

**UNIFIED SCHOOL DISTRICT NO. 332  
CUNNINGHAM: WEST KINGMAN COUNTY**

**DRUG AND ALCOHOL TESTING POLICY**

Referenced throughout this document are drug and alcohol testing protocols which apply specifically to the activities of the Mental Health Consortium on behalf of the contracting organizations who participate in the Consortium's Drug Testing Pools. A copy of this protocol is available to augment the contents of this drug free workplace policy.

CUNNINGHAM USD #332  
DRUG AND ALCOHOL TESTING POLICY

Cunningham USD #332 recognizes that the use and abuse of drugs and alcohol in today's society is a very serious problem which has also found its way into the work place. Cunningham USD #332 also recognizes the significant threat that a drug-impaired employee working in the transportation industry can pose to the safety of the worker, co-workers and the general public. In order to address the safety threat presented by the problem of drug and alcohol abuse in the transportation industry, the Department of Transportation, and the Federal Highway Administration have established extensive regulations requiring drug and alcohol testing under certain circumstances. In light of the above, Cunningham USD #332 has adopted this Anti-Drug Plan to specify the circumstances under which testing and the methods and procedures for complying with the requirements of the regulations.

Additionally, Cunningham USD #332's drug and alcohol testing program is incorporated in an overall Anti-Drug Plan that is designed to create a drug-free transportation industry and provide help to those employees who may suffer from problems with substance abuse. The Plan has been developed in compliance with existing federal regulations in a manner which ensures accurate and reliable test results, and thereby contains procedures designed to recognize and respect the dignity and privacy of all of our employees. More importantly, we recognize that our employees are our most valuable resource and we want to assist any employee who feels that he or she may have a problem with substance abuse.

A separate policy defines the employee assistance program of Cunningham USD #332, which is also a part of the mandated requirements. Cunningham USD #332 has adopted the following anti-drug program, effective January 1, 1996.

**POLICY**

- I. The use, possession, sale or distribution of illegal drugs or drug paraphernalia, or the improper or abusive use of legal drugs, alcohol or other intoxicating substances while on school district property or other work locations and/or during work hours is strictly prohibited.
  - A. The above provision is applicable to all Cunningham USD #332 employees who perform covered work.
  - B. The school district will utilize all reasonable measures to maintain a drug free workplace for its employees, customers, and the general public.
  - C. Cooperation and compliance with the Cunningham USD #332's Drug and Alcohol Testing Policy (as with all other school district policies and procedures) is a condition of continued employment for all employees involved in safety sensitive positions.

- D. The Cunningham USD #332's Drug and Alcohol Testing Policy is in compliance with the Federal Drug Free Workplace Act of 1988; Federal Highway Administration (FHA) Part 382. All collection and testing procedures will specifically follow the regulations set forth in 49CFR Part 40 for drugs and alcohol.
  - E. For the purpose of assuring compliance with above, both employees and applicants for safety sensitive positions will be subject to drug screening.
- II. The Board of Education of Cunningham USD #332 has established the following factors in designating specific positions as safety sensitive.
- A. Drivers of commercial vehicles:
    - 1. with a gross vehicle weight rating of 26,001 pounds or more or combination vehicles (weighing at least 26,001 pounds) or
    - 2. designated to transport 16 or more passengers including the driver.
- III. Responsibilities.
- A. The Board of Education of Cunningham USD #332 is responsible for the implementation and conformance of Cunningham USD #332's drug and alcohol testing policy to 49CFR Parts 40, 382 (this includes any contractor personnel, including subcontractors and anyone employed by a subcontractor are subject to drug and alcohol testing if they perform a covered function); and for record keeping and confidentiality of the drug testing process. (This includes maintaining required records with respect to subcontractors.) In addition they are responsible for observing employee behavior and performance in relation to reasonable suspicion testing.
  - B. Failure to comply with this policy may lead to disciplinary action up to and including termination from employment.
  - C. Unless an employee's physician has advised the employee that the controlled substance they are taking does not adversely affect their ability to safely operate a commercial motor vehicle, an employee should not drive under the influence of a prescribed controlled substance. An employee must report the use of all prescribed controlled substances and provide Cunningham USD #332 with a written release from their physician which states it is safe to perform the safety sensitive function.

