

DRUG AND ALCOHOL TESTING OF BUS DRIVERS

Statement of Policy

The School Board 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 MSD of Wayne Township 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.

Definition of Terms Used in This Policy

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

1. The term *illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
2. The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
3. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
4. The term *safety-sensitive functions* includes all tasks associated with the operation and maintenance of District vehicles.
5. The term *bus driver* means all regular, substitute, and activity bus drivers, and other staff members who may drive students in District vehicles or inspect, repair, and maintain District vehicles.
6. The term *while on duty* means all time from the time the bus driver 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 work.

Standard of Conduct for Bus Driver

All bus drivers are required to comply with Board Policy D325 on Drugs and Alcohol, which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times.

All bus drivers shall be free of any influence of alcohol or controlled substance while on duty.

Enforcement Procedures

1. The Board directs the Superintendent to establish a drug and alcohol testing program whereby all bus drivers (as defined above) are tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:
 - a. Marijuana (Hemp product consumption is not an acceptable alternative medical explanation for a positive marijuana screen test);
 - b. Cocaine;
 - c. Opiates;
 - d. Amphetamines;
 - e. Phencyclidine (PCP);
 - f. Any other substance required by the U.S. Department of Transportation CDL testing program.
2. The drug tests are to be conducted in accordance with Federal and State regulations:
 - a. Prior to employment, (Controlled Substance Only);
 - b. Upon a determination of individualized reasonable suspicion;
 - c. After any accident involving personal injury or as deemed necessary by the District;
 - d. On a random basis;
 - e. On a follow-up basis.
3. Any refusal to submit to required testing may result in termination of employment.
4. Any bus driver who tests positive shall be prohibited from driving any District vehicle and subject to discipline, up to and including discharge, in accordance with District guidelines.
5. Prior to the beginning of the testing program, the District shall provide a drug-free awareness program which will inform each bus driver about:
 - a. The dangers of illegal drug use and controlled substance and alcohol abuse;

- b. Board Policy D325 – Drugs and Alcohol, and Policy D375 – Family and Medical Leave.
 - c. The sanctions that may be imposed for violations of Board Policy D325 – Drugs and Alcohol.
6. The Superintendent 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 exhibit the effects of substance abuse.
7. The Superintendent shall arrange for a certified third party administrator to provide services for implementation of the Department of Transportation rules including the following services:
- a. Testing of all first and second test urine samples;
 - b. Clear and consistent communication with the 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 to Federal and State governments;
 - e. Provide the agency or persons who will conduct the breath alcohol tests, act as the District’s MRO, and provide the drug collection site(s) in accordance with the requirements of the law.

MSD of Wayne Township, Marion County, Indiana

Adopted: May 1, 2006

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