

STAFF PERSONNEL

Series 400

Policy Title: Drug and Alcohol Testing Procedures

Administrative Regulation: AR439.09

DRUG AND ALCOHOL TESTING PROCEDURES

These procedures support the Alcohol and Drug Testing policy. Questions regarding the policy, its supporting procedures or the alcohol and drug testing program may be directed to the school district contact person, the Supervisor of Transportation.

I. Covered Employees and Prohibited Conduct

A. Covered Employees

All applicants for employment are subject to drug testing as are all employees including those driving district vehicles. Applicants may be subject to pre-employment testing. All employees may be subject to reasonable suspicion testing and return-to-duty/follow-up testing. In addition, drivers may also be subject to random testing and post-accident testing.

B. Covered Drivers

1. The following requirements apply for a driver to be covered by the alcohol and drug testing program:

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- a. Drives a vehicle transporting sixteen or more persons, including the driver, OR drives a vehicle weighing over twenty-six thousand one pounds; or
 - b. Requires a commercial driver's license to hold the driver position.
2. Covered employees include:
- a. Applicants seeking a position as a driver.
 - b. Full time, regularly employed drivers;
 - c. Casual, intermittent or occasional drivers;
 - d. Leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a school district or who operate a school vehicle at the direction of or with the consent of a school district.
- C. Prohibited Employee Conduct
1. Employees who report to duty or remain on duty with a 0.04 or greater alcohol concentration.
 2. Employees shall not use alcohol at least eight hours prior to driving or the performance of a safety sensitive function.
 3. Drivers required to take a post-accident alcohol test shall not use alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
 4. Employees shall not refuse to submit to an alcohol or drug test. A refusal to test is considered a positive test result subjecting the employee to discipline up to and including termination.

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5. Drivers shall not report for duty or remain on duty when using any drug except when instructed by a physician who has advised the employee that the drug does not adversely affect the driver's ability to operate a school vehicle safely.
6. Employees shall not report for duty or remain on duty driving or performing a safety sensitive function if the employee has a positive drug test result.

II. Alcohol and Drug Testing Events

A. Pre-employment Testing

1. Applicants for employment shall submit to an alcohol and drug test if a job offer is made. The job offer is contingent upon
 - a. A negative alcohol and drug test result; and
 - b. A signed written statement authorizing former employers to release all information on the employee related to alcohol and drugs.
2. Prior to allowing an employee to perform a safety sensitive function, and no later than 14 days after performing a safety sensitive function, the following information must be obtained about the employee for the preceding two years from the date of the application:
 - a. Alcohol test results of 0.04 or greater;
 - b. Positive drug test results; and
 - c. Refusals to be tested.

B. Random Testing of Drivers

1. Annually, twenty-five percent of the average number of drivers may be selected for random alcohol tests and fifty percent of the average number of drivers may be selected for random drug tests.

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2. The drivers' identification numbers are selected by a scientific method giving drivers an equal chance to be selected.
 3. Random tests are unannounced and performed throughout the year.
 4. Drivers selected for random alcohol testing are informed of a random alcohol test just before, during or just after performing a safety sensitive function.
 5. Drivers selected for random drug testing are informed as soon as possible after the Supervisor of Transportation or Designee receives the drivers' identification numbers. The school district must document why some, if any, drivers were selected but not informed.
 6. The selected drivers must proceed immediately to the collection site. However, employees performing a safety sensitive function must safely stop and proceed to the collection site as soon as possible.
- C. Reasonable Suspicion Testing
1. Employees who exhibit observable specific, contemporaneous, articulable characteristics concerning the appearance, behavior, speech, or body odors or indications of the chronic and withdrawal effects of drugs may be required to submit to a reasonable suspicion drug test at any time.
 2. Employees who exhibit specific, observable, contemporaneous, articulable characteristics concerning the appearance, behavior, speech, or body odors of the employee if the reasonable suspicion was determined just before, during, or just after the time in which the employee must be in compliance with this policy, its supporting procedures or the law may be required to submit to a reasonable suspicion alcohol test just before, during, or just after performing a safety sensitive function.
 - a. A reasonable suspicion alcohol test is performed within two hours and no later than eight hours after determining reasonable suspicion.

