retest of the original specimen within 60 days of receipt of the final test results. Request must be submitted to the drug program coordinator.

2. The employee may be required to pay the associated costs of the retest in advance but will be reimbursed if the results are negative.

G. Release of Test Results

1. Test results shall not be released by the Van Buren Public Schools beyond the medical review officer, the Board of Education and the Board's management team without the individual's written authorization except as required by law.

2. All employees will be required to execute a consent release form permitting the Van Buren Public Schools to release tests results and related information to the Unemployment Compensation Commission or the relevant government agency.

3. The medical review officer shall retain the individual test results for positive specimens for 5 years and negative test results for 12 months.

H. Drug test results will be maintained in a confidential file which is not the employee's official personnel file.

VI. DISCIPLINE:

The Van Buren Public Schools may terminate employees for any violation of the policy, including refusal to submit to screening, to execute a release, or to otherwise cooperate with an investigation by the administrator.

VII. EMPLOYEE ASSISTANCE PROGRAM (EAP):

The Van Buren Public School will provide:

- A. Education and training for employees regarding drugs and alcohol.
- B. Education and training for supervisors regarding drugs and alcohol.
- C. Listings of guidance and treatment facilities.

