

**All Personnel**

BP 4112.41(a)  
4212.41  
4312.41

**EMPLOYEE DRUG TESTING**

The Board of Trustees maintains a drug and alcohol-free workplace. In accordance with law, all employees shall render service without using, possessing, being impaired by or being under the influence of alcohol or drugs.

*(cf. 4020 - Drug and Alcohol-Free Workplace)*  
*(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)*

**Pre-Employment Drug/Alcohol Testing for Safety-Sensitive Positions**

Because students and staff have the right to a safe and secure campus where they are free from physical and psychological harm, the Board authorizes the testing of prospective employees in safety-sensitive positions for drug and alcohol use. The following positions are safety-sensitive and are subject to the district's program:

<u>Position</u>	<u>Safety-Sensitive Duties</u>
Bus Driver	Driving Students on the school bus

Once a conditional offer of employment has been made, prospective employees in these identified positions shall undergo a pre-employment drug and alcohol screening for any substance which could impair their ability to safely and effectively perform their job functions. This screening shall be part of the employee's pre-employment physical examination.

Final Selection of a job applicant for a position shall not be made until the applicant has successfully completed the screening.

All testing and medical examinations shall be conducted in accordance with state and federal law, and in accordance with Board policy and administrative regulation.

*(cf. 4112.4 /4212.4/4312.4 - Health Examinations)*  
*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*Legal Reference:*

- EDUCATION CODE
- 44839 Medical certificate; periodic medical examination
- 45122 Physical examinations
- GOVERNMENT CODE
- 8350-8357 Drug-free workplace
- 12940 Unlawful employment practices
- CODE OF REGULATIONS, TITLE 5
- 5504 Medical certification procedures
- UNITED STATES CODE, TITLE 20
- 7101-7143 Safe and Drug-Free Schools and Communities Act
- COURT DECISIONS
- Loder v. City of Glendale, (1997) 14 Cal. 4th 846
- Vernonia School District 47J v. Acton, (1995) 115 S.Ct. 2386

BP 4112.41(b)  
4212.41  
4312.41

**EMPLOYEE DRUG TESTING** (continued)

*Legal Reference: (continued)*

*International Brotherhood of Teamsters v. Department of Transportation*, (1991) 932 F.2d 1292

*Skinner v. Railway Labor Executives' Assn.*, (1989) 489 U.S. 602

*National Treasury Employees Union v. Von Raab*, (1989) 109 S.Ct. 1384

PUBLIC LAW 107-110

*4001-4304 Safe and Drug-free Schools and Communities Act*