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- b. If the alcohol test is not given within two hours, the reasons for the delay must be documented.
- c. If the alcohol test is not given within eight hours, attempts to test are stopped and the reason for not testing must be documented.
- 3. A reasonable suspicion test request is made by an employee who has received the training to determine reasonable suspicion. The reasons for the reasonable suspicion must be documented within twenty-four hours or prior to the release of the test results. If more than one employee trained to determine reasonable suspicion observes the employee, that employee must also document their reasons.

D. Post-accident Testing of Drivers

- 1. Drivers are subject to both post-accident alcohol and drug tests as soon as possible after an accident which:
 - a. the driver received a citation and;
 - (1) bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident; or
 - (2) a vehicle was towed from the scene irrespective of the value of the damage to the vehicle; or
 - b. A fatality occurred.
- 2. Drivers must remain readily available for post-accident testing.
 - a. Drivers who leave the scene or who do not remain readily available are assumed to have refused to test.
 - b. Necessary medical treatment cannot and should not be denied to a driver waiting to complete post-accident alcohol and drug tests.

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3. Alcohol testing requirements.
 - a. Administered within two hours and no later than eight hours of the accident.
 - b. Reasons for administering the test later than two hours after the accident must be documented.
 - c. Reasons for not administering the test within eight hours of the accident must be documented.
 - d. Employees are prohibited from consuming alcohol for eight hours after the accident or until the alcohol test is completed.
 4. Drug testing requirements.
 - a. Administered as soon as possible and no later than 32 hours after the accident.
 - b. Reasons for not administering the test must be documented.
 5. Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms with the law. The school district must receive a copy of the results to use them.
- E. Return-to-duty/Follow-up Testing.
1. Any employee terminated from a driving position after a positive test or for otherwise violating this policy, shall not be allowed to return to duty nor shall they be rehired by the district for any safety-sensitive position.
 2. Any other employee disciplined for violation of this policy/procedure or law regarding drug and alcohol use and who returns to any employment with the district may be rehired on conditions set by the district including conditions that the employee comply with the following return-to-duty or follow-up testing procedures:

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- a. the employee received any recommended counseling or treatment;
- b. the employee must submit to a drug test like any other applicant or new employee;
- c. after returning to duty, the employee may be subjected to six unannounced follow-up tests within the next twelve (12) months for alcohol, drugs or both; and
- d. the Supervisor of Transportation, in consultation with the substance abuse professional, can terminate the follow-up testing requirement after the first six (6) tests have been successfully completed or continue the follow-up testing for up to sixty (60) months from the date of the employee's return to duty.

III. Testing Procedures

A. Alcohol Testing Procedures

1. Employee is tested for alcohol.
2. Evidentiary breath testing devices (EBTs) or quantitative enzymes diagnosis saliva alcohol tests (QEDs) are used to conduct the initial and, if necessary, the confirmation alcohol tests.
 - a. The initial alcohol test determines whether the employee's alcohol concentration (AC) is less than 0.02.
 - (1) An initial alcohol test result of less than 0.02 AC allows the employee to continue to work.
 - (2) An initial alcohol test result of 0.02 AC or greater requires a confirmation test.
 - b. The confirmation alcohol test determines whether the employee can continue to work.

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- (1) A confirmation alcohol test result of less than 0.02 AC allows the employee to continue to work or to perform a safety sensitive function.
 - (2) A confirmation alcohol test result of 0.02 AC but less than 0.04 AC requires the employee to cease working and/or performing a safety sensitivity function for 24 hours.
 - (3) A confirmation alcohol test result of 0.04 AC or greater shall result in discipline up to and including termination.
3. Alcohol testing is conducted at collection sites which provide privacy to the employee and contain the necessary equipment, personnel and materials.
 - a. Alcohol testing is conducted at a designated non-school district facility unless a mobile unit or a school district facility better serves the situation.
 - b. In the event privacy cannot be assured, privacy will be provided to the extent practical.
4. Initial alcohol testing steps.
 - a. Once the employee is informed to submit to an alcohol test, the employee must proceed immediately to the collection site. Collection site personnel contact the Supervisor of Transportation or Designee immediately when an employee does not arrive at the specified time.
 - b. Upon arrival, the employee must provide photo identification.
 - c. The testing procedure is explained to the employee by the collection site person.

