

EMPLOYEES

Series 400

Policy Title Drug and Alcohol Testing Program

Code No. 403.06

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand one pounds or more. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a school vehicle.

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion, and post-accident drug and alcohol testing. Employees operating school vehicles will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy shall be subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the School District Administrative Office, Superintendent of Schools at 500 E. Indiana Ave., George Iowa.

Employees who violate the terms of this policy are subject to discipline up to and including termination. The district is required to keep a record of all drug or alcohol violations by employees for a minimum of five years. Employees are put on notice that information related to drug or alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse. Additionally, the district will conduct FMCSA Clearinghouse queries for employees annually. Employees must provide written consent for the district to conduct FMCSA Clearinghouse queries; however, employees who choose to withhold consent will be prohibited from performing any safety sensitive functions.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy in compliance with the law. The superintendent will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

The superintendent will also be responsible for publication and dissemination of this policy and supporting administrative regulations and forms to employees operating school vehicles. The superintendent will also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

IASB Drug and Alcohol Testing Program (IDAPT) Web site:

http://www.ia-sb.org/Main/Affiliated_Programs/Iowa_Drug_Alcohol_Testing_Program.aspx.

Legal Reference:

American Trucking Association, Inc., v. Federal Highway Admin., 51 Fed 3rd 405 (4th Cir. 1995)

49 U.S.C. §§ 5331 et seq.

42 U.S.C. §§ 12101

41 U.S.C. §§ 81

49 C.F.R. Pt. 40; 382; 391

34 C.F.R. Pt. 85

Local 301, Internat'l Assoc.ofFire Fighters, AFL-CIO,and City of Burlington, PERB No. 3876 (3-26-91)

Iowa Code §§ 124; 279.8; 321.375(2); 730.5

Cross Reference:

403.05 Substance-Free Workplace

409.02 Licensed Employee Personal Illness Leave

414.02 Classified Employee Personal Illness Leave

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