

**SOUTH BURLINGTON SCHOOL DISTRICT  
DRUG AND ALCOHOL PROHIBITION AND TESTING FOR TRANSPORTATION EMPLOYEES  
ADMINISTRATIVE PROCEDURES**

**ADMINISTRATIVE RESPONSIBILITIES**

The Superintendent will implement procedures to conduct alcohol and drug tests for all persons in safety sensitive transportation positions as required by the Testing Act.

The Superintendent may contract with a qualified service agent to provide testing services, clear and consistent communication with the District's designated contact regarding the methodology and procedures for conducting random tests for controlled substances and alcohol, and guidance on the preparation and submission of all required reports to the federal or state governments.

**SPECIFIC CATEGORIES OF EMPLOYEES SUBJECT TO TESTING**

These procedures apply to employees in safety sensitive positions. Safety sensitive positions are those jobs which require commercial drivers' licenses or when vehicles may only be operated by holders of commercial drivers' licenses, or when safety sensitive functions are performed, as defined in federal regulations.

**WHY AN EMPLOYEE WILL BE TESTED**

Employees will be tested for marijuana, cocaine, opiates, amphetamines, and phencyclidine. Tests will also be conducted for specific prohibited alcohol related conduct while performing in safety sensitive functions as required by federal regulations. Federal regulations presently prohibit the performance of safety sensitive functions while having an alcohol concentration of 0.04% (grams of alcohol per 100 ml of blood) or greater as indicated by an alcohol test, while using alcohol, or within four hours after using alcohol. The performance of driving functions is prohibited within 24 hours of a test showing alcohol concentrations between 0.02% and 0.04%.

**WHEN AN EMPLOYEE WILL BE TESTED**

Employees will be tested as follows:

1. **Pre-employment tests** will be conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time. Employees will also be tested when transferring from a non- safety sensitive position to a safety-sensitive position.
2. **Post-accident tests** will be conducted after accidents (as defined by federal regulation) on employees whose performance could have contributed to the accident.
3. **Reasonable suspicion tests** will be conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or prohibited drug use.
4. **Random tests** will be conducted on an unannounced basis just before, during or just after performance of safety sensitive functions.
5. **Return to duty and follow-up tests** will be conducted when an individual who has violated prohibited alcohol or drug conduct standards returns to performing safety sensitive duties. Follow-up tests will be unannounced and at least 6 tests will be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty.
6. **Over-the-counter medications.** Over-the-counter medications and other substances may result in a positive test result. A positive test result will subject an employee to the consequences of drug use as provided in the Consequences of Drug Use section of this policy.

## **REFUSAL TO TAKE TESTS**

Refusal to submit to testing as required by these procedures and policy D-4 will constitute a verified drug or alcohol test result. An employee who refuses a required test will be subject to the same sanctions as an employee who tests "positive" for drug or alcohol misuse.

## **REMOVAL FROM SAFETY SENSITIVE FUNCTIONS PRIOR TO TEST ADMINISTRATION OR RETURN OF TEST RESULTS**

The employee will be immediately removed from safety sensitive functions when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or prohibited drug use, or after the occurrence of an accident that requires a post-accident test.

## **CONSEQUENCES OF ALCOHOL MISUSE**

The employee who engages in prohibited alcohol conduct will, at a minimum, be immediately removed from safety sensitive functions. The employee who engaged in alcohol misuse will not be returned to safety sensitive duties until they have been evaluated by a substance abuse professional designated by the District and have complied with any treatment recommendations to assist them with an alcohol problem. In addition, an employee who engage in prohibited alcohol conduct may be subject to further disciplinary action up to and including dismissal.

## **CONSEQUENCES OF DRUG USE**

The employee who tests "positive" for drug use will, at a minimum, be immediately removed from safety sensitive duty when a District designated physician has interviewed the employee and determined that the positive drug test resulted from the unauthorized use of a controlled substance. If the positive test result is determined by the physician to be caused by the authorized use of a controlled substance, or over the counter medication, the employee will not be removed from the safety sensitive position unless the physician determines that the substance impairs the employee's ability to safely carry out the safety sensitive function. An employee will not be returned to safety sensitive duties until they have been evaluated by a substance abuse professional designated by the District or the designated physician has complied with rehabilitation recommendations, and has a negative result on a return to duty test. Follow-up testing will be conducted to monitor the returned employee's continued abstinence from drug use. In addition, employees who engage in the unauthorized use of controlled substances may be subject to disciplinary action up to and including dismissal.

## **EMPLOYEE EDUCATION PROGRAMS**

The Superintendent, or designee, will provide information and educational materials to employees in safety sensitive positions and to supervisors of employees in safety sensitive positions on the consequences of drug and alcohol abuse and treatment resources in accord with the requirements of the Testing Act. At a minimum, supervisors of safety sensitive positions will be required annually to attend at least one hour of training on the signs and symptoms of drug use and an additional hour on the signs and symptoms of alcohol abuse.

## **REHABILITATION AND TREATMENT PROGRAMS**

The District will not pay for the rehabilitation and treatment of any employee who has tested positive for drug or alcohol use, whether or not such rehabilitation and treatment is made a precondition of that employee's continued employment or return to a safety sensitive position.

## **COST OF TESTING**

The District will pay for tests required by the Testing Act or this policy.

## **DISSEMINATION OF POLICY PROCEDURES**

Each employee covered by this policy will be provided with written notice of the District's anti-drug and anti-alcohol policies and procedures.

## **DISTRICT SCHOOL BUS ACCIDENT PROCEDURES**

In the event of an accident involving a South Burlington school bus the following procedures must be adhered to:

1. The driver must contact the base/bus garage with information of location and situation.
2. In a calm manner, the driver should secure the bus and check riders for any injuries.
3. The driver must evaluate if evacuation of the bus is necessary by checking for immediate dangers. If riders need to be evacuated, they must be directed to a safe location and monitored.
4. Bus keys should be removed from the ignition, and insurance and registration cards located and secured.
5. The driver should set up emergency flares/triangles.
6. The driver should remain with the students and bus until the police/rescue release the bus. Should they be requested, drivers should accompany students to the hospital.
7. Any CDL employee or other employee driving a district vehicle who is involved in a collision/incident/accident shall be tested for the influence of controlled substances and alcohol when:
  - a. The accident involves the loss of human life, or
  - b. The driver covered under these procedures receives a citation under state or local law for a moving traffic violation arising from the accident, if the accident involved:
    - i. Bodily injury of any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or
    - ii. One or more vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle, or
    - iii. Involves accident-related circumstances that meet the "reasonable suspicion" criteria, or
    - iv. In the absence of criteria listed above, and by mutual agreement between the driver involved in the accident and the supervisor of the driver, a test is considered advisable.