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- d. The breath alcohol technician (BAT) or the QED screening test technician (STT) and the employee complete and sign the appropriate sections of the alcohol testing form.
 - (1) Refusal of the employee to sign the form prior to the initial alcohol test is considered a refusal to test.
 - (2) The school district is notified immediately of the employee's refusal to sign.
 - e. The employee forcefully blows into the EBT mouthpiece for at least six seconds or until an adequate amount of breath has been obtained. If a QED saliva test is performed, the employee is requested to swab the mouth for 60 seconds.
 - f. Screening initial alcohol test results.
 - (1) A negative test result of less than 0.02 AC is reported to the school district in a confidential manner and the employee may continue to perform a safety sensitive function.
 - (2) A test result of 0.02 AC or more requires a confirmation test.
5. Confirmation alcohol testing steps.
- a. The confirmation test is done between approximately fifteen and twenty minutes of the initial test whether or not the employee followed the requirements to not eat, drink, put any object or substance in the mouth, and, to the extent possible, not to belch during the fifteen minute waiting period to avoid accumulation of mouth alcohol leading to an artificially high reading.
 - b. If a different collection site or a different collection site person is used for the confirmation alcohol test, the employee must provide photo identification.

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- c. The testing procedure is explained to the employee by the collection site person.
- d. The BAT or STT and the employee complete and sign the appropriate sections of the alcohol testing form.
 - (1) Refusal of the employee to sign the form prior to the confirmation alcohol test is considered a refusal to test.
 - (2) The school district is notified immediately of the refusal to sign.
- e. The employee forcefully blows into the EBT mouthpiece for at least six seconds or until an adequate amount of breath has been obtained. If a QED saliva test is performed, the employee is requested to swab the mouth for 60 seconds.
- f. The confirmation test results, which are the final and official test result, are shared with the employee.
- g. The employee and BAT or STT must sign the alcohol testing form following completion of the test. Failure to sign the form after the test is not considered a refusal to test. However, BAT or STT notes the employee's refusal to sign in the remarks section of the form.
- h. The BAT or STT informs the Supervisor of Transportation or Designee of the results of the test in a confidential manner.
 - (1) The BAT or STT notifies the Supervisor of Transportation or Designee immediately, either in writing, in person, by telephone, or by electronic means of confirmation alcohol test results of 0.02 AC or more.
 - (2) If the BAT or STT informs the Supervisor of Transportation or Designee by telephone, the school district verifies that the BAT or STT is the person on the telephone.

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- (3) The BAT or STT provides the Supervisor of Transportation or Designee with a copy of the alcohol testing form if written communication was not used to report the test results.
 - i. Potentially incomplete tests or invalid alcohol tests are repeated with corrected procedures.
 - j. The breath alcohol test is stopped when the employee fails twice to provide an adequate amount of breath. In that case:
 - (1) A physician may analyze the employee's inability to provide adequate breath.
 - (2) Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.
 - (3) A refusal of the employee to try a second time to provide adequate breath is considered a refusal to test.

B. Drug Testing Procedures

1. Employee's urine is tested for marijuana, cocaine, opiates, amphetamines and phencyclidine.
2. A split sample urine test is used to conduct the drug test.
 - a. A negative drug test result allows the employee to continue to work or perform a safety sensitive function.
 - b. A positive drug test result on the primary sample requires the employee to be removed from working and/or performing a safety sensitive function.
 - c. A positive drug test result on the primary sample allows the employee an opportunity to request the split sample be tested by another laboratory for the specific drug found in the primary sample.

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- A negative drug test result on the split sample results in a negative drug test result.
- d. An employee's refusal to test is considered a positive drug test result and may result in disciplinary action up to and including termination.
 - e. A positive drug test result may result in disciplinary action up to and including termination.
3. Employees taking medication at a doctor's direction may perform a safety sensitive function if the doctor determines there is not an adverse affect on performing a safety sensitive function and the school district is informed in writing of the medication and doctor's opinion.
4. Drug testing is conducted to provide privacy to the employee and where the necessary equipment, personnel and materials are located.
- a. Drug testing is conducted at a designated non-school district facility unless a mobile unit or a school district facility better serves the situation. Public restrooms can be used as collection sites in exceptional circumstances.
 - b. In the event privacy cannot be assured, privacy is provided to the extent possible. However, direct observation is allowed if:
 - (1) Reasons exist to believe the employee may alter or substitute the specimen.
 - (2) The employee presents a specimen with a temperature outside the allowed range and does not provide an oral body temperature or the oral body temperature varies from the specimen provided.
 - (3) The last specimen provided by the employee was determined by the laboratory to not meet gravity and creatinine concentration criteria.

