

### **DRUG AND ALCOHOL TESTING OF CDL LICENSE HOLDERS**

The Board of Education believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with District vehicles must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' health and well-being.

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply.

- A. The term *drug* means:
  - 1. Any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals.
  - 2. Any article, other than food, intended to affect the structure or any function of the body of man or other animals.
  - 3. Marijuana, whether or not prescribed.
- B. The term *controlled substance* means a drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of the Federal Controlled Substances Act or listed in Ohio's Schedules of Controlled Substances Reference Table. The term "controlled substance" includes medical marijuana, whether or not prescribed.
- C. The term *illegal drug* means drugs, controlled substances, and harmful intoxicants (as defined in Ohio Revised Code §2925.01), the possession or use of which is unlawful, pursuant to federal, state, and local laws and regulations. The term "illegal drugs" includes medical marijuana, whether or not prescribed.
- D. The term *substance abuse* includes the use of alcohol, the use of illegal drugs, as well as prescribed or over-the-counter drugs not being used for their recommended purposes, in a prescribed or recommended manner, or in the quantity recommended by the prescriber or manufacturer.
- E. The term *safety-sensitive functions* includes all tasks associated with the operation and maintenance of District vehicles.
- F. The term *CDL license holder* means all regular and substitute bus drivers, other staff members who may drive students in District vehicles or inspect, repair, and maintain District vehicles.

- G. The term *while on duty* means all time from the time the CDL license holder begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing safety sensitive functions.

The Board expects all CDL license holders to comply with Board policy 3.11 – Drug Free Workplace which prohibits the possession, use, sale, or distribution of alcohol, illegal drugs, or a controlled substance on school property at all times. Further, the Board concurs with the federal requirement that all CDL license holders should be free of any influence of alcohol, illegal drugs, or controlled substances while on duty.

The Board directs the Superintendent or designee to establish a drug and alcohol testing program whereby each regular and substitute bus driver, as well as any other staff members who hold a CDL license or perform safety-sensitive functions, is tested for the presence of alcohol in their system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Amphetamines
- E. Phencyclidine (PCP)
- F. Benzodiazepines

Such tests are to be conducted in accordance with federal and state regulations: (1) after a conditional offer of employment, (2) for reasonable suspicion, (3) upon return to duty if not terminated, (4) after any accident, (5) on a random basis, and (6) on a follow-up basis.

Any staff member who tests positive for alcohol, illegal drugs, or a controlled substance shall be prohibited from driving any school vehicle.

Prior to the beginning of the testing program, the District shall provide a drug-free awareness program which will inform each staff member about:

- A. The dangers of illegal drug use and controlled substance and alcohol abuse;
- B. Board policy 3.11 - Drug-Free Workplace; and
- C. The sanctions that may be imposed for violations of policy 3.11 and this policy.

The Superintendent or designee shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The Superintendent or designee shall contract with an accredited provider to render the following services:

- A. Testing of urine samples;
- B. Clear and consistent communication with the District's medical review officer (MRO);
- C. Methodology and procedures for conducting random tests for controlled substances and alcohol;
- D. Preparation and submission of all required reports to the District, the MRO, and the federal and state governments.

The Superintendent or designee shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.