All Personnel

EMPLOYEE DRUG TESTING

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

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:

Position	Safety-Sensitive Duties
Bus Driver	Driving District Vehicles & Transporting Students
Bus Driver Instructor/Dispatcher	Driving District Vehicles & Transporting Students
Lead Mechanic	Driving District Vehicles
Transportation Dispatcher/Scheduler	Driving District Vehicles & Transporting Students
Transportation Supervisor	Driving District Vehicles & Transporting Students

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, Board policy, and administrative regulation.

Legal Reference:

State	Description
5 CCR 5504	Medical certification procedures
CA Constitution Article 1, Section 28	Right to Safe Schools
Ed. Code 44011	Controlled substance offense
Ed. Code 44455	Conviction for controlled substance offenses as grounds for revocation of credential
Ed. Code 44836	Employment of certificated persons convicted of controlled substance offenses
Ed. Code 44839	Medical certificate; periodic medical examination
Ed. Code 44940	Compulsory leave of absence for certificated persons

All Personnel

EMPLOYEE DRUG TESTING

Legal Reference:

State	**Description**
Ed. Code 44940.5	Procedures when employees are placed on compulsory leave of absence
Ed. Code 45122	Physical examinations
Ed. Code 45123	Employment after conviction of controlled substance offense
Ed. Code 45304	Compulsory leave of absence for classified persons
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 8350-8357	Drug-free workplace
Federal	**Description**
41 USC 701-707	Drug-Free Workplace Act
Management Resources	**Description**
Court Decision	International Brotherhood of Teamsters v. Department of Transportation (1991) 932 F.2d 1292
Court Decision	Knox County Education Association v. Knox County Board of Education, (1998, 6th Circuit) 158 F.3d 361
Court Decision	Lanier v. City of Woodburn, (2008, 9th Circuit) 518 F.3d 1147
Court Decision	Loder v. City of Glendale, (1997) 14 Cal. 4th 846
Court Decision	National Treasury Employees Union v. Von Raab, (1989) 489 U.S. 456
Court Decision	Skinner v. Railway Labor Executives' Assn, (1989) 489 U.S. 602
Court Decision	Vernonia School District 47J v. Acton, (1995) 115 S.Ct. 2386
Website	CSBA District and County Office of Education Legal Services

WESTMINSTER SCHOOL DISTRICT
Westminster, California

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