

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

CONTROLLED SUBSTANCES AND ALCOHOL TESTING PROGRAM POSITION STATEMENT

The Sacramento City Unified School District is committed providing safe transportation of students and ensuring the safety and well being of its employees and the public. Employees who report to duty with drugs or alcohol on their persons or in their bodies endanger themselves, their fellow employees, students and the general public. Therefore, it is the position of the Sacramento City Unified School District to provide a drug and alcohol-free school and work environment.

In order to accomplish this goal, the District has adopted a strict drug and alcohol testing program in accordance with the Federal Omnibus transportation Employee testing Act of 1991 for employees who operate a commercial motor vehicle and are subject to the commercial driver's license requirements of Title 49 Part 383 of the

SAFETY-SENSITIVE FUNCTIONS

The term "safety-sensitive function" is used throughout the FHWA regulations and in this document. The FHWA defines a "safety-sensitive function" as any of those on-duty functions as listed below:

- All time at a carrier or shipper plant, terminal, facility or other property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
- All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations (FMCSRs) or otherwise inspecting, servicing or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle (except for time resting in the sleeper berth).
- All time loading or unloading a commercial motor 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.
- All time spent performing the driver requirements associated with an accident.
- All time repairing, obtaining assistance or remaining in attendance upon a disabled vehicle.

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EMPLOYEE RESPONSIBILITY

As a condition of employment, a covered employee must:

- Be able to perform his/her job duties without impairment due to the

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DISTRICT RESPONSIBILITY

The District:

- Shall ensure that covered employees receive a copy of the District's written

TYPES OF TESTING

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employee's conduct. The *Observed Behavior – Reasonable Suspicion Record* form shall be prepared within 24 hours of the observed behavior or before results of the test are released, whichever is earlier.

Return-To-

Duty Descripti

on

If covered employee has been removed from duty after engaging in prohibited conduct regarding drug use and/or alcohol misuse, that employee must submit to return-to-duty drug and/or alcohol testing before returning to performing safety-sensitive functions. An employee cannot return to duty unless the results of the drug test are verified as negative and/or results of the alcohol test indicate a breath alcohol concentration of less than 0.02.

Procedure

When a covered employee is required to submit to a return-to-duty test, the designated District representative will instruct the employee to submit to a drug and/or alcohol test.

Follow-

Up Descripti

on

If it is determined by the substance abuse professional that a covered employee is in need of assistance resolving problems associated with drug use and/or alcohol misuse, that employee will be subject to unannounced follow-up drug and/or alcohol testing as directed by the substance abuse professional (SAP). Employees will be subject to a minimum of six follow-up drug and/or alcohol tests in the first 12 months. Alcohol follow-up testing shall be performed only when the employee is performing safety-sensitive functions, or immediately prior to performing or immediately after performing safety-sensitive functions.

Procedure

The SAP will instruct the covered employee to submit to follow-up testing. Employees must inform their supervisor prior to testing so that

arrangements can be made for proper coverage. Upon completion of the test, the employees must provide verification of submitting to a follow-up test to the designated District representative.

- **Inability to Provide an Adequate Specimen**

Individuals will be allowed up to two hours to provide a sufficient sample and will be directed by the collection site person to drink fluids. **The Donor must remain at the collection facility. If the individual cannot provide a complete sample within the two hour period, the District's Medical Review Officer (MRO) shall refer the individual for a medical evaluation to determine if the individual's inability to provide a sample is genuine or constitutes a refusal.**

For pre-employment and random testing, an individual may be rescheduled for another collection attempt if the collection must be discontinued before the individual has provided a sufficient sample and before the expiration of two hours. If the individual is still unable to provide a specimen during a retest, the MRO shall refer the individual for a medical evaluation to determine if the individual's inability to provide a sample is genuine or constitutes a refusal.

- **Refusal to Submit to Drug Testing**

An individual who fails to provide adequate urine for drug testing without a valid medical explanation, fails to cooperate in the testing process, or adulterates, dilutes, or substitutes the specimens in any way, shall be deemed as refusing to submit to drug testing in violation of District policy and the regulations.

- **Laboratory Analysis**

The analysis of the specimens are performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS). The primary specimen is used for the initial analysis; the split specimen remains sealed. A screening test using immunoassay is performed on the primary specimen. If the primary specimen tests positive for one or more of the drugs, the laboratory will retest the same specimen by gas chromatography/mass spectrometry (GC/MS) analysis to confirm the positive result.

The laboratory reports only to the MRO. If the analysis of the primary specimen is confirmed positive, the individual has 72 hours to request the MRO to send the split specimen to another DHHS certified laboratory for analysis, at the individual's expense.

