

WORKPLACE DRUG AND ALCOHOL TESTING POLICY

Western Heights ISD recognizes that the use and abuse of drugs and alcohol in today's society is a very serious problem which has also found its way into the work place. Western Heights also recognizes the significant threat that a drug-impaired employee working in the transportation industry can pose to the safety of the worker, co-workers and the general public. In order to address the safety threat presented by the problem of drug and alcohol abuse in the transportation industry, the Department of Transportation and the Federal Highway Administration have established extensive regulations requiring drug and alcohol testing under certain circumstances. In light of the above, Western Heights has adopted this Anti-Drug Plan to specify the circumstances under which drug and alcohol testing may be required, the procedures for conducting such testing and the methods and procedures for complying with the requirements of the regulations.

Additionally, Western Heights drug and alcohol testing program is incorporated in an overall Anti-Drug Plan that is designed to create a drug-free transportation industry and provide help to those employees who may suffer from problems with substance abuse. The plan has been developed in compliance with existing federal regulations in a manner which ensures accurate and reliable test results, and thereby contains procedures designed to recognize and respect the dignity and privacy of all of our employees. More importantly, we recognize that our employees are our most valuable resource and we want to assist any employee who feels that he or she may have a problem with substance abuse.

A separate policy defines the employee assistance program of Western Heights, which is also a part of the mandated requirements. Western Heights has adopted the following anti-drug program, effective January 1, 1996.

I. POLICY

The use, possession, sale or distribution of illegal drugs or drug paraphernalia, or the improper or abusive use of legal drugs, alcohol or other intoxicating substances while on school district property or other work locations and/or during work hours is strictly prohibited.

- A. The above provision is applicable to all Western Heights employees who perform covered work.
- B. The school district will utilize all reasonable measures to maintain a drug free workplace for its employees, customers, and the general public.
- C. Cooperation and compliance with the Western Heights Drug and Alcohol Testing Policy (as with all other school district policies and procedures) is a condition of continued employment for all employees involved in safety sensitive positions.
- D. The Western Heights Drug and Alcohol Testing Policy is in compliance with the Federal Drug Free Workplace Act of 1988; Federal Highway Administration (FHA) Part 382. All collection and testing procedures will specifically follow the regulations set forth in 49CFR Part 40 for drugs and alcohol.
- E. For the purpose of assuring compliance with the above, both employees and applicants for safety sensitive positions will be subject to drug screening.

- F. The Board of Education for Western Heights under its own authority will test security, food service, maintenance, custodians, groundskeepers, bus monitors, and drivers of school vehicles for pre-employment, reasonable suspicion, and post-accident.

II. SAFETY SENSITIVE

The Board of Education of Western Heights has established the following factors in designating specific positions as safety sensitive.

- A. Drivers of commercial vehicles:
 1. with a gross vehicle weight rating of 26,001 pounds or more or combination vehicles (weighing at least 26,001 pounds) or
 2. designated to transport 16 or more passengers including the driver, or
 3. transporting hazardous materials in amounts requiring placarding.

III. RESPONSIBILITIES

- A. The Board of Education of Western Heights is responsible for the implementation and conformance of Western Heights drug and alcohol testing policy to 49CFR Parts 40, 382 (this includes any contractor personnel, including subcontractors and anyone employed by a subcontractor are subject to drug and alcohol testing if they perform a covered function); and for recordkeeping and confidentiality of the drug testing process. (This includes maintaining required records with respect to subcontractors). In addition they are responsible for observing employee behavior and performance in relation to reasonable cause testing.
- B. Failure to comply with this policy may lead to disciplinary action up to and including termination from employment.
- C. Unless an employee's physician has advised the employee that the controlled substance they are taking does not adversely affect their ability to safely operate a commercial motor vehicle, an employee should not drive under the influence of prescribed controlled substance.

