

**ALCOHOL AND DRUG TESTING OF SCHOOL EMPLOYEES
WHO POSSESS A COMMERCIAL DRIVING LICENSE AND OPERATE
DISTRICT VEHICLES**

The Board of Education recognizes the dangers inherent in alcohol and drug use by employees, especially those in safety-sensitive positions. To ensure the safety of its students and in compliance with federal regulations, the Board requires alcohol and drug testing of school bus drivers and other employees who possess a commercial driving license and operate district vehicles. (CDL).

The district shall either directly, by contract, or through a consortium, implement and conduct a program to provide alcohol and drug testing of employees in safety-sensitive positions. Any employee who possesses a CDL and operates a district vehicle will be subject to testing.

Drug testing will be conducted at the following times (alcohol testing will be conducted if warranted):

- At the time of employment – post offer but prior to the start of work
- Randomly throughout the school year
- After a qualifying motor vehicle accident
- If a supervisor has a “reasonable suspicion” that the employee has engaged in prohibited drug or alcohol use

All employee drug and alcohol testing records shall be kept confidential.

In accordance with federal law, and district policy an employee will not be permitted to drive if he or she:

1. possess, consumes or is reasonably believed to possess or have consumed alcohol or drugs, while on duty;
2. uses alcohol six hours or less before duty;
3. has an alcohol concentration of .02 or higher, or tests positive for drugs;
4. uses alcohol within eight hours after being involved in an accident or before undergoing a post-accident test, if such a test is required. Illegal drug use by drivers is prohibited on or off duty;
5. is under “reasonable suspicion” to have engaged in prohibited alcohol or controlled substance use; or
6. if he/she refuses to take a required alcohol or drug test.

If a driver has engaged in prohibited alcohol or drug use, he or she will be removed from driving duties and be subject to disciplinary procedures and penalties pursuant to district policy, the collective bargaining agreement, and Section 75 of the Civil Service Law.

The Superintendent of Schools shall ensure that a copy of this policy, and the regulations and any other information prescribed by federal regulations are provided to all school bus drivers and other appropriate personnel at the time of employment. The Superintendent shall establish regulations necessary to implement this policy.

Note: Prior policy, 4216

Policy Adopted: December 19, 1994

Amended: June 21, 1999

Amended: May 21, 2001

Amended : July 7, 2011

Ref: United States Department of Transportation (DOT) regulations 49CFR parts 40, 382, 391, 392 and 395) pursuant to the Omnibus Transportation Employee Testing Act of 1991 (P.L. 102-143) (The Omnibus Act)