

# NORTHERN LEHIGH SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: DRUG/ALCOHOL TESTING -  
COVERED DRIVERS

ADOPTED: January 5, 2009

REVISED: August 10, 2009

<p>1. Purpose</p> <p>2. Definition</p> <p>3. Authority Title 67 Sec. 71.3 49 CFR Sec. 382.205</p> <p>75 Pa. C.S.A. Sec. 3802</p>	<p style="text-align: center;">810.1. DRUG/ALCOHOL TESTING - COVERED DRIVERS</p> <p>The Board recognizes that the use and abuse of drugs and alcohol is a serious problem that may be present in the workplace. The Board also recognizes that a driver impaired by drugs or alcohol who operates school buses or vehicles or transports students poses significant risks to the safety of students and others.</p> <p>A <b>covered driver</b> shall include any district or contracted employee who drives, operates or is in the actual physical control or movement of a school bus, school vehicle, or a commercial vehicle owned, leased or operated by the school district. The term includes drivers and mechanics who operate such vehicles, including full-time, regularly employed individuals; leased drivers; and independent owner-operator contractors who are directly employed by or under lease to the district or who operate a bus owned or leased by the district.</p> <p>The Board prohibits a covered driver from consuming alcohol or a controlled substance while operating a school bus or school vehicle or otherwise on duty.</p> <p>The Board establishes that all contracted transportation providers shall provide a program of drug and alcohol testing for covered drivers. A statement ensuring such program shall be included in the contracted agreement.</p> <p>The Board prohibits a covered driver from reporting for duty, driving, operating or being in the actual physical control of the movement of a school bus or school vehicle under the following circumstances:</p> <ol style="list-style-type: none"> <li>1. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances.</li> </ol>
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810.1. DRUG/ALCOHOL TESTING - COVERED DRIVERS - Pg. 2

<p>Title 67 Sec. 71.3 49 CFR Sec. 382.207</p>	<p>2. After consuming alcohol or a controlled substance within the previous eight (8) hours.</p>
<p>75 Pa. C.S.A. Sec. 3802 49 CFR Sec. 382.201</p>	<p>3. While having an alcohol concentration of 0.04 or greater OR after imbibing a sufficient amount of alcohol such that the individual's alcohol concentration is 0.02 or greater within two (2) hours after operating or being in actual physical control of a school bus or school vehicle.</p>
<p>75 Pa. C.S.A. Sec. 3802</p>	<p>4. After imbibing a sufficient amount of alcohol such that the individual is rendered incapable of safely driving, operating or being in actual physical control of the movement of the vehicle.</p> <p>5. While using any drugs or testing positive for hemp. An exception shall be made for an employee who submits a physician's written statement that the prescribed substance will not adversely affect the employee's ability to safely operate a school bus or school vehicle.</p>
<p>4. Guidelines</p>	<p>Staff shall be required to undergo testing for drugs and alcohol, as required by law.</p> <p>Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action for a covered driver who violates Board policy or administrative regulations. Nothing in this policy shall limit the Board's authority to impose discipline, including discharge.</p>
<p>5. Delegation of Responsibility</p>	<p>The Superintendent or designee shall implement this policy and the requirements of law.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 510</p> <p>Department of Transportation Regulations – 67 PA Code Sec. 71.3</p> <p>Driving Under the Influence – 75 Pa. C.S.A. Sec. 3802</p> <p>Controlled Substance and Alcohol Testing, Title 49, Code of Federal Regulations – 49 CFR Part 382</p>