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- (4) The collection site person observes conduct to substitute or adulterate the specimen.
 - (5) The employee has previously been determined to have used a drug without medical authorization and the particular test is for follow-up testing upon or after return to duty.
 - c. Direct observation is approved by the supervisor of the collection site on the designated school district representative. Non-medical personnel performing direct observation must be of the same gender as the employee.
5. Drug Testing Steps
- a. Once the employee is required to submit to a drug test, the employee must proceed immediately to the collection site. The collection site person contacts the Supervisor of Transportation or Designee immediately when an employee does not arrive at the specified time.
 - b. Upon arrival, the employee must provide a photo identification. The employee may require the collection site person to provide proof of identification.
 - c. The employee may keep his/her wallet but must remove any unnecessary outer garments, purses, briefcases and similar items at the request of the collection site person.
 - d. Immediately prior to providing a urine sample, the employee must wash hands.
 - e. The employee must then provide forty-five milliliters of urine and deliver it immediately to the collection site person.
- (1) Employees who cannot provide an adequate amount of urine receive instructions for drinking water and repeating the test.

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- (2) The drug test is stopped when the employee fails twice to provide an adequate amount of urine.
 - (3) A physician may analyze the employee's inability to provide adequate urine.
 - (4) Failure to provide adequate urine is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate urine.
- f. The specimen must be kept in view of the employee and the collection site person.
 - g. Upon receipt of the specimen, the collection site person must immediately, and in no event later than four minutes from the time of urination, measure the temperature of the specimen.
 - h. The employee may volunteer to have an oral temperature taken to provide evidence against alteration or substitution if there is some question about the temperature of the specimen.
 - i. The collection site person also inspects the specimen for color and other signs of contaminant and notes any unusual findings.
 - j. Another specimen is required as soon as possible under direct observation if adulteration or substitution is suspected by the collection site person.
 - k. The specimen is divided into the primary and split specimen, sealed and labeled. The label is initialed by the employee.
 - l. The employee is required to read and sign the statement on the chain of custody form certifying the specimens are the employee's.
 - m. The collection site person is required to note on the chain of custody form any unusual behavior or appearance of the employee and any failure to cooperate.

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- n. The collection site person completes the chain of custody form and the employee signs the form indicating the collection is complete.
 - o. The specimens are packaged for shipping to the laboratory and shipped immediately or placed in secure storage until they can be shipped.
6. Laboratory
- a. The laboratory used by the school district's alcohol and drug testing program is certified by the Substance Abuse and Mental Health Services Administration (SAMHSA), a division of the U.S. Department of Health and Human Services (DHHS). Laboratories certified by SAMHSA meet the testing procedures, personnel and record keeping requirements of the law.
 - b. Upon arrival of the specimen at the laboratory, the split specimen is stored and the primary specimen is tested.
 - (1) A positive test result on the initial test of the primary specimen requires a confirmation test, which is a different and more accurate type of test.
 - (2) The split specimen is discarded if the primary specimen has a negative test result.
7. Medical Review Officer (MRO) reviews drug test results.
- a. The MRO may release drug testing records of an employee to unauthorized individuals only with the written consent of the employee.
 - b. The MRO keeps a record of the negative test result and reports the negative test result to the school district.

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- c. The primary role of the MRO is to review and interpret positive test results to determine whether a legitimate explanation exists for the positive test result.
 - (1) After reviewing the chain of custody form and the laboratory test results, the MRO contacts the employee to discuss the positive test result with the employee prior to notifying the school district and to ask whether the employee requests a test of the split sample at the employee's expense. The employee's request for a test of the split sample must be made within seventy-two hours of talking with the MRO.
 - (2) Upon request of the employee, the split specimen is sent to a second SAMHSA certified laboratory for testing at the employee's expense.
 - (3) The MRO contacts the Supervisor of Transportation or Designee for assistance if the employee cannot be reached through reasonable efforts.
 - (4) The Supervisor of Transportation or Designee must confidentially inform the employee to contact the MRO.
 - (5) Upon contacting the employee, the Supervisor of Transportation or Designee must inform the MRO that the employee was contacted.
 - (6) Employees who cannot be contacted are placed on temporary leave without pay.
- d. The MRO may verify a positive test without talking to the employee if:
 - (1) The employee declines the opportunity to discuss the drug test.

