

# LODI UNIFIED SCHOOL DISTRICT

Policy 4112.42  
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## Personnel

### Drug and Alcohol Testing for School Bus Drivers

The Board of Education desires to take all possible steps to ensure transportation safety for district students and staff. The Superintendent or designee shall establish a drug and alcohol testing program for all school bus drivers and any other employees who hold a commercial driver's license which is necessary to perform duties related to their employment with the district. This program shall be designed to fulfill the requirements of federal law and regulations.

The district's testing program shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers.

The Superintendent or designee shall contract for testing services and shall ensure that testing contractors and procedures are certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis and to conform to the requirements of federal law.

No driver may operate a district vehicle when his/her blood alcohol content is found to be .01 percent or greater. A driver shall not consume alcohol while on duty or for four hours prior to on-duty time and up to eight hours following an accident or until he/she undergoes a post-accident test, whichever occurs first. A driver shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses a controlled substance, unless so instructed by a physician.

Any driver who tests positive for alcohol or drugs or who refuses to submit to a test shall be removed from safety-sensitive functions and may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.

The Superintendent or designee shall ensure that each driver receives an explanation of the federal regulations and the district's policy and procedure in accordance with law. In addition, each driver shall sign a statement certifying that he/she has received a copy of the above materials. Representatives of employee organizations shall be notified of the availability of this information.

Legal References: Education Code  
35160 Authority of governing boards  
Vehicle Code  
34500-34520.5 Safety regulations  
Code of Regulations, Title 13  
1200-1293 Motor carrier safety, especially:  
1213.1 Placing driver out-of-service  
United States Code, Title 49  
31306 Alcohol and controlled substances testing  
41501-41507 Transportation Employee Testing Act  
Code of Regulations, Title 49  
40.1-40.413 Part 40, Procedures for transportation workplace  
drug and alcohol testing programs  
382.101-381.605 Controlled substance and alcohol use and  
testing; especially:  
382,205 On-duty use  
382.207 Pre-duty use  
382.209 Use following an accident  
395 Hours of Service of Drivers

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