

Board Policy**Descriptor Code: GCRA(1)****Drug Screening of Bus Drivers****Date: August 4, 2004**

It is the policy of the Pickens County Board of Education that all employees who as a condition of employment and job assignment must have a Commercial Drivers License, hereafter referred to as drivers, shall be tested for misuse of alcohol or use of controlled substances. Such tests shall include pre-employment and/or pre-duty testing, reasonable suspicion testing, random testing, post-accident alcohol and controlled substance testing, and follow up testing. In addition to tests for alcohol abuse, tests shall be conducted to detect the use of marijuana, cocaine, opiates, phencyclidine, and amphetamines (including methamphetamine).

In order to meet the goals of this policy, we hereby endorse the U.S. Department of Transportation, Federal Highway Administration's anti-alcohol and controlled substance policies and regulations. The DOT prescribes the process and strict procedures for drug testing in order to maintain the accuracy and integrity of the tests, and to protect the rights of the employee. The specimen collection procedure using the "Chain of Custody and Control" is outlined in the DRUG ABUSE & ALCOHOL MISUSE TRAINING GUIDE FOR CDL DRIVERS, which is given to all CDL drivers.

The Pickens County Board of Education will determine the laboratory conducting the drug testing. Employees will be tested for alcohol using an approved Evidential Breath Testing (EBT) device and operated by a qualified Breath Alcohol Technician (BAT).

All drivers and drivers applicants shall be notified that they are so covered, and that tests for alcohol abuse and use of controlled substances will be administered from time to time as provided by this policy. Drivers cannot refuse to submit to such tests while employed by the Board of Education.

No driver shall report for duty or remain on duty while having an alcohol concentration of 0.04 or greater. No driver shall report for duty or remain on duty when using any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver in writing that the substance does not adversely affect the driver's ability to perform safety sensitive functions and safely operate a commercial motor vehicle. Drivers shall be required to inform their supervisor(s) of any therapeutic drug use.

Pre-Employment/Pre-Assignment Testing

Prior to the first time a driver performs safety-sensitive functions, the driver shall undergo testing for alcohol and controlled substances.

Post-Accident Testing

In the event of an accident involving directly or indirectly a school district vehicle, the driver(s) of the vehicle shall be tested for alcohol and controlled substances use within two hours after the accident. If it is not possible to administer the test within two hours, the Superintendent shall

prepare and maintain on file for inspection a record stating the reasons the test was not promptly administered.

Drivers who are subject to post-accident testing shall remain readily available for such testing. Otherwise, the driver is considered to have refused to submit to testing and employment shall be terminated. Nothing in this policy shall be construed to require the delay of necessary ~~medial~~ medical attention for injured people following an accident, or to prevent a driver from leaving the scene of an accident for a period necessary to obtain assistance in respond to the accident.

Random Testing

Random testing for alcohol abuse and use of controlled substances shall be unannounced and spread reasonably throughout the calendar year. They shall be conducted as follows:

1. For alcohol abuse, twenty-five percent (25%) of drivers shall be chosen for random testing each calendar year.
2. For use of controlled substances, fifty percent (50%) of drivers shall be chose for random testing each calendar year.

The percentage of drivers tested may be adjusted with written approval of the Federal Highway Administration (FHWA).

Selection of drivers to be tested shall be made by a scientifically valid method that insures that each covered employee has an equal chance of being tested each time selection is made, i.e., random number table of a computer-based random number generator that is matched with employees' social security numbers, or other comparable identifying numbers.

Drivers who are notified that they have been selected for random testing shall proceed immediately to the test site. Drivers shall only be tested while performing safety-sensitive functions just before performing safety-sensitive functions, or just after the driver has cause to perform safety-sensitive functions.

Reasonable Suspicion Testing

Reasonable suspicion shall be cause for a driver to be required to undergo testing for alcohol abuse or use of controlled substances, articulable observations by a qualified supervisor or school official concerning the appearance, behavior, speech or body odors of a driver, or indications of the chronic and withdrawal effects of controlled substances. Such observations must have been made by a qualified supervisor or school official during, just preceding, or just after the period of the work day that the driver is required to perform safety-sensitive functions. ~~Within 24 hours of.~~

Persons designated by the Board to be qualified to determine whether reasonable suspicion exists to require a driver to undergo testing, must have received at least sixty (60) minutes of training on alcohol misuse and at least an additional sixty (60) minutes of training on controlled

substances use. The training must have covered the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

Follow-up Testing for Drivers with Test Results of .02 to .039.

In the event it is determined that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the Superintendent shall insure that the driver is:

1. Advised of the resources available to the driver in evaluation and resolving problems associated with misuse of alcohol and use of controlled substances, including names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs;
2. Referred to a substance abuse professional who shall determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and controlled substances use. All costs will be at the driver's expense.
3. Required to undergo frequent, unannounced follow-up testing, the number and frequency of which shall be directed by the substance abuse professional. The testing shall consist of at least six (6) tests in the first twelve (12) months following the driver's return to duty and shall not extend past sixty (60) months following the driver's return to duty.

Before a driver returns to duty, the driver shall undergo a return-to-duty alcohol test with a result of an alcohol concentration of less than 0.02, or a controlled substance test with a verified negative result.

Penalties

1. A driver refusing to test shall be terminated from his or her employment. The following constitutes refusal to test:
 - a. Controlled Substance
 - Fails to provide a urine sample, without a valid medical explanation
 - Engages in conduct that clearly obstructs the testing process
 - Failure of employee to remain readily available for testing for thirty-two (32) hours following an accident requiring testing, or the test is administered.
 - b. Alcohol
 - Refusal of an employee to complete and sign the breath alcohol testing form (step 2)
 - Failure to provide breath or adequate breath (note: exception for medical reasons and the employer must send to a licensed physician for a medical evaluation, and receive a written evaluation)

- Failure of employee to remain readily available for testing for eight (8) hours following an accident requiring testing, or the test is administered.
2. As required by Georgia law, a driver who tests positive for controlled substance use shall be terminated from his or her employment.
 3. A driver whose test reflected an alcohol content of .04 or greater shall be terminated from his or her employment.
 4. A driver whose test reflects an alcohol content of .02 - .039 shall be removed from safety-sensitive duties for twenty-four (24) hours. The driver will not return to duty until retested, at driver's expense, as previously noted in this policy. A driver found to have any measurable alcohol in his or her system shall be subject to disciplinary action at the discretion of the Pickens County Board of Education.
 5. Each driver who has engaged in conduct prohibited by these regulations or the Federal Omnibus Transportation Employee Act of 1991 of this part shall be advised by the employer of the resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. The cost of any treatment or rehabilitation services are the responsibility of the employee. Assessment by a Substance Abuse Professional or participation in the Employee Assistance Program does not shield an employee from disciplinary action or guarantee employment or reinstatement with the school district.

Confidential Handling of Driver Test Information

Driver alcohol abuse and controlled substance use testing information is confidential and may be released only to the appropriate substance abuse professional. Any other release of this information is only with the driver's written consent.