

EMPLOYEE STANDARDS OF CONDUCT  
SEARCHES AND ALCOHOL/DRUG TESTING

DHE  
(LOCAL)

The following provisions address the District's drug- and alcohol-testing program.

DISTRICT DRUG- AND  
ALCOHOL-TESTING  
PROGRAM

Under its own authority, the District shall conduct drug and alcohol testing to help prevent accidents and injuries resulting from the misuse of those substances and to ensure the physical safety of students, employees, and members of the community.

PURPOSE

The primary purpose of the District drug- and alcohol-testing program is to prevent impaired employees from performing functions of their positions under the influence. Testing positive for any amount of alcohol, illegal drugs, or any controlled substances, or an employee's refusal to comply with a directive to submit to random testing, shall be a basis for employee disciplinary action, up to and including termination.

[See DHE(LEGAL)]

In addition to the consequences established by federal law, a District employee confirmed to have violated the District's policy pertaining to drug, alcohol, or controlled substances shall be subject to termination.

REASONABLE  
SUSPICION  
TESTING

Department managers, principals, and other administrators, in consultation with Human Capital Management, may remove an employee from duty and require testing for illegal drugs, alcohol, and/or controlled substances, based upon reasonable suspicion.

Reasonable suspicion includes, but is not limited to:

1. The occurrence of an accident or incident that results in damage or loss of District property or injury to any employee;
2. Articulate observations of appearance, behavior, speech, or body odors; and/or
3. Reports or complaints about use of alcohol or illegal substances during work hours from other employees or members of the public.

POST-ACCIDENT  
DRUG AND  
ALCOHOL TESTS

An employee who is involved in a vehicle accident in a District-owned, -leased or -rented vehicle shall be required to submit to a drug and alcohol test.

RANDOM DRUG  
AND ALCOHOL  
TESTS

Employees in positions designated as safety-sensitive shall be subject to random, reasonable suspicion and post-accident drug and alcohol testing. Those positions designated as safety-sensitive shall be identified by the Superintendent of Schools or designee as part of the program, and regulations shall be devel-

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	oped for the department or division in which random testing is conducted. [See DHE(REGULATION)]
DRUG- AND ALCOHOL-RELATED VIOLATIONS	<p>An employee whose conduct is in violation of the District drug, alcohol, and controlled substances prohibitions of this policy shall be recommended for termination for any of the following violations:</p> <ol style="list-style-type: none"><li>1. Refusing to submit to a required test for alcohol or controlled substances.</li><li>2. Providing an adulterated, diluted, or a substituted specimen on an alcohol or controlled substances test.</li><li>3. Testing positive for alcohol at any concentration in a post-accident test.</li><li>4. Testing positive for controlled substances in a post-accident test.</li><li>5. Testing positive for alcohol at any concentration in a random test.</li><li>6. Testing positive for controlled substances in a random test.</li><li>7. Testing positive for alcohol at any concentration in a reasonable suspicion test.</li><li>8. Testing positive for controlled substances in a reasonable suspicion test.</li></ol>
REASONABLE SUSPICION SEARCHES	<p>The District reserves the right to conduct searches when the District has reasonable suspicion to believe that a search will uncover evidence of work-related misconduct. The District may search the employee, the employee's personal items, and private vehicles parked on District premises or worksites or used in District business. Work areas, District-owned lockers, and other District property may be searched upon demand.</p> <p>Searches that reveal a violation of the District's standards of conduct may result in disciplinary action. [See DH]</p>
FEDERAL DOT RULES	The following provisions apply to employees who are covered by the federal Department of Transportation (DOT) rules.
TESTING PROGRAM	The District shall establish an alcohol and controlled substances testing program to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by the drivers of commercial motor vehicles, including school buses. The primary purpose of the testing program is to prevent impaired employees from performing safety-sensitive functions.

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Those functions designated as safety-sensitive shall be identified by the Superintendent of Schools or designee as part of the program, and regulations shall be developed for the department or division in which random testing is conducted. [See DHE(REGULATION)]

Testing positive for any amount of alcohol, illegal drugs, or any controlled substances, or an employee's refusal to comply with a directive to submit to a random drug test shall be a basis for employee disciplinary action, up to and including termination.

PRE-EMPLOYMENT  
DRUG AND  
ALCOHOL TESTS

Employees who are required to operate a District vehicle and hold a commercial driver's license shall be required to submit to a drug and alcohol test as part of a conditional offer of employment. [See DHE(LEGAL) and DHE(REGULATION)]

The Superintendent of Schools shall designate a District official who shall be responsible for ensuring that information is disseminated to employees covered under this testing program regarding prohibited driver conduct, alcohol and controlled substances tests, and the consequences that follow positive test results.

DRUG-RELATED  
VIOLATIONS

The following constitute drug-related violations under the DOT rules:

1. Providing an adulterated, diluted, or a substituted specimen on an alcohol or controlled substances test.
2. Testing positive for alcohol, at a concentration of 0.04 or above, in a post-accident test.
3. Testing positive for alcohol, at a concentration of 0.04 or above, in a random test.
4. Testing positive for alcohol, at a concentration of 0.04 or above, in a reasonable suspicion test.

An employee who operates a commercial motor vehicle, including a bus, and commits a drug-related DOT violation as defined above may be reinstated as a driver if he or she successfully completes a return-to-duty test. The employee may also be subject to follow-up tests.

CONSORTIUM

With specific Board approval, the Superintendent of Schools may contract on behalf of the District with outside consultants and contractors and work with a consortium of other local governments to secure the testing services, educational materials, and other component elements needed for this program.

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Under such contract, the consortium shall be responsible for implementing, directing, administering, and managing the alcohol and controlled substances program within DOT guidelines. The consortium shall serve as the principal contact with the laboratory and for collection activities in ensuring the effective operation of the testing portion of the program. [See DHE(REGULATION)]

REASONABLE  
SUSPICION DOT  
TESTING

Only supervisors specifically trained in accordance with federal regulations may, based upon reasonable suspicion, remove a driver from a safety-sensitive position and require testing for alcohol and/or controlled substances. The determination of reasonable suspicion shall be based on specific observations of the appearance, behavior, speech, or body odors of the driver whose motor ability, emotional equilibrium, or mental acuity seems to be impaired. Such observations must take place just preceding, during, or just after the period of the workday that the driver is on duty.

The observations may include indication of the chronic and withdrawal effects of controlled substances. Within 24 hours of the observed behavior, the supervisor shall provide a signed, written record documenting the observations leading to a controlled substance reasonable suspicion test.

DISTRICT-DEFINED  
VIOLATIONS

An employee violates District policy if he or she tests positive for alcohol or controlled substances at any concentration.

DISTRICT-IMPOSED  
CONSEQUENCES

In addition to the consequences established by federal law, a District employee confirmed to have violated the District's policy pertaining to alcohol or controlled substances shall be subject to District-imposed discipline.