



## CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

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### Board Policy Statement

#### 4212.42 - Drug and Alcohol Testing for Bus Drivers

Approved on December 5, 2016

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In a continuing effort to prevent accidents and injuries resulting from the use of drugs and misuse of alcohol by drivers of commercial motor vehicles, the District shall establish a drug and alcohol misuse prevention program.

The District's program shall meet the requirements of the Omnibus Transportation Employee Testing Act of 1991 and C.G.S. 14-276a.

The Superintendent will develop administrative regulations as needed to implement the District's program including provisions for pre-employment, reasonable suspicion, random, post-accident, return-to-duty and follow-up testing as may be necessary. The regulations will also include training, education and other assistance to employees to promote a drug and alcohol-free environment.

Contracts for transportation approved by this District shall contain assurance that the contractor will establish a drug and alcohol-testing program that meets the requirements of federal regulations, state statutes and this policy and will actively enforce the regulations of this policy as well as federal and state requirements.

This policy applies to all drivers and applicants for driver positions for the District who must have a Commercial Driver's License (CDL) to operate school vehicles.

#### Legal References/Citations

United States Code, Title 49

2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)

Code of Federal Regulations, Title 49

40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs

382 Controlled Substance and Alcohol Use and Testing

395 Hours of Service Drivers

*Holiday v. City of Modesto* (1991) 229 Cal. App. 3d. 528, 540.

*International Brotherhood of Teamsters v. Department of Transportation*

932 F. 2d 1292 (1991)

*American Trucking Association, Inc. v. Federal Highway Administration*, (1995) WL 136022 (4th circuit)

14-261b Drug and alcohol testing of drivers of certain vehicles, mechanics and forklift operators

14-276a Regulations re school bus operators and operators of student transportation vehicles; qualifications; training.

Pre-employment drug test required for operators