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- (2) The employee fails to contact the MRO within five days after the Supervisor of Transportation or Designee has contacted the employee.
- (3) MRO verification of positive test results under these circumstances can be challenged by the employee if the employee presents the MRO with information documenting a serious illness, injury, or other circumstances unavoidably preventing the employee from timely contacting the MRO. The MRO, based on this additional information, may find a legitimate explanation for the positive test result and declare the test negative.
 - e. The employee is notified of the drugs found in a positive test result by the MRO, the Supervisor of Transportation or Designee, or by certified mail to the employee's last known address.
 - f. The school district receives a written report of the negative and positive test results from the MRO.

IV. Consequences of Violating this Policy, its Supporting Procedures or the Law

- A. The district will terminate drivers who violate this policy, its supporting procedures or the law relating to alcohol and drug testing on a first offense. Other employees will also be subject to discipline up to and including termination.
- B. Terminated employees may be advised of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of drugs.
- C. Employees refusing to submit to drug and/or alcohol testing will be considered insubordinate and will be treated as having tested positive, resulting in automatic terminated from the driving position.

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- D. Applicants who refuse to submit to or cooperate with the drug and/or alcohol testing process and requirements shall be disqualified from further consideration.

V. School District Responsibilities

- A. Information on the alcohol and drug testing requirements of this policy, its supporting procedures and the law, including the employee's obligations must be provided to employees. A summary of the requirements must be included in the employee handbook.
- B. Supervisors of employees or personnel designated to determine reasonable suspicion shall receive sixty minutes of training on alcohol misuse and sixty minutes of training on drug use. The training must address the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.
- C. Prior to operating a school vehicle, drivers must be provided with instructions enabling them to comply with alcohol and drug testing requirements.
- D. School districts with actual knowledge of an employee's drug use cannot allow the employee to report to or perform a safety sensitive function regardless of whether or not a drug test was conducted.
- E. School districts with actual knowledge of an employee with an alcohol concentration of 0.02 AC or greater cannot allow the employee to report to or perform a safety sensitive function regardless of whether or not an alcohol test was conducted.
- F. The school district is responsible for ensuring that the quality assurance plan, developed by the manufacturer and approved by the National Highway Traffic Safety Administration (NHTSA) for the evidentiary breath testing device used for alcohol testing of its employees describes the inspection, maintenance and calibration requirements and intervals for it.

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- G. The school district is responsible for ensuring that the collection site person using the testing device is a certified breath alcohol technician or a quantitative enzyme diagnosis saliva test technician.

VI. Alcohol and Drug Testing Records

- A. Alcohol and drug testing records are stored in limited access locations separate and apart from the employee's general personnel documents.
- B. The records may only be released with the written consent of the employee. Only those records specifically authorized for release may be released. However:
 - 1. Records may be released to appropriate government agencies without a written consent.
 - 2. Records may be released to appropriate school district employees without written consent.
 - 3. The district may, without written consent, make an employee's drug and alcohol test records available to a decision maker in a lawsuit, grievance, or other proceedings initiated by or on behalf of the individual, and arising from the results of an alcohol or drug test under this policy, its supporting procedures or the law or from the school district's determination that the employee violated this policy, its supporting regulation, or the law.
- C. Employees are entitled with a written request to prompt access to and copies of their alcohol and drug test records without requiring payment of amounts owed for the copying of records other than alcohol and drug testing records. The district may charge for copying these records in accordance with board policy.

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- D. The district must maintain the following records of its drug and alcohol misuse prevention and testing programs for the time period:
1. One year:
 - (a) Records of negative and canceled drug test results and alcohol test results of less than 0.02 AC.
 - (b) Records related to the collection process.
 - (c) Records related to an employee's test results.
 - (d) Records related to other violations of the law.
 - (e) Records related to evaluations.
 - (f) Records related to education and training.
 - (g) Records related to drug testing.
 2. Two years—records related to the alcohol and drug collection process, except calibration of evidential breath testing devices, and training.
 3. Five years:
 - (a) Alcohol test results of 0.02 AC and greater;
 - (b) Verified positive drug test results;
 - (c) Documentation of refusal to take required alcohol and/or drug tests;
 - (d) EBT calibration documentation;
 - (e) Employee evaluation and referrals; and
 - (f) Annual calendar year summary.