IV. DRUG AND ALCOHOL TESTING

- A. Drug screening will be conducted for the following chemicals: Marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. A drug immunoassay screen will have the following thresholds for positive verification:

Marijuana Metabolite	50NG/ML
Cocaine Metabolite	300NG/ML
Opiates	300NG/ML
Phencyclidine	25NG/ML
Amphetamines/Methamphetamine	1000NG/ML

- B. When the initial screen is positive (has exceeded the established screening threshold) the Medical Review Officer (MRO) will review the results. If the MRO still believes there is a positive, then a second confirmation test gas chromatography/mass spectrometry (GC/MS) will be completed. The thresholds for positive confirmation for GC/MS are as follows:

Marijuana Metabolite	15NG/ML
Cocaine Metabolite	150NG/ML
Opiates	300NG/ML
Phencyclidine	25NG/ML
Amphetamine/Methamphetamine	500NG/ML

- C. Alcohol testing will be conducted by utilizing an evidential breath testing device (EBT) which meets the requirements established by the conforming products list published in the Federal Register. A reading of .04 or greater on the EBT will result in the necessity of a second test occurring within 20 minutes in order to make a determination of positive.
- D. A second EBT test result of .04 or greater will result in the removal of the individual from the safety sensitive position.
- E. An initial EBT reading of .02 to .0399 will result in a second EBT test within the time frame noted in IV C above. If the second test falls within the same range the individual will be removed from the safety sensitive position until the start of the next regularly scheduled duty period, but not less than 24 hours following the administration of the test.

V. COLLECTION SITES

- A. Collection sites for drug screening specimen collection will be established by B & T Precision Testing. (Specific information related to the Chain of Custody form, (Protocol #1) laboratory analysis procedures, (Protocol #8) specimen collection procedures (Protocol #4) and blind sampling (Protocol #7) are all contained in B & T Precision Testing's Protocol Manual. Drug testing of the specimen will be provided through an established and accredited laboratory that has completed certification to conduct drug testing by the U.S. Department of Health and Human Services (DHHS) and Commission on Office Laboratory Accreditation (COLA); Clinical Laboratory Improvement Amendment (CLIA). All random tests for Western Heights will be collected at Western Heights. The local specimen collection site for Western Heights, for only the pre-employment, reasonable suspicion, or post-accident collections, is Spectra-Lab, Inc, 909 S. Meridian, Suite 427, Oklahoma City, OK 73108, (405) 942-3920; however, other sites are available as access is necessary.
- B. Alcohol testing will be conducted by a certified Breath Alcohol Technician (BAT).
- C. Strict chain-of-custody practices will be adhered to regarding urine specimen collection, transportation to the laboratory, during laboratory analysis, MRO review and reporting to the school district.
- D. An applicant or employee will be required to sign the necessary drug/alcohol screening consent forms established by the company or authorized by the

forms will be considered the equivalent of receiving a confirmed "positive" result for employment.

- E. All urine specimens collected will be split-samples.
- F. An applicant or employee shall be informed of the drug/alcohol screening specimen collection location and time. The applicant or employee shall be responsible for reporting to the collection site, at the scheduled time, with a photo ID, and comply with the directions of the specimen collector.
 - 1. An employee in a designated safety sensitive position who is requested to submit to a drug specimen collection shall be given time off with pay for that purpose.
 - 2. Failure by an applicant or employee to report to the collection site at the scheduled time will be considered refusal to submit to a drug/alcohol screen as a condition of employment or continued employment, and will be considered the equivalent of receiving a confirmed "positive" result. The applicant or employee shall not be utilized in a safety sensitive capacity until cleared by the MRO or SAP.
- G. Negative drug testing report results will be reported, to B & T Precision Testing, within 24 hours of specimen receipt at the laboratory. Positive drug testing results will be reported to B & T Precision Testing within 48 hours of receipt at the Laboratory (unless there is difficulty reaching the person being tested, by the MRO). All tests will be reported by B & T Precision Testing to the Superintendent of Western Heights. In no instance will the test go unreported longer than 5 days - if employee is contacted; 14 days - if employee cannot be contacted by B & T or Western Heights Public Schools, from the time the specimen is received from the laboratory by B & T Precision Testing.
- H. Reports of breath alcohol tests will be reported immediately to the safety sensitive employee (SSE) and the employer.

VI. CONFIDENTIALITY

Confidentiality will be applied to every aspect of the anti-drug program.

- A. After the MRO contacts the employee to discuss a positive confirmatory test result and a final decision is reached regarding the positive result, Superintendent of Western Heights shall serve as the sole point of contact with the Western Height's Employee Assistance and Drug/Alcohol Testing Program.
- B. All drug and alcohol testing information will receive the highest level of respect in relation to confidentiality. Information regarding an individual's testing results or rehabilitation may be released only upon the written consent of the individual, except that such information must be released regardless of consent to the Administrator or the representative of a state agency upon request as part of an accident investigation. Statistical data related to testing and rehabilitation that is not name-specific and training records must be made available to the Administrator or the representative of a state agency upon request.

