

# Series 400 – Employees

Policy Title: DRUG AND ALCOHOL TESTING PROGRAM

Policy Code No. 408.18

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Employees who operate District vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the District vehicle and/or the school vehicle transports sixteen or more persons including the driver or the school vehicle weighs twenty-six thousand one 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 school vehicle.

The employees operating a District vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion and post-accident drug and alcohol testing. Employees operating District 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 District 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 District contact person, Director of School Business Services at 807 South 6th Avenue West, Newton, Iowa 50208.

Employees who violate the terms of this policy are 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 if 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 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 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 its supporting administrative regulations and forms to employees operating District vehicles. The Superintendent 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.

Date of Adoption	02/11/2002
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Revision Date	04/27/2009

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Legal Ref.: American Trucking Association, Inc., v. Federal Highway Administration, 51 Fed. 3rd 405 (4th Cir. 1995).  
49 U.S.C. §§ 5331 et seq. (1994).  
42 U.S.C. §§ 12101 (1994).  
41 U.S.C. §§ 701-707 (1996).  
49 C.F.R. Pt. 40; 382; 391.81-123 (1994).  
34 C.F.R. Pt. 85 (1999).  
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 (1999).

Cross Ref.: Board Policy  
404.3 Certified Employees Negotiated Agreement  
408.4 Substance-Free Work Place  
408.6 Discipline and Discharge