

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(LOCAL)

**Reasonable
Suspicion Searches**

The District reserves the right to conduct searches when the District has reasonable cause to believe that a search will uncover evidence of work-related misconduct. The District may search the employee, the employee's personal items, work areas, lockers, and private vehicles parked on District premises or worksites or used in District business.

**Reasonable
Suspicion Testing**

The District may remove an employee from duty and require testing if there is reasonable suspicion that the employee is under the influence of alcohol or drugs used in violation of District policy. The determination of reasonable suspicion may be based on specific observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity seems to be impaired while on duty or other relevant information. Any employee who is asked to submit to drug or alcohol screening shall be given the opportunity to provide relevant information about prescription or nonprescription medications that may affect the screening.

A District employee who refuses to comply with a directive to submit to testing based upon reasonable suspicion shall be subject to disciplinary action, up to and including termination.

A District employee confirmed to have violated the District's policy pertaining to alcohol or drugs may be subject to disciplinary action. [See DF series and DH]

**Alcohol- / Drug-
Testing Program**

Purpose

The District has a compelling interest in maintaining safe and efficient operations and in ensuring student safety. To that end, the testing program is designed to prevent accidents and injuries to students, staff, visitors, and community members resulting from the misuse of alcohol and controlled substances by employees performing safety-sensitive functions.

Employees Subject
to Alcohol and Drug
Testing

Employees who drive District-owned, -leased, or -rented vehicles or who perform safety-sensitive functions and applicants for positions in these categories shall be subject to alcohol and drug testing. Employees with safety-sensitive functions include, but are not limited to, the following:

- Employees authorized to carry firearms;
- Motor vehicle mechanics and inspectors;
- Transportation aides; and
- Operators or handlers of hazardous equipment or chemicals including custodians, maintenance workers, and food service staff.

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Pre-Employment and Pre-Assignment Testing	<p>Satisfactory completion of alcohol and/or drug testing may be a pre-employment requirement as determined by the Superintendent for positions subject to alcohol and drug testing as described in this policy. The testing must be completed, and a negative report must be received, before the person may begin work.</p> <p>A current employee applying for a transfer to a driving or safety-sensitive position may be required to undergo alcohol and drug testing prior to assuming the duties of the new position as determined by the Superintendent.</p>
Random Testing <i>Frequency</i>	<p>The Superintendent or designee shall determine the percentage of employees subject to the drug- and alcohol-testing policy to be tested each year. The Superintendent or designee may determine that up to 100 percent of the identified employees will be tested.</p> <p>The testing entity shall select the dates for conducting the random drug test; the selection of dates shall not follow any recognizable pattern.</p>
<i>Random Selection</i>	<p>The District shall provide the testing laboratory with a list of all identified employees subject to this policy. Employees shall be chosen for testing at random in order to eliminate subjective factors that could be perceived as playing a role in the selection of the employees to be tested.</p>
<i>Procedures</i>	<p>Testing shall be conducted through accepted scientific means using approved practices and procedures established by the testing laboratory selected by the District. The testing parameters shall be set at industry standards as defined by the National Institute for Drug Abuse. The testing laboratory shall be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA).</p>
<i>Refusal</i>	<p>Refusal to provide a sample or noncompliance with the testing procedures by any employee shall be considered a positive test result and shall be reported to the appropriate school representatives.</p>
<i>Substances</i>	<p>The District reserves the right to test for amphetamines, barbiturates, cocaine, LSD, marijuana, methadone, opiates, phencyclidine, and alcohol.</p>
<i>Confidentiality of Test Results</i>	<p>The alcohol and drug-testing results shall be kept confidential and shall be provided only to the employee, the employee's supervising administrator, other school officials with a legitimate interest in the information, or as otherwise required by law or overriding health and safety concerns.</p>

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*Positive Test
Results*

An employee who tests positive for drug use or who has an alcohol detection level equal to or greater than 0.02 shall be subject to employment consequences, as determined by his or her supervisor and the Superintendent. Such may include any appropriate action including immediate suspension with or without pay, up to and including possible termination or nonrenewal.

Appeal

An employee may appeal a positive result made under this policy in accordance with DGBA(LOCAL). Consequences established in this drug-testing policy shall not be deferred pending the completion of the appeal process.