- C. All records relating to drug and alcohol testing will be kept in a separate, locked file from other employee records.

VII. NOTIFICATION OF TESTING

- A. Notification of the school district's drug and alcohol testing requirement shall be included in announcements or advertisements seeking applicants for all designated safety sensitive positions. (see Exhibit D)
- B. An applicant or employee required to submit to a drug/alcohol screen will be advised of the following:
 - 1. methods of drug/alcohol screening which will be used;
 - 2. substances which may be identified;
 - 3. consequences of a refusal to submit to a drug screening test or of a confirmed positive result, and;
 - 4. reasonable efforts to maintain the confidentiality of results and any medical information which may be provided.

VIII. TRAINING

Employees who supervise employees or who have responsibility to administer the school district's drug and alcohol screening policies and procedures shall receive two additional hours of training, by the Director of Personnel of Western Heights Public Schools on behavior, physical symptoms and performance indicators of probable drug and alcohol use.

- A. All subordinate-level employees will receive appropriate instruction regarding the Western Heights Drug and Alcohol Testing Policy and Employee Assistance Program (See Exhibit "C"). This shall amount to two hours of training on mandated requirements; the effects of alcohol and drugs; the process of testing; and the ramifications of a positive test.

IX. TESTING CONDITIONS

- A. Pre-Employment, Pre-Transfer: Any individual offered employment and/or re-assigned to the following positions; safety sensitive position, security, food service, maintenance, custodian, groundskeeper, bus monitor, or driver of school vehicle; shall be required to take and pass a drug and alcohol screening test as a condition of employment or continued employment. (See Exhibit "D") (An exemption to this policy would be if the applicant/employee is participating in an appropriate DOT drug and alcohol testing program of another organization; has been involved in such a testing program within the previous 30 days; has been tested in the past 6 months or participating in the drug/alcohol testing program for the last 12 months. Written verification of drug and alcohol testing participation should be obtained for school district files). Exhibit "E" addresses information which must be provided. (Protocol #9)

1. An applicant who receives a confirmed positive drug screen result or the equivalent shall have the offer of employment withdrawn and shall be object to disqualification from application for company employment for a period of 2 years from the effective date of the disqualifying action.
- B. Reasonable Suspicion: Any employee in the following positions; any safety sensitive, security, food service, maintenance, custodian, groundskeeper, bus monitor, or drivers of school vehicles; may be required to submit to a drug screening test by Superintendent of Western Heights, based upon reasonable cause of drug use by the employee as reported by the employee's supervisor. All supervisory employees are required to notify Superintendent of Western Heights when reasonable suspicion is presumed. (Refer to Protocol #3)
1. Reasonable suspicion involves a judgement made regarding the employee's behavior, appearance, speech or body odor, or evidence found or reported and may be based on, among other circumstances, one of the following:
 - a. Direct observation of specific contemporaneous, articulable behaviors exhibited by the employee which may impair the employee's ability to perform his/her job or which may pose a threat to safety or health.
 - b. Physical on-the-job observation of drug and/or alcohol use by the employee.
 - c. Documented deterioration in the employee's job performance that is likely to be attributed to drug or alcohol use by the employee.
 - d. An on-the-job incident or occurrence where there is evidence to indicate the incident or occurrence was in whole or in part the result of the employee's actions or inactions and/or the employee exhibited behavior indicating illegal drug or alcohol use.
 2. Supervisors have the right to ask a current employee in a designated safety sensitive position to submit to a drug/alcohol screening test under the circumstances of reasonable cause as a condition of employment in accordance with items VII and VIII of this policy. Refusal may be grounds for termination. In no instance of refusal for testing shall an individual be allowed to perform a safety sensitive function.
 3. Any employee requested to provide a drug specimen under the auspices of reasonable suspicion will be transported to the collection site. All time away from work will be eligible for regular pay.
 4. Under no circumstances will a SSE be allowed to perform a safety sensitive function if they have consumed alcohol with four hours of reporting for duty.
 5. If an alcohol test is not administered within 2 hours of this determination, a record should be prepared stating the reasons for not administering the test. Attempts to test should cease at 8 hours and the individual should be removed from the safety sensitive function until they test less than .02

or 24 hours has passed. A written record should be made of the observations.

