

EMPLOYEE STANDARDS OF CONDUCT
SEARCHES AND ALCOHOL/DRUG TESTING

DHE
(REGULATION)

RANDOM DRUG AND
ALCOHOL TESTING
FOR SAFETY-
SENSITIVE POSITIONS

The purpose of this regulation is to describe the criteria for identifying employee functions that are considered safety-sensitive positions and describe the process for conducting random drug and alcohol tests for employees in those positions. The tests will be given as often as necessary, and the dates and times will be unannounced.

PRE-EMPLOYMENT
DRUG AND ALCOHOL
TESTS

Employees who are required to operate a District vehicle and hold a commercial driver's license will be required to submit to a drug and alcohol test as part of a conditional offer of employment. [See DHE(LEGAL) and (LOCAL)]

REASONABLE
SUSPICION DRUG AND
ALCOHOL TESTING
FOR SAFETY-
SENSITIVE POSITIONS

An employee identified for a reasonable suspicion drug and alcohol test will be immediately removed from duty. The immediate supervisor will consult with the Department of Human Resources, prior to removing an employee, based on reasonable suspicion, and they will determine the manner in which a urine or blood sample will be required. An employee may be required to transport himself to the designated test center if the reasonable suspicion is not based on observed behavior indicating the employee's mental or physical faculties are impaired. An employee may also be required to give a urine sample at the work site, to be taken by a representative from a designated testing center. The District may also provide transportation to the testing center. If employees are not transporting themselves to the testing center, they will be directed to remain in a designated area at the work site until a urine sample has been obtained by an appropriate testing professional, or the District can provide transportation to the testing center.

Upon arrival at the testing center, or if a sample is required at the work site, the employee will comply with all of the procedures and protocol of the provider obtaining the sample and/or conducting the screening. Refusal to submit to a reasonable suspicion drug or alcohol test will be grounds for disciplinary action, up to and including termination. Failure to remain in a designated area at the work site, or to proceed immediately and directly to the test site, or violation of any procedures or protocol of the provider obtaining the sample or conducting the test, will be deemed insubordination and a refusal to submit to the test. Such refusal will be a basis for disciplinary action, up to and including termination.

SAFETY-SENSITIVE
FUNCTIONS

The following positions are identified as safety-sensitive functions for purposes of random drug and alcohol tests, including, but not limited to:

1. Police officers, security officers, and employees performing police or security duties and responsibilities.

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2. Employees who operate District-owned, -leased or -rented motor vehicles.
3. Employees required to inspect, service, repair, maintain, operate or handle hazardous chemicals or equipment, or heavy equipment.

POST ACCIDENT
DRUG AND ALCOHOL
TESTING

An employee who is involved in a motor vehicle accident in a District-owned, -leased or -rented vehicle is required to submit to a drug and alcohol test, regardless of fault.

PROCEDURE FOR
RANDOM TESTS

The administration will designate the job categories and functions that are subject to random drug and alcohol testing. All employees in those categories and functions will be given advance notice that the District has adopted a random drug and alcohol-screening policy, specifically notifying them that they are subject to random selection for drug and alcohol screening. The process for determining which employees must submit to random drug and alcohol tests will guarantee that they are selected on a random basis. Employees in safety-sensitive functions who are identified for random drug and alcohol screening will be notified during business hours. The employees will proceed immediately and directly to the test site. Upon arrival at the test site, the employees will comply with all the procedures and protocol of the provider conducting the screening. Refusal to submit to a random drug or alcohol test will be grounds for disciplinary action, up to and including termination. Failure to proceed immediately and directly to the test site, or violation of any procedures or protocol of the provider conducting the test, will be deemed insubordination. Refusal to submit to testing will be a basis for disciplinary action, up to and including termination.

RESULTS OF RANDOM
AND REASONABLE
SUSPICION DRUG
TESTS

The drug-testing program will be administered by the appropriate administrator. Employees will be notified of any positive results from any pre-employment, random, reasonable suspicion or post-accident drug screening, and provided a copy of the results upon request. A split sample test may be conducted at the employee's request and expense. The respective administrator will be notified of any positive results. The Department of Human Resources will also be notified of any positive results and will be provided a copy of any results or other records. The department administrator will consult with the Department of Human Resources about appropriate sanctions. Any employee who tests positive for any amount of illegal substance or blood alcohol will be recommended for an employee disciplinary action, up to and including termination.

UNAUTHORIZED
DISCLOSURE

The results of any tests will not be disclosed to any persons, except as needed in the course of performing job-related duties.

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Unauthorized disclosure of any results will be cause for employee sanction, including termination.

EXCEPTIONS

Exceptions may be made to this regulation by the Superintendent of Schools or designee.

Approved:
Jose Espinoza, Ed. D. Superintendent
November 4, 2020

Board Committee Review:
January 11, 2021