

DRUG AND ALCOHOL TESTING OF SCHOOL BUS DRIVERS

In an effort to prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by school bus drivers, RSU #56 will operate a drug and alcohol testing program in accordance with federal and state laws and regulations.

School bus drivers are prohibited from the use of alcohol or controlled substances that may affect performance of their jobs. Such prohibitions include use on the job, use during the four (4) hours before performing a safety-sensitive function, having prohibited blood alcohol levels while driving, and use during eight (8) hours following an accident unless testing has been completed before that time.

Drivers shall be subject to testing according to federal regulations in the following circumstances: pre-employment (but post offer)/per-duty, reasonable suspicion, random, post accident, return to duty and follow-up testing. Refusal to take a post accident, random, reasonable suspicion, or follow-up test is to be treated as a positive result. Refusal to submit to a pre-employment or return-to-duty test will result in the driver's being refused employment or not being returned to duty.

Alcohol testing will be conducted just before, during, or just after the performance of a safety-sensitive function. An approved breath test shall be used for alcohol testing.

In testing for controlled substance, urine sample collection and analysis will be conducted by a laboratory approved by the U. S. Department of Human Services. Random drug testing may be conducted at any time that the driver is at work.

In the event of a positive test result, the driver shall be removed immediately from performance of any safety-sensitive function. In order to be reinstated, if at all, an employee must undergo an evaluation by a substance abuse professional, comply with any rehabilitation required, and undergo a return-to-duty test with negative results. A reinstated driver is subject to unannounced follow-up tests six (6) times in the first twelve (12) months following the return to work.

As required under Maine law, RSU #56, having more than twenty (20) full-time employees, shall pay 50% of uninsured costs for rehabilitation. In cases where it is needed, RSU #56 will assist the employee in paying his/her share of the uninsured costs through a payroll deduction plan.

Records will be maintained in strict confidence by RSU #56 in a secure location with controlled access. Drivers may receive copies of their records upon written request. Records may be made available to subsequent employers only as expressly requested in writing by the employee.

All school bus drivers will be provided information regarding drug and alcohol use and abuse, testing requirements, copies of RSU #56 relevant policies, and assistance available for those with substance abuse problems.

The Superintendent shall be responsible for the development of administrative regulations to implement this policy.

Legal Reference:

Title 26 MRSA Sec. 681.8.B

Title 26 MRSA Sec. 685.2.C(1)

49 U.S.C. Sec. 2717 ET SEQ. (Omnibus Transportation Employee Testing Act of 1991)

49 C.F.R. Part 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs)

49 C.F.R. Part 382 (Controlled Substance and Alcohol Use and Testing)

49 C.F. R. Part 391 (Qualifications of Drivers)

Adopted: July 11, 2017