C. Random testing (Refer to Protocol #2)

1. At least 50% of the average number of safety sensitive positions will be tested on a random basis annually under the drug testing requirements.
2. Under the alcohol testing requirements at least 25% of the number of safety sensitive positions shall be tested on an annual basis.
3. Random selection will be made through a computerized program provided by the B & T Precision Testing.
 - a. By the 15th of each month Western Heights will make available to B & T Precision Testing the names and SSN's of all employees to be covered in the random program for the next month.
 - b. The list of persons to be tested for the next month will be created through B & T Precision Testing computerized random number program.
 - c. The name of the person identified to be tested will be relayed to the contact person of the employer by the afternoon prior to the test date. The Employee will be notified on the morning of the test to report to the collection site not more than 30 minutes plus travel time, prior to the scheduled test time in the case of a drug collection. In the case of an alcohol test, the individual shall be tested within 15 minutes prior, during or 15 minutes after performing a safety sensitive function.

D. Post Accident:

1. The following parameters will require drug testing for each employee performing a safety sensitive function, or security, food service, maintenance, custodian, groundskeepers, bus monitors, or drivers of school vehicles, and whose performance either contributes to the accident, or cannot be completely discounted as a contributing factor to the accident as soon as possible and not later than 32 hours after an accident. Following are the times when drug testing must occur:
 - a. If the accident involved the loss of human life.
 - b. If the driver received a citation under State or local law for a moving violation arising from the accident.
 - c. Any accident involving the listed employees and falls under the categories of either(a) or (b) will be reported to B & T Precision Testing who will determine whether or not a drug or alcohol test will be performed.
 - d. Any accident which results in injury to a person requiring medical attention.

2. No driver required to take a post accident test shall use alcohol for 8 hours following an accident or until a breath alcohol test occurs.
 3. The SSE who is subject to post accident testing, shall remain readily available for testing. Necessary medical attention may be secured. Failure to remain available can be interpreted as a positive test result.
 4. Results of a breath test for the use of alcohol or a urine test for the use of controlled substances, conducted by Federal, State or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to applicable Federal, State or local requirements, and that the results are obtained by the employer.
 5. Following an accident all reasonable steps to obtain a urine sample for an employee should be implemented after treating the injury first.
 - a. In the case of a conscious but hospitalized employee, the coordinator of Drug/Alcohol Testing at Western Heights should notify the hospital or medical facility of the need for a sample and, if necessary, refer to the DOT drug testing requirements (Title 49 CFR Part 40).
 - b. If an employee is injured or unconscious and unable to consent to the drug test, the medical facility should collect the sample, retain it until the employee is able to consent. If the employee gives his consent, the sample should be sent to the laboratory for testing. If the employee refuses to be tested, the sample should be discarded and the incident will be treated as a refusal to test. The treating physician should determine if the employee is able to understand a request to provide a sample.
 - c. If an employee is conscious, able to understand a request for a sample, and able to urinate normally (in the opinion of a medical professional) and refuses to be tested, that employee's refusal to submit to a drug test will be considered equivalent to receiving a confirmed "positive" test result.
 6. A breath alcohol test should also be administered in these same circumstances. An EBT test can occur up to 8 hours after the accident/incident and should be obtained as early as possible preferably within 2 hours of the accident.
 7. Failure to obtain a breath alcohol test within 2 hours and a drug test within 32 hours will result in the employer preparing and maintaining on file a record stating the reasons for not promptly administering a test. Records will be submitted upon request to the Department of Transportation.
- E. Any employee testing positive under the category of random selection, reasonable suspicion, post-accident will be immediately removed from performing safety sensitive work and not allowed to return to the safety sensitive position.

- F. An employee who is a designated safety sensitive position who is removed from the work site pending the results of a drug screening test because the employee is deemed by their immediate supervisor and Superintendent of Western Heights to pose a threat to safety or health shall be eligible for available sick or vacation pay.

X. MEDICAL REVIEW OFFICER (MRO) (Reference Protocol #6)

- A. The Medical Review Officer is an agent of B & T Precision Testing. The qualifications and functions of the MRO are contained in B & T Precision Testing Protocol on MRO Responsibilities and Qualifications, which is available upon request from B & T Precision Testing.
- B. All drug test results, whether positive or negative, will be reviewed by the MRO of B & T Precision Testing, in accordance with 49CFR Part 40.33. In this instance, the MRO will be Dr. William Mitchell located at 909 S. Meridian; Suite 450; Oklahoma City, OK 73108; 405-942-3920.
- C. In the event of a presumptive positive the MRO will contact the person who's specimen it was to determine what medications and or reason the test was returned positive. The MRO, based on his review of the information will make the final determination of confirmed positive or negative. It is only after the MRO review that Western Heights will be notified of the outcome of the test.

