All employees recognize that, by continuing their employment with the District, they have consented to the District's controlled substances/alcohol-testing program.

Alcohol and drug tests will be conducted if reasonable suspicion exists, at random, when an employee returns to duty after engaging in prohibited conduct, and as a follow-up measure. Drug testing will be conducted before an individual assumes driving responsibilities. Testing will be conducted following accidents. Return-to-duty and follow-up testing will be conducted if an employee who has violated the prohibited alcohol conduct standards or tested positive for alcohol or drugs is allowed to return to duty.

Refusal to submit urine and/or a breath sample or specimen will be considered a violation of district policy; the employee will be subject to the same disciplinary action enforced when submitting a positive sample. Failure to produce an adequate sample or engaging in conduct that clearly obstructs the collection process will be considered a refusal to test.

This Administrative Regulation is not intended to and will not limit testing or search for drugs and/or alcohol by authorized law enforcement personnel in the performance of their duties.

TESTING PROCEDURES

Taking a urine or breath sample, then subjecting it to chemical analysis, will be done in such a way that privacy interests are respected. There need be no warning in advance for a test if the suspicion of drug use or alcohol misuse is strong enough, and can meet objective criteria for that.

Employees will complete a pre-testing consent form each time a test is conducted as part of the drug/alcohol testing procedure. This is in addition to any signed acknowledgement forms that may have been obtained at the time of employment or any other occasion. Any over the counter or prescription drugs that the employee may be taking MUST be identified at this time.

When sending an employee who shows overt signs of impairment or intoxication to the collection site or home, the District will offer transportation or will get assistance from a taxi, employee, family member, or the police to preclude the employee from driving. Testing will be conducted only when recommended by a director or above and authorized by Human Resources.

DRUG TESTING

The District will utilize an approved laboratory that follows chain-of-custody procedures and documentation necessary to meet federal standards. The specimen collection procedures and chain-of-custody ensure that the specimen's security, proper identification, and integrity are not compromised. Following are the initial screening confirmation levels:

DRUG (Class) _	Detection Levels _		Detection Levels	
Amphetamine	~~1000 NG/ML*~~	500 ng/mL	~~500 NG/ML~~	250 ng/mL
Methamphetamine				250 ng/mL
Cocaine Metabolite	~~300 NG/ML~~	150 ng/mL	~~150 NG/ML~~	100 ng/mL
Marijuana Metabolite	~~100 NG/ML~~	50 ng/mL	15 NG/ML	
Opiate	300 NG/ML		300 NG/ML	
Phencyclidine (PCP)	25 NG/ML		25 NG/ML	

MDMA	500 ng/mL	250 ng/mL
Codeine/Morphine	2000 ng/mL	2000 ng/mL

* Nanogram (billionths of a gram) per milliliter.

Source: U.S. Department of Transportation

ALCOHOL TESTING

Alcohol testing will be conducted at a specimen collection site. Alcohol testing will be conducted utilizing an evidential breath testing device (EBT) approved by the National Highway Traffic Safety Administration (NHTSA). If the alcohol concentration is 0.02 or greater on the initial test, a second or confirmation test will be conducted. In post-accident testing, the district will accept police alcohol breath or blood tests where police will make results available.

TYPES OF TESTING

1. Reasonable Cause Testing - Reasonable suspicion that an employee may be using drugs or alcohol may be a cause for drug and/or alcohol testing. Reasonable suspicion exists when a specific contemporaneous event or observation points to recent alcohol or drug use. Objective documentation of delinquent job performance must include specific, observable facts and reasonable inferences that suggest the employee is using drugs or alcohol. All documentation will be made by a trained supervisor.

   If the necessity for a search (urine/breath test) of an individual is deemed sufficiently important to justify intruding upon that person's privacy, then the search may proceed on the basis of "reasonable suspicion." Any employee may be tested for drug or alcohol use based on reasonable suspicion when:

   a. Employee is observed on duty by the employee's immediate supervisor or higher ranking supervisor and the observation is confirmed by ~~another supervisor/manager~~ a trained Keller ISD employee, ie another supervisor/manager, nurse, to recognize the symptoms of drug and/or alcohol abuse, impairment, or intoxication. These observations shall be documented by the observers;
   b. Employee behavior is recognized and accepted as symptomatic of intoxication or impairment caused by controlled substances or alcohol, or addiction to or dependence upon controlled substances. Symptoms of such impairment could be slurring of speech, dilated pupils, loss of balance, inability to do ordinary physical tasks, or unusual risk-taking behavior; and,
   c. Employee behavior is not reasonably explained as resulting from causes other than the use of controlled substances (such as fatigue, lack of sleep, side effect of prescription or over-the-counter medications, reaction to noxious fumes or smoke, etc.).