- **Medical Review Officer (MRO)**

The Medical Review Officer or MRO shall be a licensed physician with knowledge of substance abuse disorders. The MRO:

- Reviews all lab test results prior to transmitting information to the District,
- Protects the confidentiality of individuals,
- Is the sole custodian of individual test results, and
- Is responsible for the receipt, verification, notification and reporting of test results

- **Notification of Results**

All drug test results are reviewed and interpreted by the MRO before they are reported to the District. If the analysis of the primary specimen is confirmed positive, the individual has 72 hours to request the MRO to send the split specimen to another DHHS certified laboratory for analysis, at the individual's expense. If the laboratory reports a positive split

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specimen result, the MRO will contact the individual to determine if there is an alternative medical explanation for drugs found detected. If the individual provides appropriate documentation and the MRO determines that it is legitimate medical use of the prohibited drug, the drug test result is reported as negative. If the MRO concludes that no legitimate medical reason exists for a positive test, the MRO will verify the result as positive. The MRO will report the results as follows:

RESULT	PERSON(S) NOTIFIED
Negative	Appropriate Departmental Supervisor
Positive	Appropriate Departmental Supervisor Director, Classified Personnel
Pre-Employment	Appropriate Departmental Supervisor

- **Procedures to Protect Testing Integrity**

Every effort will be made to protect covered employees and the integrity of the testing process and testing results. The District and the contractor shall take the following precautions to ensure that the specimen's security, proper identification and integrity are not compromised.

- The collection site must afford privacy to individuals and must be secure at all times by preventing access to unauthorized persons.
- Collection site personnel must be trained to carry out the required collection procedures, or if they are licensed medical professionals or technicians, they must have instructions for conducting the required collection procedures.
- The collection site person shall ensure that individuals are positively identified through the presentation of photo identification or identification by a District representative.
- The following specific procedures must be followed during collection of the specimen:
 - ✓ The donor shall remove outer garments only.
 - ✓ The donor shall wash his/her hands prior to collection of specimen and shall not have access to any water sources until the specimen has been collected.
 - ✓ A bluing agent shall be added to toilet tank and bowl.
 - ✓ The collector shall remain outside the enclosure.

- ✓ The collector shall measure the specimen temperature within four minutes of urination.
- *A Drug Testing Custody and Control Form* must be completed by the collection site person and the donor at the time of collection and accompany all specimens to the laboratory.
- The collector and donor complete the collection process together, including sealing and labeling specimen bottles, initialing bottle labels or seals, and signing and dating the custody and control form.
- The specimen must be kept in sight of the donor and collection site person until sealed and ready for shipment. All drug testing results and records shall be maintained under strict confidentiality by the District, the drug testing laboratory and the MRO. Except as required by law, covered employee records shall not be released without the written consent of the employee authorizing release of the information to an identified person.

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- The District shall maintain records in a secure manner. Except as required by law, employee records shall not be released without the written consent of the employee authorizing release of the information to an identified person.

CONSEQUENCES OF POLICY VIOLATIONS

• Positive Drug Test

Any unauthorized use of controlled substances is prohibited. Illicit use of drugs by safety-sensitive employees is prohibited on or off duty. If the MRO has determined that a covered employee's positive drug test resulted from the unauthorized use of a controlled substance, the employee will be removed from safety-sensitive duty and he/she will be subject to disciplinary action, including dismissal.

Covered employee applicants offered safety-sensitive positions who test positive for drugs will not be eligible for employment in that position.

Covered employee applicants who are current District employees and are offered assignments in a safety-sensitive position will not be eligible for employment in that position if they test positive for drug use and may be subject to disciplinary action for employment.

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- **Alcohol Concentration 0.04 or Greater**

Covered employees who engage in prohibited alcohol conduct must be immediately removed from safety-

GLOSSARY

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

Alcohol Concentration (or content): The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

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 evidential breath testing device.

CDL: Commercial Driver's License

An individual who holds a valid CDL and is authorized to operate a commercial motor vehicle.

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WHERE CAN I GO FOR HELP?

Listed below are some resources of help and information.

- **Center for Substance Abuse Treatment National Information and Referral Line** provides referrals to drug and alcohol programs including referrals to programs for those who cannot pay for services. **1-800-662-HELP**
- **Cocaine Hotline** is an information and referral hotline that refers callers to drug rehabilitation and counseling services in its area. **1-800-884-2389**
- **National Clearinghouse for Alcohol and Drug Information** provides information on drug and alcohol. **1-800-SAY**

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