XI. CONSEQUENCES OF A POSITIVE TEST

- A. An employee who receives a confirmed positive drug screen or alcohol result or the equivalent shall be suspended without pay pending due process termination hearing if appropriate.
- B. An employee who refuses to submit to a drug screen or alcohol test will be considered to have tested positive and will be suspended without pay pending due process termination hearing if appropriate.
- C. Western Heights will in no way be responsible for charges arising from any referral services. Employee shall be responsible for any amount not paid for by insurance. Employees should consult their insurance policy for extend of nervous, mental and substance abuse coverage.

XII. TAMPERING

Any applicant for a school district position who intentionally tampers with a sample provided for drug screening, violates the chain-of-custody or identification procedures or falsifies test results shall have the conditional offer of employment withdrawn. Such actions will be grounds for disqualification for all positions in school district service. Any current employee who intentionally tampers with a sample provided for drug screening, violates chain-of-custody or identification procedures or falsifies a test result shall be subject to dismissal.

XIII. DRUG TESTING APPEALS

- A. If an employee or applicant challenges the validity or accuracy of the confirmed positive result, they may appeal in writing to the MRO within 72 hours of the employee/applicant having been notified of the positive result. All positive urine

samples will be kept at the laboratory for a period of one year, and at the employees request may be kept longer. The MRO and Drug Screening Coordinator should be notified of the appeal request so that arrangements for a second analysis process can be initiated on the split sample.

- B. The employee will be responsible for any associated retest costs in advance.
- C. Requirements for retention of samples and retesting are specifically spelled out in B & T Precision Testing Protocol for Drug Testing.
- D. The MRO will have discretion to authorize a retest by the original or a different laboratory on the split specimen, if it is determined that the technical standards established for test methods or chain-of-custody procedures were violated in deriving a confirmed positive result or has other appropriate cause to warrant a retest.

XIV. RECORD KEEPING

- A. Records relating to drug/alcohol testing will be maintained as confidential, available only on a strict "need to know" basis. Records will not be kept in an employee's personnel file. Information regarding an individual's drug and alcohol testing results or rehabilitation may be released only upon written consent of the individual EXCEPT:
 - 1. such information must be released regardless of consent to a government agency as part of an accident investigation:
 - 2. such information may be disclosed regardless of consent in a lawsuit, grievance or other proceeding initiated by or on behalf of the individual and arising from verified positive drug/alcohol test.
- B. Records will be maintained according to mandated requirement B & T Precision Testing Protocol #10 identifies the most current requirements.

XV. POLICY CHANGES

Any changes made by Western Heights to this policy will be conformance with stated regulations.

EXHIBITS

(EXHIBIT B)

SAFETY SENSITIVE POSITIONS
WESTERN HEIGHTS

SAFETY SENSITIVE - The Board of Education of Western Heights has established the following factors in designating specific positions as safety sensitive. The number of safety sensitive positions may increase further as criteria are established by the Board of Education of Western Heights.

1. Drivers of commercial vehicles:
 - a. with a gross vehicle weight rating of 26,001 pounds or more or combination vehicles (weighing at least 26,001 pounds) or
 - b. designated to transport 16 or more passengers including the driver, or
 - c. transporting hazardous materials in amounts requiring placarding.

Additional safety sensitive positions may be identified as further criteria are established or new mandates are implemented. Any employee who occupies added safety sensitive positions would be notified in writing of the change.

(EXHIBIT C)

WESTERN HEIGHTS
(EMPLOYEE)

AFFIRMATION OF
DRUG AND ALCOHOL TESTING POLICY

As an employee in a safety sensitive position, I affirm that I have received, read and understand the Western Heights Drug and Alcohol Testing Policy, I am aware that I may be required to undergo a drug and/or alcohol screen based upon reasonable suspicion; that I will be informed prior to the drug/alcohol screen; and, that I may be referred to an education and treatment program depending on the results of the drug/alcohol screen. I agree to abide by all provisions of the anti-drug policy as a condition of my continued employment with the school district.

