



**DRUG AND ALCOHOL USE BY BUS DRIVERS**

**Prohibited Conduct**

School bus drivers shall be subject to the prohibitions included in the District's drug-free workplace policy. In addition, bus drivers shall be subject to the following specific prohibitions regarding use or being under the influence of alcohol or drugs:

1. Drivers shall be prohibited from any alcohol misuse that could affect performance of a safety-sensitive function including use on the job, use during the four hours before driving, having prohibited concentrations of alcohol in their systems while driving, and use following an accident.
2. No driver shall report for duty or remain on duty requiring the performance of a safety sensitive function when he/she uses any controlled drug, except when the use is pursuant to the instruction of a physician who has advised the driver that the drug does not adversely affect his/her ability to safely operate a motor vehicle.

**Drug and Alcohol Testing**

In accordance with federal laws and regulations, the District shall be responsible for implementing a drug and alcohol testing program for school bus drivers. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and drugs by the bus drivers. The testing program shall be administered by the transportation supervisor.

- \* **Required Testing** – Bus drivers shall be subject to pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. These procedures use an evidential breath testing device for alcohol testing. For drug testing, urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services shall be required. An employee covered by the federal regulations may not refuse to take a required drug or alcohol test.

**Policy 523.12 Continued:**

\*Consequence If Testing Indicates Drug or Alcohol Misuse – If the testing confirms prohibited alcohol concentration levels or the presence of a controlled drug, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. Before a driver is reinstated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with the required rehabilitation and undergo a return-to-duty test with verified test results.

A driver who is prohibited from performing safety-sensitive functions may be assigned to non-safety-sensitive functions until such time as the driver complies with the requirements for returning to duty.

The Board retains the authority consistent with state and federal law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or controlled drugs affects the employee's qualifications for and performance of his/her job.

The District is not required under federal law requiring drug or alcohol testing to provide rehabilitation or pay for substance abuse treatment or to reinstate the employee.

\*Record Retention – The District shall maintain records in compliance with the federal regulations in a secure location with controlled access.

Legal Reference(s): 49 U.S.C. S2717 et seq., Omnibus Transportation Employee Testing Act of 1991  
49 C.F.R. Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs  
49 C.F.R. Part 382, Controlled Substance and Alcohol Use and Testing  
49 C.F.R. Part 391, Driver Qualifications  
C.R.S. 42-2-501 et seq., Commercial Driver's License Act  
Drug Free School and Communities Act Amendments of 1989  
Drug-Free Workplace Act of 1988

Cross Reference(s): Administrative Regulation, Drug and Alcohol Testing for Bus Drivers  
Policy Rule 523.12, Bus Driver Drug and Alcohol Testing Guidelines

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