

DRUG AND ALCOHOL TESTING

The Terrebonne Parish School Board has established minimum drug and alcohol testing requirements as part of the Department of Transportation (DOT) and National Institute on Drug Abuse (NIDA) guidelines. The purpose of this program is to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by Terrebonne Parish School Board employees performing safety-sensitive functions in accordance with information regarding Title 49, Code of Federal Regulations. Additional information regarding Terrebonne Parish School Board procedures for implementation of this policy may be obtained by contacting the School Board office.

APPLICABILITY

All employees performing safety-sensitive functions who are required to hold a commercial driver's license for employment by the Terrebonne Parish School Board, including: school bus operators; other CDL drivers that transport 15 or more passengers; and mechanics that maintain the buses and other motor vehicles of the Terrebonne Parish School Board.

SCOPE OF TESTING

The regulations developed by the Terrebonne Parish School Board set forth the minimum federal safety standards for testing in the highway transportation industry. Testing conducted under these regulations are limited to alcohol and five controlled substances: marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). All alcohol and controlled substance samples collected will be analyzed as required under federal regulations specified in Title 49, CFR, Part 40.

TYPES OF TESTING

Department of Transportation (DOT) testing is required for alcohol and the five (5) specific controlled substances mentioned above. Testing for controlled substances is conducted through urine samples. Testing for alcohol is conducted by use of the Evidential Breath Test device (EBT) which conforms to the National Highway Traffic and Safety Administration (NHTSA) standards, and is conducted by a trained Breath Alcohol Technician (BAT) and blood tests when an EBT is not readily available. All urine samples will be collected, handled, analyzed and results reported in accordance with specific requirements. These DOT collection requirements are located in Title 49, CFR, Part 40.

OCCASIONS FOR DRUG AND ALCOHOL TESTING

Department of Transportation regulations require five (5) types of testing for Commercial Driver's License holders. All testing will adhere to Title 49, CFR, Part 382, Subpart C.

1. Pre-employment: All applicants shall undergo testing for alcohol and controlled substances and will not be considered for employment until the results are known.
2. Post-accident: As a condition of continued employment, any employee involved in an accident during the course and scope of employment shall undergo testing of alcohol and drugs as soon as practicable but no later than 8 hours (alcohol) and 32 hours (drugs) following the accident. The accident must render physical harm to the employee or others such that medical attention is required or monetary damages results in the amount of \$100 or greater to warrant testing for drugs and alcohol.
3. Random: Testing shall be conducted on a random, unannounced basis just before, during, or just after performance of safety-sensitive functions. Not less than 50% of these employees will be tested on an annual basis.
4. Reasonable Cause: The employee shall submit to testing when the employer suspects that the rules as set forth in this policy have been violated.
5. Return to Duty: A person who returns to duty as an employee after Follow-Up a positive test result shall be subject to follow-up drug testing without prior notice (for not more than 60 months) upon returning to duty.
6. Other: Any employee who may be required to perform duties that are safety-sensitive any time during their employment will be subject to all of the above.

POSITIVE TEST RESULTS

1. Drug Test: A positive drug test of urine sample is one which a designated medical review officer (MRO) verifies as positive. The MRO shall report to the Terrebonne Parish School Board designee whether a test is positive or negative. If positive, the identity of the controlled substance will be named.
2. Alcohol Test: A positive alcohol test is one which the Evidential Breath Testing Device (EBT) or blood test indicates an alcohol concentration of 0.04 and greater. An alcohol concentration of 0.02 to 0.039 would require a retest.
3. Refusal to submit to an alcohol or drug test shall be considered a positive result.

DISCIPLINARY ACTIONS

1. Any eligible employee who fails to submit to or refuses to submit to the specified drug and alcohol tests within the time period as indicated in this policy shall be recommended for termination, subject to due process.
2. A positive test which confirms the presence of a controlled dangerous substance

shall be sufficient cause for recommendation for termination of said employee, subject to due process.

A school bus operator who tests positive for the presence of alcohol of .08 percent or higher or certain drugs on tests administered in the scope of the operator's employment as a school bus operator shall be prohibited from driving a bus or transporting students in any manner until the Board determines the operator may return to driving.

3. A positive alcohol test shall be sufficient cause for termination of said employee, subject to due process.
4. Any employee who violates the provisions of this mandatory drug testing policy except as specified in A, B, and C above, shall be subject to disciplinary action including, but not limited to, termination.
5. Employees who have any alcohol concentration (defined as 0.02 to 0.039) when tested just before, during, or just after performing safety-sensitive functions, must also be removed from such duties for 8 hours or until another breath test is administered and the results is less than 0.02. Commercial motor vehicle drivers must be removed from driving for at least 24 hours. The employee may be subject to disciplinary action.
6. Any employee who fails to inform his/her immediate supervisor of prescribed drugs or any other drug which he/she has been advised by his/her physician or pharmacist to take, which might impair his/her job performance shall be subject to disciplinary action including, but not limited to termination.

EMPLOYEE ASSISTANCE PROGRAM

1. Under an Employee Assistance Program (EAP), information, education, training and referral for all appropriate personnel shall be provided in accordance with Title 49, CFR, under all designated timelines.
2. A copy of required materials, policies and procedures shall be distributed to each employee prior to the start of this policy being implemented, and to anyone hired or transferred into a safety-sensitive position requiring a commercial driver's license.
3. All requirements under the EAP shall be appropriately documented.

RECORD KEEPING

The Terrebonne Parish School Board shall maintain records of alcohol and drug test results, refusals of testing, calibration documentation, collection logbooks, random

selection process, for a time period of one (1) to five (5) years, in accordance with Title 49, Part 382, of the CFR. These records shall be maintained as required by Part 390.31 and shall be made available for inspection within two (2) business days after a request by authorized personnel of the Federal Highway Administration.

REPORTING OF RESULTS

By March 15 of each year, the Terrebonne Parish School Board shall prepare and submit a completed annual summary of its drug and alcohol testing program to the Federal Highway Administration. (Part 382.4)

CONFIDENTIALITY

All records and documents of this alcohol and drug testing program shall be maintained in a secure location with controlled access as specified in Title 49, Part 382.4, Subpart D.

DUE PROCESS

Any employee specified under this drug and alcohol testing program who is found in violation of said policy, shall be afforded appropriate due process.

Revised: December 1997

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Ref: PL 102-143 (Title V); 49 CFR 40 et seq.; 49 CFR 391, 394; La. Rev. Stat. Ann. §§17:81, 23:1601, 49:1111 et seq.; Board minutes, 11-1-94 12-16-97, Forethought Wd. revisions 1-30-18.