EMPLOYEE NAME (PLEASE PRINT)

EMPLOYEE SIGNATURE

DATE

WESTERN HEIGHTS
REPRESENTATIVE

DATE

(EXHIBIT E)

WESTERN HEIGHTS
RELEASE OF INFORMATION

I hereby authorize _____ to release information related to my participation in the alcohol _____ and/or drug testing _____ program of said organization to _____.

Signature of Applicant

It has been brought to our attention that _____ has participated in the alcohol testing _____ and/or drug testing _____ program. Under the auspices of 49 CFR 382, et.al., Subpart C 382.301 (b) and C we are requesting the following information in order to establish our need to require this applicant to take an alcohol and/or drug test prior to employment.

Name and address(es) of the program(s)

DRUG TESTING PROGRAM

ACLCOHOL TESTING PROGRAM

The driver did/did not participate in the alcohol testing program.

The driver did/did not participate in the drug testing program.

The alcohol program conforms to the testing requirements of 49CFR part 40.
Yes _____ No _____.

The drug testing program conforms to the testing requirements of 49CFR Part 40.
Yes _____ No _____.

The driver is qualified under these rules and has not refused to be tested for alcohol or controlled substances.
Yes _____ No _____.

Date the driver was last tested for controlled substances: _____.

Date the driver was last tested for alcohol: _____.

Please attach a copy of the results of any test taken within the previous six months and any violations of the prohibitions related to alcohol and controlled substance usage. (Total number of results attached _____. Total number of violations attached _____.)

Signature of Responsible Party

(EXHIBIT F)

WESTERN HEIGHTS
Reasonable Suspicion Report Form

Employee's Name: _____
 Department: _____ Social Security Number _____
 Date Behavior Observed: _____ (Month/Day/Year)
 Time Observed: From _ am/pm to _____ am/pm

Location where employee was observed: _____

Behavior Observed: (Check all items which apply)

Speech: _____ Normal _____ Incoherent
 _____ Confused _____ Slurred
 _____ Whispering _____ Silent
 _____ Loud _____ Rapid
 _____ Cursing

Balance: _____ Normal _____ Staggering
 _____ Swaying _____ Falling

Eyes: _____ Normal _____ Reddened (bloodshot)
 _____ Pupils Dilated _____ Pupils Constricted

Walking and Turning: _____ Normal _____ Stumbling

Arms raised for Balance _____ Reaching for Support _____

Lack of Coordination _____

Awareness: _____ Normal _____ Confused
 _____ Sleepy _____ Paranoid

Comments of employee (please quote remarks, admissions, etc.) which are pertinent; such as swearing, cursing.

Other observed actions or behavior (i.e., odors, vomiting, coughing, gagging, crying, etc.):

 Supervisor Date

This report must be prepared every time an employee is suspected of drug or alcohol use by actions, appearance, or conduct while on duty. This form must be completed within 24 hours or before test results are released.

DEFINITIONS
FOR
WESTERN HEIGHTS
DRUG AND ALCOHOL TESTING POLICY

DEFINITIONS
WESTERN HEIGHTS
DRUG AND ALCOHOL TESTING POLICY

ACCIDENT - An incident reportable under 49CFR Part 382, and 391.

AIR BLANK - A reading by an EBT of ambient air containing no alcohol. (In EBT's using gas chromatography technology, a reading of the device's internal standard).

ALCOHOL - The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

ALCOHOL CONCENTRATION - Means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

ALCOHOL USE - The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

APPLICANT - An individual offered employment in, or being promoted or transferred to a safety sensitive position.

AUTHORIZED SUBSTANCES - Include only (1) lawful over-the-counter drugs (excluding alcohol) in amounts as specifically directed by the manufacturer.

BREATH ALCOHOL TECHNICIAN (BAT) - An individual who instructs and assists individuals in the alcohol testing process and operates at EBT.

COLLECTION SITE AGENCY - A facility designated by B & T Precision Testing as the collection site for drug screening samples (urine) and breath alcohol testing. For purposes of this policy, the collection site is not the testing laboratory.

WESTERN HEIGHTS ISD PROPERTY - All areas in which Western Heights operates including actual premises, parking lots, owned or leased equipment, lockers, desks, work areas and buildings, storage facilities, etc.

DRUG - Any chemical substance that, when consumed, tends to produce a physical, mental, or emotional change.

DRUG SCREENING - Procedure to eliminate negative urine specimens from further considerations.

