

## DRUG AND ALCOHOL TESTING PROGRAM

Employees who operate school vehicles classified as “commercial motor vehicles” by the U.S. 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 sixteen or more persons 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.

Employees or employee applicants who 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 the 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 school district superintendent/and or transportation director at 403 S. 20<sup>th</sup> Street, Fairfield, Iowa, 52556.

Employees who violate the terms of this policy may be subject to discipline up to and including termination. 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 the 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 and in addition may be subject to discipline up to and including termination.

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

The superintendent/and or transportation director will also be responsible for publication and dissemination of this policy and its supporting administrative regulations and forms to employees operating school vehicles. The superintendent/and or director of auxiliary services 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.

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- Legal Reference: American Trucking Association, Inc. v. Federal Highway Administration,  
51 Fed. 3<sup>rd</sup>  
405 (4<sup>th</sup> Cir. 1995).  
49 U.S.C. §§ 5331 et. Seq. (2012).  
42 U.S.C. §§ 12101 (2012).  
41 U.S.C. §§ 701-707 (2012).  
49 C.F.R. Pt. 40; 382; 391.81-123 (2012).  
34 C.F.R. Pt. 85 (2012).  
Local 301, Internat'l Assoc. of Fire Fighters, AFL-CIO, and City of  
Burlington, PERB No. 3876 (3-26-91).  
Iowa Code §§ 124; 279.8; 321.375(2); 730.5 (2013).
- Cross Reference: 403.6 Substance-Free Workplace  
409.2 Licensed Employee Personal Illness Leave  
414.2 Classified Employee Personal Illness Leave