IV. A. Drug screening will be conducted for the following chemicals: Marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. A drug immunoassay screen will have the following thresholds for positive verification:

Marijuana Metabolite	50NG/ML
Cocaine Metabolite	300NG/ML
Opiates	300NG/ML
Phencyclidine	25NG/ML
Amphetamines/Methamphetamine	1000NG/ML

B. When the initial screen is positive (has exceeded the established screening threshold) a second confirmation test gas chromatography/mass spectrometry (GC/MS) will be completed. The thresholds for positive confirmation for GC/MS are as follows:

Marijuana Metabolite	15NG/ML
Cocaine Metabolite	150NG/ML
Opiates	300NG/ML
Phencyclidine	25NG/ML
Amphetamines/Methamphetamine	500NG/ML

C. Alcohol testing will be conducted by utilizing an evidential breath testing device (EBT) which meets the requirements established by the conforming products list published in the Federal Register. A reading of .04 or greater on the EBT will result in the necessity of a second test occurring within 20 minutes in order to make a determination of positive.

D. A second EBT test result of .04 or greater will result in the removal of the individual from the safety sensitive position.

E. An initial EBT reading of .02 to .0399 will result in a second EBT test within the time frame noted in IV c above. If the second test falls within the same range the individual will be removed from the safety sensitive position until the start of the next regularly scheduled duty period, but not less than 24 hours following the administration of the test.

V. A. Collection sites for drug screening specimen collection will be established by the Consortium contractor. (Specific information related to the Chain of Custody form, (Protocol #1) laboratory analysis procedures, (Protocol #8) specimen collection procedures (Protocol #4) and blind sampling (Protocol #7) are all contained in the Mental Health Consortium's Drug and Alcohol Testing Protocol Manual.) Drug testing of the specimen will be provided through an established and accredited laboratory that has completed certification to conduct drug testing by the U.S. Department of Health Services Administration (SAMHSA). In this instance, the laboratory of record is Clinical Reference Laboratory, 11850 W. 85th

St., Lenexa, KS. 66214 (Ph.# 913-492-3652). The local specimen collection site for Cunningham USD #332 is Cunningham Clinic, Cunningham, Kansas; however, other sites are available as access is necessary.

- B. Alcohol testing will be conducted by a certified Breath Alcohol Technician (BAT).
- C. Strict chain-of-custody practices will be adhered to regarding urine specimen collection, transportation to the laboratory, during laboratory analysis, MRO review and reporting to the school district.
- D. All urine specimens collected will be split-samples.
- E. Negative drug testing report results will be reported, to the Consortium, within 24 hours of specimen receipt at the laboratory. Positive drug testing results will be reported, to the Consortium, within 48 hours of receipt at the Laboratory (unless there is difficulty reaching the person being tested, by the MRO). All tests will be reported by the Consortium to the Superintendent of Cunningham USD #332. In no instance will the test go unreported longer than 5 days from the time the specimen is received from the laboratory by the Consortium.
- F. Reports for breath alcohol tests will be reported immediately to the safety sensitive employee (SEE) and the employer.

VI. Confidentiality will be applied to every aspect of the anti-drug program.

- A. After the MRO contacts the employee to discuss a positive confirmatory test result and a final decision is reached regarding the positive result, Superintendent of Cunningham USD #332 shall serve as the sole point of contact with the Cunningham USD #332's Employee Assistance and Drug/Alcohol Testing Program.
- B. All drug and alcohol testing information will receive the highest level of respect in relation to confidentiality. Information regarding an individual's testing results or rehabilitation may be released only upon the written consent of the individual, except that such information must be released regardless of consent to the Administrator or the representative of a state agency upon request as part of an accident investigation. Statistical data related to testing and rehabilitation that is not name-specific and training records must be made available to the Administrator or the representative of a state agency upon request.
- C.