DRUG TESTING - An analytical procedure which identifies the presence of a specific drug or metabolite and which uses a different chemical principle from that of the initial test to insure reliability and accuracy. At this time gas chromatography/mass spectrometry (GC/MS) is the accepted standard confirmation method for cocaine, marijuana, opiates, amphetamines and phencyclidine.

EVIDENTIAL BREATH TESTING DEVICE (EBT) - An EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices"(CPL).

EMPLOYEE ASSISTANCE PROGRAM (EAP) - A program to help employees, and often their families, recognize and overcome personal problems that are interfering with the employee's work performance. This is an extension of the performance appraisal process and is designed to reach performance problems that cannot be remedied by training, education, or other employer-controlled factors. Among the many personal problems an Employee Assistance Program may deal with are alcohol and drug abuse.

EMPLOYEE ASSISTANCE PROGRAM CONTRACTOR - B & T Precision Testing

ILLEGAL DRUGS - Urine samples from applicants and employees will be screened in all cases to identify the following classes of substances:

THRESHOLD FOR
POSITIVE VERIFICATION

IMMUNOASSAY SCREEN

Marijuana/Metabolite	50 NG/ML
Cocaine Metabolite	300 NG/ML
Opiates	300 NG/ML
Phencyclidine (PCP)	25 NG/ML
Amphetamines/Methamphetamine	1000 NG/ML

When the initial screen is positive (has exceeded the established screening threshold) a second confirmation test gas chromatography/mass spectrometry (GC/MS) will be completed. The thresholds for positive confirmation for GC/MS are as follows:

Marijuana/Metabolite	15 NG/ML
Cocaine Metabolite	150 NG/ML
Opiates	300 NG/ML
Phencyclidine	25 NG/ML
Amphetamine/Methamphetamine	500 NG/ML

IMPAIRED - Under the influence of an illegal or legal drug whereby the employee's senses (i.e., sight, hearing, balance, reaction, reflex) or judgement are affected.

LEGAL/PRESCRIBED (MEDICATION) DRUGS - Drugs an individual may be taking under the direction of a licensed physician to address a specific physical, emotional or mental condition.

MEDICAL REVIEW OFFICER (MRO) - A licensed physician who reviews and interprets positive results of confirmatory tests and evaluates those results together with medical history or any other relevant biomedical information to confirm positive results. This person has knowledge of substance abuse and appropriate medical or forensic training.

(CONFIRMED) NEGATIVE RESULT - No detection of an illegal substance in the pure form of its metabolites at or above the threshold level by a drug screening test.

(CONFIRMED) POSITIVE RESULT - The detection of an illicit substance in the pure form of its metabolites at or above the specified threshold by two consecutive drug screening tests which employ different test methods and which was not determined by the appropriate medical, scientific, professional testing or forensic authority to have been caused by alternate medical explanations or scientifically insufficient data. All positive results are intensively reviewed by a Medical Review Officer (MRO).

REASONABLE SUSPICION - Involves a judgement made regarding the employee's behavior, appearance, speech or body odor, or evidence found or reported and may be based on, among other circumstances, one of the following:

1. Direct observation of specific, contemporaneous, particular behavior exhibited by the employee which may impair the employee's ability to perform his/her job or which may pose a threat to safety or health.
2. Physical on-the-job observation of drug and/or alcohol use by the employee.
3. Documented deterioration in the employee's job performance that is likely to be attributed to drug or alcohol use by the employee.
4. An on-the-job incident or occurrence where there is evidence to indicate the incident or occurrence was in whole or in part the result of the employee's actions or inactions and/or the employee exhibited behavior indicating illegal drug or alcohol use.

SAFETY SENSITIVE - The Board of Education of Western Heights has established the following factors in designating specific positions as safety sensitive. The number of safety sensitive positions may be increased as further criteria are established by the Board of Education of Western Heights.

1. Drivers of commercial vehicles:
 - a. with a gross vehicle weight rating of 26,001 pounds or more or combination vehicles (weighing at least 26,001 pounds) or
 - b. designated to transport 16 or more passengers including the driver, or
 - c. transporting hazardous materials in amounts requiring placarding.

SUBSTANCE ABUSE PROFESSIONAL (SAP) - A licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of a clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

TESTING LABORATORY - A laboratory certified by the Department of Health and Human Services (DHHS) and the National Institute of Drug Abuse (NIDA) to perform drug testing or urine specimens obtained at the collection site.

