

**CONTROLLED SUBSTANCES  
AND ALCOHOL USE AND TESTING FOR CDL REQUIRED POSITIONS**

**TRANSPORTATION PERSONNEL MANDATORY DRUG AND ALCOHOL TESTING**

The Board of Trustees of Sheridan County School District No.2 has established the following policy to comply with The Omnibus Transportation Employee Testing Act of 1991.

The possession, use, transfer and/or sale of alcohol and/or any illegal drug or controlled substances while on duty or on school district property is strictly prohibited. Being under the influence of alcohol and/or any illegal drugs or controlled substances while on duty or otherwise contrary to the policies established herein is also strictly prohibited.

District Obligations to Check Clearinghouse.

The CDL Drug and Alcohol Clearinghouse creates a central report of violations of the U.S. Department of Transportation's controlled substance and alcohol testing program for holders of CDLs. Public school districts are required to comply with Clearinghouse federal regulations under 49 CFR 382 Subpart G.

The Human Resources Department will check the Clearinghouse for violations before clearing a prospective CDL driver for hire. Only prospective and current employers can access information from the Clearinghouse and individuals whose records are being accessed must consent to the check. Pre-employment checks require a full query which can only be completed once the applicant CDL driver creates an account with the Clearinghouse and grants electronic consent through the Clearinghouse.

The Human Resources Department will check the Clearinghouse annually for violations by all currently employed CDL drivers. The annual check requires a limited query preceded by a signed, written, time-frame specific consent from the CDL driver.

Alcohol Testing:

Alcohol tests are required as follows: post-accident testing, reasonable suspicion, on a random basis, and upon return to

duty/follow-up. The specific alcohol-related conduct which prohibits performance of an employee's functions include having a breath alcohol concentration of no greater than 0.00% while performing the employee's duties.

Drug Testing:

Drug tests are required as follows: pre-employment, reasonable suspicion, post-accident, random, return-to-duty/follow-up. All drug test results are reviewed and interpreted by a medical review officer (MRO), before they are reported to school district officials. Any unauthorized use of the drugs and controlled substances set forth herein are prohibited. The illicit use of drugs by safety sensitive employees/drivers is prohibited on or off duty.

Required Testing.

The following test(s) shall be required by the school district of all employees required to have a commercial drivers license:

a. Pre-EmploymentTesting.

All applicants for positions with the School District requiring a CDL and/or otherwise covered by this policy will be required to undergo drug screening prior to their employment.

b. Random Employee Testing.

The School District retains the right to randomly test for alcohol and/or illegal drugs all employees who are covered by and/or subject to this policy. A driver must be about to perform, or immediately available to perform, a safety-sensitive function to be considered subject to random alcohol testing. A random drug screen can occur at any time. The Transportation Director will require that each driver who is notified of selection for random testing to proceed to the test site immediately following notification.

The selected drivers will be allowed to return to work after collection of the random specimens.

c. Reasonable Suspicion Test.

Any supervisor of an employee subject to this policy who has reasonable suspicion that an employee under his/her supervision is guilty of abuse and/or untimely use of alcohol and/or controlled

substances or drugs may require the employee to undergo a drug and/or alcohol test.

d. Employee Post-Accident Testing.

As soon as practicable following an accident, the district shall test for alcohol and controlled substances. Testing will occur in each of the following cases.

- Testing of each surviving driver who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life,
- Testing of each driver who received a citation as a result of the accident, if the accident involved:
  - Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
  - One or more motor vehicles incurred disabling damage as a result of the accident, which required the vehicle to be transported away from the scene.

Table For Post-Accident Testing

Type of Accident	Citation Issued to School Bus Driver?	Test to be Performed?
Human Fatality	Yes	Yes
	No	Yes
Bodily injury with immediate medical treatment away from the scene	Yes	Yes
	No	Yes
Disabling damage to any vehicle requiring tow away	Yes	Yes
	No	No

If an alcohol test is not administered within two (2) hours following the accident, the district shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required by this section is not administered within eight (8) hours following the accident, the district shall cease attempts to administer an alcohol test and shall prepare and maintain the same record.

If a controlled substance test is not administered within 32 hours following the accident, the district shall cease attempts to

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administer a controlled substance test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered.

e. Return to Duty/Follow-Up Testing.

Any employee who is allowed to return to duty either under this policy, or any other School District policy, after engaging in conduct prohibited by this policy (i.e., following the abuse and/or untimely use of alcohol and/or controlled substances or drugs) shall undergo either a return-to-duty alcohol test, with a result indicating an alcohol concentration of no greater than 0.00%; and/or shall undergo a return-to-duty controlled substances test, at the employee's expense with a result indicating a verified negative result for illegal drugs/controlled substance use.

Drug Testing Policy Notice.

All employees and job applicants will be advised of the Sheridan County School District No. 2's drug testing program. Notice of the program will be included in CDL required job postings, and copies of the program will be available for job applicants and employees to review. Any employee may appeal his/her termination or other disciplinary action taken under this policy to the extent and in the manner any such appeal is authorized by Board policy and/or appropriate state law.

Retention of Records

The Human Resources Department and its third party administrator shall maintain records of its alcohol misuse and controlled substances use prevention programs as provided in this policy and in the U.S. Code of Federal regulations 49 CFR Part 382 Subpart D.

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