

# Van Buren County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Drug &amp; Alcohol Testing for Employees</b>	Descriptor Code: <b>5.403</b>	Issued Date: <b>12/15/16</b>
		Rescinds: <b>5.403</b>	Issued: <b>06/17/99</b>

## 1 PRE-EMPLOYMENT DRUG SCREENING

2 Prior to employment, as a condition of any job offer, substance screens will be required for individuals  
3 applying for the following positions: school bus drivers, mechanics, driver assistants, maintenance  
4 employees who drive vehicles during the performance of their duties, and food service employees who  
5 drive vehicles during performance of their duties.<sup>1</sup>

6 Applicants will sign an acknowledgement prior to substance screening, permitting the summary result  
7 to be sent to the director of schools/designee.

8 Refusal to sign the acknowledgment or to submit to substance screening will be considered as withdrawal  
9 of the individual's application for employment. The applicant will not be permitted to reapply for  
10 employment for at least twelve (12) months.

11 If substance screening shows a confirmed positive result for which there is no current physician's  
12 prescription, any job offer will be revoked. The applicant will not be permitted to reapply for  
13 employment for at least twelve (12) months.

## 14 REASONABLE SUSPICION DRUG TESTING

15 Trained supervisors have the responsibility to observe and document the cause for reasonable suspicion  
16 and when appropriate, refer the matter to the director of schools/designee. It is not the supervisor's  
17 responsibility to attempt diagnosis. All information, facts and circumstances leading to and supporting  
18 this suspicion should be included in a written report detailing the basis for the suspicion. After the report  
19 is filed, the employee should be notified.

20 Any employee may be required to submit to substance screening if the following conditions exist: (list  
21 is not inclusive)

- 22 1. Observed use, possession or sale of illegal drugs and/or use, possession, sale, or abuse of  
23 alcohol and/or prescription drugs.
- 24
- 25 2. Apparent physical state of impairment of motor functions.
- 26
- 27 3. Marked changes in personal behavior not attributed to other factors.
- 28
- 29 4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is  
30 reasonably suspected or employee involvement in a pattern of repetitive accidents whether or  
31 not they involve actual or potential injury.

- 1           5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription drugs  
2           and/or violations of drug statutes.

### 3   **TESTING FOR CDL EMPLOYEES**

4   All drivers and applicants for driver positions who are required to hold a Commercial Driver's License  
5   (CDL) to perform their job function must adhere to the requirements of this policy and all procedures  
6   relating to this policy.<sup>1</sup>

7   The use, possession, sale, purchase or transfer of any controlled substances except medically prescribed  
8   drugs on school property, while on school business or while operating school vehicles and equipment is  
9   prohibited. Drinking alcoholic beverages during working hours, four (4) hours before reporting to work  
10   or having any measurable amount of alcohol in their system during working hours is prohibited, whether  
11   on or off school property. Working hours include all breaks. Off-duty use of drugs and alcohol is  
12   prohibited to the extent that it affects driver's attendance or performance and their ability to pass required  
13   DOT alcohol and controlled substance tests. Any violation of this policy is grounds for termination as  
14   an employee of the board and possible legal prosecution.

15   The use of any prescription drug that could affect the central nervous system or one that would impair  
16   reaction time shall be reported to the director of schools/director of transportation. Notice shall be given  
17   of non-prescription (over-the-counter) drugs being taken on a regular basis. The notice shall include the  
18   duration of ingestion and the possible side effects.

### 19   **Procedures**

20   The execution and enforcement of this policy will follow set procedures to screen bodily fluids, conduct  
21   breath testing, and/or search all employee/applicants for alcohol and drug use, and those employees  
22   suspected of violating this policy who are involved in a reportable accident or who are periodically or  
23   randomly selected. The procedures are designed not only to detect violations of this policy, but also to  
24   ensure fairness to each employee. Disciplinary action will be taken as necessary.

### 25   **Implementation**

26   The director of schools/director of transportation is authorized to implement this policy and procedures  
27   for the drug testing program, including a periodic review of the program to address any problems,  
28   changes and/or revisions of it, maintenance of all records required by the federal regulations, and  
29   determination upon board approval of how the program will be accomplished, whether in-house,  
30   contracted or by consortium.

### 31   **Dissemination**

32   The director of schools/director of transportation shall be responsible for communicating this policy  
33   and the procedures to all employees affected by this policy and shall be accountable for its consistent  
34   enforcement.<sup>2</sup> The director of schools/director of transportation is designated to answer questions  
35   about this policy, procedures and all other matters involved in alcohol and controlled substance testing  
36   of CDL drivers and the reasonable suspicion testing of all other employees.

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Legal References

1. 49 USCS § 5331; Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991)
2. 49 CFR 382.601