2. Post-Accident or Injury Testing - Any employee may be tested for drug or alcohol use when one or more of the following has occurred:

   a. Employee's performance could have contributed to an accident;
   b. Applicable, accident thresholds and conditions set according to governmental regulations are violated by the employee. Three circumstances that require post-accident testing are:
      - A fatality; and/or

- The safety-sensitive employee receives a citation for a moving traffic violation as result of the accident and someone immediately receives medical treatment away from the scene of the accident; and/or
- The safety-sensitive employee receives a citation for a moving traffic violation as a result of the accident, and one or more vehicles are towed from the scene of the accident;

c. Employee leaves the scene of an accident without a valid reason for not being tested. He or she will be deemed to have refused a test and subsequent action will be taken; and/or

d. DWI conviction has occurred which requires a one-year to lifetime suspension from safety-sensitive work duty. The suspension depends on the nature of the offense, prior convictions, and specific job duties. Drivers who test positive or refuse to be tested after a fatal accident will be disqualified from their safety-sensitive duties for one year.

ACCIDENT DEFINITION

Under this Administrative Regulation, an accident is defined as:

1. A fatality;
2. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
3. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

POSITIVE TEST RESULTS

A positive urinalysis test will be confirmed by a second test and reviewed by a Medical Review Officer (MRO). A positive breath test will be confirmed by a second test.

Disciplinary action will be based on confirmed test results where written documentation is available. In an effort to preserve confidentiality and only provide information on a need-to-know basis, the results of drug/alcohol screens that are confirmed positive by the laboratory will be sent only to the Assistant Superintendent of Human Resources, and maintained in a confidential file.

1. When alcohol test results show a blood alcohol concentration (BAC) from 0.02 to less than 0.04, the employee will be suspended with or without pay, as appropriate, from duties for 24 hours [DHE (Local)].
2. When alcohol test results show a BAC of 0.04 or greater and/or a drug test is confirmed as positive, appropriate disciplinary action will be taken.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

When documented job impairment has been observed and identified, a supervisor may recommend participation in the EAP. Supervisors may exercise the option of suggesting or requiring an employee to contact the EAP. The supervisor will contact Human Resources to coordinate the referral. The EAP will notify the supervisor whether or not the employee cooperated with the counselor's recommendations but will not disclose the type or details of the assistance provided. Should job performance not improve after a

reasonable amount of time, the employee is subject to corrective action up to and including termination of employment.

Self-referral by employees or family members is strongly encouraged. When an employee seeks assistance, his or her status and problem-solving actions will remain confidential. Self-referral in itself does not preclude the District's use of corrective actions. EAP-related activities, such as referral appointments, will be treated on the same basis as other personal business or health matters with regards to use of accrued sick leave.

SUPERVISOR TRAINING

Supervisors of safety-sensitive employees will be trained in making appropriate determinations for reasonable suspicion testing. Training will include at least one hour of training on alcohol misuse symptoms and indicators used in making determinations for reasonable suspicion testing and at least one hour of training on the signs and symptoms of drug abuse.

PENALTIES FOR VIOLATION OF POLICY - DISCIPLINARY ACTION

Any employee suspected of violating this policy shall be suspended with or without pay pending completion of an investigation. During the course of an investigation, the suspected employee shall have the opportunity to provide an explanation. In the event that a determination is made by the District that the employee violated this policy, the employee may be terminated. Should the determination be made that no violation occurred; the employee will be reinstated without penalty and will be paid any lost wages.

Any employee convicted of a criminal drug statute infraction occurring in the workplace shall notify the District in writing no later than three calendar days after such conviction. [DH (Local)].

SAFETY-SENSITIVE POSITIONS

Safety-sensitive positions are defined as those that involve the handling of potentially dangerous equipment or hazardous substances. Examples include any position requiring the operation of vehicles/equipment or working in proximity of facilities, equipment, or terrain that is generally considered as potentially dangerous and/or jobs that entail maintenance and repair of equipment.

Job titles include:

1. Crossing Guards
2. All Natatorium employees
3. All Food Service employees to whom the above description applies
4. All Maintenance employees to whom the above description applies
5. All Operations employees to whom the above description applies
6. All employees who drive students to/from district events