



Staff/Personnel – All Employees

Policy Title: Drug and Alcohol Testing Program Code: 403.19

Employees who operate school vehicles classified as commercial motor vehicles by the US Department of Transportation and are required to possess a commercial driver's license (CDL) to operate those vehicles are subject to drug and alcohol testing. A commercial motor vehicle is a vehicle that transports 16 or more people including the driver or has a gross vehicle weight rating (GVWR) of 26,001 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 commercial motor vehicle owned by the school district.

Employees, or applicants, that will operate a school vehicle as described above are subject to pre-employment drug testing prior to being allowed to perform a safety-sensitive function using a school vehicle. In addition, employees will be subject to 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 are 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 Human Resources office (2999 N 10th Street, Marion, IA 52302 / 319-447-3009).

Employees who violate the terms of this policy may be 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.

Employees who violate this policy bear the personal and financial responsibility, as a condition of continued employment, to successfully participate in a substance abuse evaluation and a substance abuse treatment program recommended by a substance abuse professional. Employees who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program will no longer be allowed to operate a commercial motor vehicle owned by the school district and, in addition, may be subject to discipline up to and including termination.

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

The superintendent [or designee] will also be responsible for publication and dissemination of this policy and supporting administrative regulations and forms to employees operating school vehicles. The superintendent [or designee] 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.

Adopted: 12/95

Reviewed: 3/11; 12/11; 4/13; 9/14

Revised: 1/07; 8/17; 6/20

Related Policy (Code #): 403.19-E1-E2

Legal Reference (Code of Iowa): American Trucking Assoc vs. Federal Hwy Admin, 51 Fed 3rd 405 (4th Cir 1995);

49 USC §§ 5331 et seq (2012); 42 USC §§ 12101 et seq (2012); 41 USC §§ 81 (2012); 49 CFR Pt 40; 382; 391.81-123 (2012); 34 CFR Pt 85 (2012); Local 301, Int'l Assoc of Fire Fighters, AFL-CIO, and City of Burlington, PERB No 3876 (3-26-91); §§ 124; 279.8; 321.375(2); 730.5 (2013)

IASB Reference: 403.6