

## Board Policy

Code No. 403.6

### DRUG AND ALCOHOL TESTING PROGRAM

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate the school vehicle and 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 school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion and post-accident drug and alcohol testing. Employees operating school 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 school 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 school district contact person, Chris Andrus, Director of Operations, at 2727 Tanglefoot Lane, Bettendorf, IA 52722.

Employees who violate the terms of this policy are subject to discipline, up to and, including termination.

It is the responsibility of the superintendent 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 will also be responsible for publication and dissemination of this policy and supporting administrative regulations and forms to employees operating school 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.

IASB Drug and Alcohol Testing Program (IDATP) Web site: <http://www.iasb.org/MemberBenefits.aspx?id=304>

*Legal Reference:*            *American Trucking Association, Inc., v. Federal Highway Administration, 51 Fed. 3<sup>rd</sup> 405 (4<sup>th</sup> Cir. 1995).*  
                                  *49 U.S.C. §§ 5331 et seq. (2012).*  
                                  *42 U.S.C. §§ 12101 (2012).*  
                                  *41 U.S.C. §§ 81 (2012).*  
                                  *49 C.F.R. Pt. 40; 382; 391.81-123 (2012).*  
                                  *34 C.F.R. Pt. 85 (2012).*  
                                  *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 (2013).*

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*Cross Reference:*        403.5    *Substance-Free Workplace*  
                                 409.2    *Licensed Employee Personal Illness Leave*  
                                 414.2    *Classified Employee Personal Illness Leave*

*Approved: August 1, 2011*

*Revised: July 9, 2018*