

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(REGULATION)

BUS DRIVERS AND
OPERATORS OF
OTHER COMMERCIAL
MOTOR VEHICLES

Drug testing of bus drivers and operators of other commercial motor vehicles upon employment or reemployment [see DHE (LEGAL) and (LOCAL)] shall be done as follows:

1. Prior to employment and **RANDOMLY** annually, each person shall undergo a drug/alcohol screening test as designated and paid for by the District to detect use of illegal controlled substances or other drugs or alcohol which would influence the person's ability to safely operate a commercial motor vehicle. ~~Testing may be completed by a private physician or laboratory approved by the District, if desired. The cost of the testing by a private physician or laboratory must be paid by the individual person.~~

2. The screening test will be conducted on a urine specimen to detect the presence of the following drugs and alcohol:

MARIJUANA

Amphetamines

Benzodiazepines
INE

Cannabinoids

Cocaine

Ethanol,

METHAMPHETAMINES

Methadone
Barbiturates
Methaqualone

Opiates – **OPIUM AND COD-
INE**

Phencyclidine

Propoxyphene

Qualitative

3. The initial screening shall be by the enzyme immuno-assay techniques (EMIT) test. An individual whose drug test yields a positive result shall be given a second test, using other tests such as thin layer chromatography (TLC), gas chromatography (GC), and GC combined with mass spectroscopy (GC/MS). The second or confirming test shall use a portion of the same urine sample withdrawn from the individual for use in the first test. If the second test confirms the positive test result, the individual shall be notified of the results in writing by the associate superintendent for human resources within five school calendar days of receipt of the test results. The letter of notification shall identify the particular substance found and its concentration.
5. An individual whose second test confirms the original positive test result may, at the individual's own expense, have a third test conducted on the same sample at a laboratory, approved by the District, meeting minimum criteria for drug testing.

EMPLOYEE STANDARDS OF CONDUCT
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DHE
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6. Specimens that test positive shall be retained by the laboratory for one year. Specimens that test negative shall be retained for a minimum of one week.
7. All drug/alcohol testing of individuals shall be conducted at medical facilities or laboratories certified by the Department of Health and Human Services. A medical facility or lab must maintain written procedures approved by the District that will be used to maintain test samples. These procedures shall, at a minimum, include:
 - a. Testing procedures that ensure privacy to individuals consistent with the prevention of tampering.
 - b. Methods of analysis that ensure reliable test results, including the use of gas chromatography/mass spectrometry (GC/MS) to confirm positive test results.
 - c. Chain-of-custody procedures that ensure proper identification, labeling, and handling of test samples.
 - d. Retention and storage procedures that ensure reliable results on confirmatory tests of original samples.

~~At the test site, the individual is to be given a form on which to list any medications taken or any other legitimate reasons for having been exposed to drugs within the last 15 days. The form will be sealed in an envelope that will not be opened unless the test is positive.~~

8. The following are the consequences of a confirmed positive test result:
 - a. **AN EMPLOYEE** ~~A person who was employed by the District the previous year who, as a result of any required physical examination, tests positive for an illegal controlled substance in a drug test shall be terminated. Any decision to reemploy such person in the future would be made on a case by case basis, consistent with the requirements of the Americans with Disabilities Act, but at a minimum would require a physical examination and a negative drug/alcohol screening test result from a District approved laboratory, with any such examination and test to be paid for by the person applying for reemployment.~~
 - b. ~~A person who was employed by the District the previous year who, as a result of any required annual physical examination, tests positive for a non-illegal drug that could influence the person's ability to operate a commercial~~

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SEARCHES AND ALCOHOL/DRUG TESTING

DHE
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~~motor vehicle safely shall not be employed or shall be suspended until there is written approval of the physician who administered the physical that the person can safely operate a commercial motor vehicle. If the physician does not approve the person for commercial motor vehicle driver, the person is eligible to apply for any existing vacant positions, other than commercial motor vehicle driver, for which the person possesses the proper qualifications and/or certification.~~

- c. ~~An applicant for employment who tests positive for an illegal controlled substance on a required preemployment drug test shall not be hired. An applicant who has tested positive shall be eligible to reapply for District employment upon the expiration of a one-year period, provided the applicant submits to the required physical examination and obtains a negative drug/alcohol screening test result from a District-approved laboratory. This examination and test shall be paid for by the applicant.~~
- d. ~~An applicant who tests positive for a non illegal drug that could influence the person's ability to operate a commercial motor vehicle safely may not be employed without a written certification by the physician who did the physical examination that the applicant can safely operate a commercial motor vehicle.~~

ALCOHOL TESTING

The following provisions apply to alcohol testing:

1. ~~The presence of alcohol in urine does not carry the same implication of substance abuse. Alcohol is rapidly metabolized by the body and the detection of a measurable level of alcohol in the urine may be an indication of the ingestion of a large amount of alcohol many hours prior to the testing or the recent ingestion of a relatively small amount.~~
- ~~2.~~ **AN EMPLOYEE** ~~A person who was employed by the District the previous year who, as a result of a required annual physical examination, has a positive result of alcohol in the urine will **BE TERMINATED** not be permitted to drive a commercial motor vehicle until the employee, within three months of the first test, requests a second drug/alcohol screening test. The District will, at its expense, authorize the second test. If the results of the second test are negative, the individual will be certified to drive a commercial motor vehicle. If the results are positive, the individual will be allowed to apply for employment to existing vacant positions, other than commercial motor vehicle driver, for which the individual possesses the proper qualifications and/or certification. In the event any~~

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

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~~employee tests positive, assistance will be offered through the Employee Assistance Program (EAP). If placed in a position other than commercial motor vehicle driver, the individual will be subject to additional drug/alcohol screening test(s) at the employee's expense during the next six month period from the date of the last test, and further positive findings of alcohol in the urine may result in termination.~~

- ~~3.~~ An applicant who has a positive result of alcohol in the urine after initial drug/alcohol screening using the EMIT test and a confirmatory test using an alternate District-approved test shall not be eligible for hire by the District. ~~until the expiration of three months from the date of testing.~~
4. An applicant who tested positive shall be eligible to reapply for District employment upon expiration of the three month period, provided the applicant submits to the required physical examination and obtains a negative drug/alcohol screening test result from a District approved laboratory. The examination and test shall be paid for by the applicant.