WESTERN HEIGHTS ISD #1-041
EMPLOYEE ASSISTANCE PROGRAM
(EAP)

WESTERN HEIGHTS
EMPLOYEE ASSISTANCE PROGRAM (EAP)

Western Heights has the responsibility of providing a safe, healthy and efficient work environment for all safety sensitive employees. In an effort to enhance the personal well being of the Western Heights employees and their immediate family members and to contain the rising health care premiums of its work force, the Board of Education of Western Heights has chosen to make an Employee Assistance Program (EAP) available to all safety sensitive employees.

POLICY

The Board of Education of Western Heights will provide an Employee Assistance Program for all safety sensitive employees.

- A. The EAP will be available for use on a voluntary basis as well as for mandatory referrals.
- B. The EAP will provide assessment and referral services.
- C. The EAP will offer thorough and complete confidentiality.
- D. The Superintendent of Western Heights shall be responsible for oversight and maintenance of the EAP and will provide, with the support of Behavioral Service Centers of Oklahoma, Inc., high level direction and promotion of the EAP.
- E. The EAP will provide training and education for all safety sensitive employees on how to utilize the program and will provide additional training and education for supervisors who will be allowed to make mandatory referrals.

PROCEDURE

The EAP "Support-line" number will be coordinated by an external agency, B & T Precision Testing. This program will include the below listed telephone number, available during working hours to be answered by a master's level mental health professional who will provide telephone counseling, and if requested by the caller, referral to appropriate services for further assistance. The telephone number and the policy will be provided to each individual safety sensitive employee and be available on school district bulletin boards.

(405) 942-3920

VOLUNTARY REFERRAL

The EAP will be available to all safety sensitive employees and immediate to utilize at their own discretion as needed. Unlimited access is available. This process will involve the employee or family member merely dialing the above number and discussing the problem with a mental health professional. If requested by the caller and/or if appropriate, a referral will be made to appropriate resources to deal with the problem.

MANDATORY REFERRAL

Mandatory referrals may be made to the EAP by the supervisors of Western Heights. A mandatory referral shall be the result of a documented problem or problems related to poor job performance on the part of the employee. If a mandatory referral is made by a supervisor, the referral form shall be completed by the supervisor, signed by the employee and the form forwarded to Superintendent of Western Heights (See exhibit "A"). Superintendent of Western Heights will contact the EAP counselor to alert them to the required contact. The employee will have 48 hours from after signing the referral form to contact an EAP counselor by calling the number and setting up a face-to-face meeting with appropriate referral sources. The EAP counselor will confirm contact from the employee by notifying the Superintendent of Western Heights. Failure to contact the EAP counselor within 48 hours without just cause may be grounds for disciplinary action, including termination.

In the case of a mandatory referral for drug testing, the supervisor will accompany the employee to be tested to the testing site.

CONFIDENTIALITY

The Employee Assistance Program Administrator (Behavioral Service Centers of Oklahoma, Inc.) shall maintain only those records necessary to comply with the program. After a supervisor refers an employee to the EAP, the EAP will maintain all records necessary to carry out its duties. All medical and/or rehabilitation records concerning the employee's problem, including the employee's identity, diagnosis, prognosis, or treatment are confidential and may be disclosed only when authorized through written consent of the employee.

LEAVE ALLOWANCE

A. VOLUNTARY REFERRAL

Employees will be allowed to utilize their accrued sick leave or accrued vacation leave to voluntarily access the EAP, should such appointment(s) be necessary during their normal working hours. Western Heights would encourage employees to pursue assessment and counseling during off duty hours whenever possible.

B. MANDATORY REFERRAL

Employees' vacation and sick leave will be used for referral and assessment sessions which are mandated by the employee's supervisor, or the Superintendent of Western Heights. Further, counseling activities beyond referral and assessment will be the responsibility of the employee.

TRAINING AND EDUCATION

The EAP will provide an initial training and education program for employees to familiarize them with the program and its process. The Director of Personnel will provide two additional hours of training and education for supervisors to provide background on drugs and information for appropriate mandatory referrals through documented job performance incidents. As a result of this training, a supervisor may determine whether an employee may be drug tested for reasonable cause.

INFORMATIONAL MATERIAL

Through the B & T Precision Testing informational materials in the form of posters, payroll stuffers and pamphlets will be made available to employees on a regular basis.

Adopted: 05-08-95
Revised: 02-12-95
Revised: 12-09-96