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VII. Definitions

Accident - an occurrence involving a school vehicle operating on a public road which results in: (a) a fatality, (b) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or (c) one or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

Air blank - a reading by an evidentiary breath testing device (EBT) of ambient air containing non alcohol.

Alcohol - the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol concentration (or content) (AC) - the alcohol in a volume of breath expressed in terms of grams of alcohol per two hundred ten liters of breath as indicated by an evidential breath test under the law.

Alcohol use - the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

Breath Alcohol Technician (BAT) - an individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

Canceled or invalid test - in drug testing it is a drug test that has been declared invalid by a Medical Review Officer or a specimen that has been rejected for testing by a laboratory. A canceled test is neither a positive nor a negative test. In alcohol testing it is a test that is deemed to be invalid under the law. It is neither a positive nor a negative test.

Chain of Custody - procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. With respect to drug testing, these procedures require that an appropriate drug testing custody form be used from time of collection to receipt by the laboratory and that form be used from time of collection to receipt by the laboratory and that upon receipt by the laboratory an appropriate laboratory

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chain of custody for(s) account(s) for the sample or sample aliquots within the laboratory.

Collection site - a place where drivers present themselves for the purpose of providing body fluid or a tissue sample to be analyzed for specific drugs or breath alcohol concentration.

Confirmation test - for alcohol testing it is a second test following an initial test with a result of 0.02 AC or greater, that provides quantitative data of alcohol concentration. For drug testing it is a second analytical procedure (GC/MS) to identify the presence of a specific drug of metabolite which is independent of the initial test and which uses a different technique and chemical principal from that of the initial test in order to ensure reliability and accuracy.

Controlled substances/Drugs - any drug, substance or immediate precursor as defined in state and federal law and regulations.

Driver - any person who operates a school vehicle. This includes, but is not limited to: full-time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner - operator contractors who are either directly employed by or under lease to the school district or who operate a school vehicle at the direction of or with the consent of the school district. For the purposes of pre-employment/pre-duty testing only, the term Adriver@ includes applicants for driver of school vehicle positions.

Employee - all individuals who perform services for the district for compensation.

Initial test (or screening test) - in drug testing it is an immunoassay screen to eliminate "negative" urine specimens from further consideration. In alcohol testing it is an analytic procedure to determine whether a driver may have a prohibited concentration of alcohol in a breath or saliva specimen.

Medical review officer (MRO) - a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed

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positive test result together with the individual's medical history and any other relevant bio-medical information.

Non-suspicion-based post-accident testing - testing of a driver after a reportable accident if the driver receives a citation for a moving traffic violation arising from the accident and without regard to whether there is any reasonable suspicion of drug usage, reasonable cause to believe the driver has been operating the school vehicle while under the influence of drugs, or reasonable cause to believe the driver was a fault in the accident and drug usage may have been a factor.

Performing a safety sensitive function (SSF) - a driver is considered to be performing a safety sensitive function during any period in which the driver is actually performing, ready to perform, or immediately available to perform any sensitive functions.

Random Selection Process - when drug tests are unannounced and that every driver has an equal chance of being selected for testing.

Reasonable suspicion - when the school district believes the appearance, behavior, speech or body odors of the driver are indicative of the use of drugs or alcohol.

Refuse to submit (to an alcohol or drug test) - when a driver (1) fails to provide adequate breath for alcohol testing without a valid medical explanation after he or she has received notice of the requirement for breath explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this part, (2) fails to provide adequate urine for drug testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this part, or (3) engages in conduct that clearly obstructs the testing process.

Safety Sensitive function (SSF) - all time from the time when a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.

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School Vehicle - a vehicle owned, leased, and/or operated at the direction or with the consent of the school district which transports sixteen or more persons, including the driver, or weighs over twenty-six thousand one pounds and requires the driver to have/possess a commercial driver license in order to operate the vehicle.

Screening Test Technician (STT) - Person who screens for alcohol concentration by quantitative enzyme diagnosis through saliva analysis.

Split specimen - the division of the urine specimen into thirty milliliters in a specimen bottle (the primary sample) and into at least fifteen milliliters in a second specimen bottle (the split sample).