

MONTGOMERY AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: DRUG AND ALCOHOL
TESTING

ADOPTED: December 5, 1995

REVISED:

| 810.1 DRUG AND ALCOHOL TESTING | |
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| 1.Purpose | The Montgomery School District recognizes that the use and abuse of controlled substances and alcohol is a very serious problem that may be present at the work place. The school district also recognizes that a drug and/or alcohol-impaired driver who operates school district vehicles and/or transports students can pose significant risks to the safety of district employees and students. The school district further recognizes that transporting students requires the highest safety standards. |
| 2.Authority | The Montgomery School Board of Education requires that persons who work in full-time or part-time safety-sensitive positions or who are required to hold a Commercial Drivers License(CDL) to perform job duties will be required to be tested for controlled substances and alcohol effective January 1, 1996. The following five (5) types of tests will be required: pre-employment/pre-duty, random, post accident, return-to-work, and reasonable suspicion. |
| 3.Definitions | "Safety-sensitive positions" are to be defined as only those positions that require an individual to hold a Commercial Drivers License (CDL) to perform assigned job duties. |
| 4.Guidelines | <p>Tests for controlled substances will be conducted by analyzing a urine specimen at a laboratory certified and monitored by the Department of Health and Human Services. Alcohol tests will be conducted using an approved evidential breath testing (EBT) device approved by the National Highway Traffic Safety Administration.</p> <ol style="list-style-type: none"> 1. As a condition of employment, candidates for employment will be required to sign a consent form authorizing all employers during the past two (2) years to release to the Montgomery School District the results of positive alcohol tests and positive controlled substances test results, and any refusal to a. Failure to provide this authorization will result in immediate disqualification for employment. b. Candidates for employment who test positive on a pre-employment/pre-duty test for controlled substances or alcohol will not be considered for employment. <p>2. Drivers who test positive for alcohol or controlled substances will be subject to disciplinary action up to and including termination of employment.</p> |

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3. Employees who transfer into safety-sensitive positions will also be subject to testing for controlled substances and alcohol.

Because alcohol is a legal substance the following specifications shall be used to define prohibited alcohol-related conduct.

1. Performance of safety-sensitive functions is prohibited while having a blood alcohol concentration of 0.02% or greater as indicated by an evidential breath testing device; while using alcohol; while possessing alcohol; or within eight(8) hours after consuming alcohol.

2. Consumption of alcohol is prohibited within a period of four(4) hours prior to performing job responsibilities. Consumption of alcohol is also prohibited within eight (8) hours of an accident or until testing occurs after the accident.

3. Any driver who refuses to submit to a random, post-accident or returning-to-work test, if required, will not perform or continue to perform safety-sensitive functions and will be subject to discipline up to and including termination of employment.

4. Any driver who tests positive and has a blood alcohol concentration of 0.02% or greater will immediately be removed from duty for a period of no less than eight (8) hours and will be referred to the Montgomery School District Employee Assistance Program (START). As a condition of continued employment, the referred employee will participate in any education and/or treatment programs recommended by the START.

5. Any driver who refuses the referral to the START or does not agree to follow the recommendations made by the START will be subject to disciplinary action up to and including termination of employment.

6. Any driver who tests positive by having a blood alcohol concentration of 0.04% or greater will be immediately removed from duty, will be referred to the Montgomery School District START and will be subject to disciplinary action up to and including termination of employment.

Any driver who requests treatment or requests a leave of absence for treatment by a substance abuse professional before a test is conducted for controlled substances or alcohol will not be subject to discipline. A driver may not escape discipline by requesting treatment or leave after being selected for testing or after testing positive for controlled substances or alcohol. All requests for treatment will be kept strictly confidential.

The Montgomery School District shall provide the necessary training for transportation employees and transportation supervisors to comply with this policy

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| <p>Delegation of Responsibility</p> | <p>and United States Department of Transportation regulations.</p> <p>Any and all contracts executed by the Montgomery School Board of Education with outside contractors for the provision of student transportation or the provision of other safety-sensitive services shall stipulate the contractor's compliance with all required provisions of the Omnibus Transportation Employee Testing Act of 1991. Such contracts shall also stipulate the right of the school district to review the contractor's testing records and to receive from the contractor information on all post-accident tests.</p> <p>The Montgomery School District reserves the right to require testing for all safety-sensitive positions, regardless of the position's CDL requirements.</p> <p>The Superintendent shall develop administrative regulations which shall include testing procedures and provisions for the required training program, record-keeping and confidentiality.</p> |
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