

Policy Title: ***Drug and Alcohol Testing Program for Drivers of Buses and other Vehicles Requiring a Commercial Driver's License (CDL)*** Code No. ***402.12.2***

It is the policy of the Cedar Falls Community School District to administer a drug and alcohol testing program in compliance with federal transportation regulations.

Employees who operate school vehicles are subject to drug and alcohol testing if a Commercial Driver's License (CDL) is required to operate the school vehicle and the school vehicle either transports 16 or more persons including the driver or weighs 26,001 pounds or more. For purposes of the drug and alcohol testing program, the term "employees" includes applicants who have been offered a position to operate a school bus or other vehicle requiring a CDL.

The employees operating a school vehicle as described above are subject to pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing. Employees operating school vehicles will not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate school vehicles and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations. Employees with questions about the drug and alcohol testing program may contact the school district contact person, Director of Human Resources, at the James L. Robinson Administration Center, 1002 West First St, Cedar Falls, IA 50613.

Employees testing positive for alcohol or illegal drug use, and/or who otherwise refuse to submit to alcohol or drug tests, violate the terms of this policy or any administrative regulations implementing this policy, and will be subject to discipline up to and including termination from their position on the first offense. At the District's discretion, employees who violate this policy may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees who refuse to participate in a substance abuse evaluation or recommended treatment program may be subject to discipline up to and including termination. The District's responsibility for the cost of any evaluation, treatment or counseling will be limited to the benefits provided by the District's health insurance plan for such evaluation, treatment or counseling. The District is required to keep records of all drug and alcohol violations by employees for a minimum of five years. Information related to drug and alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearing House. Additionally the District will conduct FMCSA Clearing house queries on employees annually. Employees must provide written consent for the District to perform FMCSA Clearing house queries; employees who withhold consent will be prohibited from performing any safety sensitive function.

It is the responsibility of the superintendent or designee who shall serve as the Designated Employer Representative (DER) to develop administrative regulations to implement this policy in compliance with the law. The superintendent or designee is authorized to receive communications and test results from service agents and is

authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The superintendent or designee will inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment.

The superintendent or designee will also be responsible for publication and dissemination of this policy and supporting administrative regulations and forms to employees operating school vehicles. The superintendent or designee will also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

Date of Adoption: November 27, 1995

Date of Revision: November 11, 1996
November 25, 2002
October 14, 2013
December 8, 2014
August 8, 2016
August 8, 2022

Notice to Employees

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY **402.12.2** ARE HEREBY NOTIFIED they are subject to the school district's drug and alcohol testing program for pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing as outlined in the Drug and Alcohol Testing Program policy, its supporting documents and the law.

Employees who operate school vehicles are subject to drug and alcohol testing if a Commercial Driver's License (CDL) is required to operate the school vehicle and the school vehicle either transports 16 or more persons including the driver or weighs 26,001 pounds or more. For purposes of the drug and alcohol testing program, "employees" also includes applicants who have been offered a position to operate a school bus or other vehicle requiring a CDL. The employees operating a school vehicle as described above are subject to the drug and alcohol testing program beginning the first day they operate or are offered a position to operate a school vehicle and continue to be subject to the drug and alcohol testing program as long as they may be required to perform a safety-sensitive function as it is defined in the administrative regulations.

Driving a school bus or vehicle requiring a CDL is considered a "safety-sensitive function" by the U.S. Department of Transportation. Employees operating school vehicles will not perform safety-sensitive functions within four hours of consuming alcohol. Safety-sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time s/he is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. All time inspecting equipment as required or otherwise inspecting servicing, or conditioning any commercial motor vehicle at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a designated sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

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It is the responsibility of the superintendent or designee to inform employees of the drug and alcohol testing program requirements. Employees with questions regarding the drug and alcohol testing requirements will contact the school district contact person, Director of Human Resources, at the James L. Robinson Administration Center, 1002 West First St, Cedar Falls, IA 50613.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that employees violating this policy, its supporting documents or the law, may be subject to discipline, up to and, including termination.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED that information related to drug or alcohol violations will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse.

EMPLOYEES GOVERNED BY THE DRUG AND ALCOHOL TESTING POLICY ARE FURTHER NOTIFIED it is a condition of their continued employment to comply with the Drug and Alcohol Testing Program policy, its supporting documents and the law. It is a condition of continued employment for employees operating a school vehicle to notify their supervisor of any prescription medication they are using. Drug and alcohol testing records about a driver are confidential and are released in accordance with this policy, its supporting documents or the law.

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August 8, 2016
August 8, 2022

Pre-Employment Testing Acknowledge Form

I, _____, have received a copy, read and understand the Drug and Alcohol Testing Program policy of the Cedar Falls Community School District and its supporting documents.

I understand that the position for which I am applying at the District is governed by the Drug and Alcohol Testing Program policy, its supporting documents and the law, and that if I violate the Drug and Alcohol Testing Program policy, its supporting documents or the law, I may be subject to discipline, up to and, including termination.

I also understand that I must inform my supervisor of any prescription medication I use.

In addition, I have received a copy of the U.S. DOT publication, "*What Employees Need to Know about DOT Drug & Alcohol Testing*," and have read and understand its contents.

Furthermore, I know and understand I am required to submit to a controlled substance (drug) test, the results of which must be received by this employer before being employed by the school district and before being allowed to perform a safety-sensitive function. I also understand that if the results of the pre-employment test are positive, that I will not be considered further for employment with the school district.

I further understand that drug and alcohol testing records and information about me is confidential, and may be released at my request or in accordance with the District's drug and alcohol testing program policy, its supporting documents or the law.

(Signature of Employee)

(Date)

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