

DODDRIDGE COUNTY SCHOOLS DRUG AND ALCOHOL TESTING ADMINISTRATIVE PROCEDURES

Communication Distribution of Policy: Individuals affected by this drug and alcohol testing program will be provided a copy of this policy via Doddridge County Schools website. Questions regarding the policy, administrative regulations and their implementation should be referred to the Director of Student Support Services.

Types of Testing Required: The Doddridge County Board of Education may conduct drug and alcohol screenings on any regular employee, substitute employee, potential “new” employee and/or any employee in safety sensitive positions who are required to maintain a Commercial Driver's License (CDL). Employees will be required to participate in drug and alcohol testing as per Doddridge County Board of Education policy. Employees may be required to be tested in one or more of the following categories:

1. **Employment:** The board requires that with each offer of employment or transfer into a safety sensitive position employees should be conditioned on the passing of a urine drug screening test for the following drugs: marijuana, TCP, opiates, amphetamines, and cocaine and the passing of an alcohol breath test of less than 0.02 concentration of alcohol. The board will not hire or transfer into safety sensitive positions any applicant who fails to pass any test utilized. Additionally, employees may be required to participate in the drug screen testing process through the utilization of hair follicle testing which tests for and detects the following drugs: cocaine, marijuana, opiates (codeine, morphine and 6-acetylmorphine), amphetamines (amphetamine, methamphetamine, MDMA, MDA, and phencyclidine (PCP)). Omega’s Extended Opiates panel adds oxycodone, oxymorphone, hydrocodone and hydromorphone.
2. **Random Drug Testing:** All safety sensitive employees covered by this policy are subject to unannounced testing based on random selection which also includes all substitute employees performing safety sensitive functions. Random testing through the use of urine or hair follicle drug screening will be spread reasonably through a twelve (12) month period with testing to be at a rate of 50% of the number of employees covered for drug testing and at a rate of 25% of the same employees for alcohol testing. Random selection will be provided by the designated contractor through a computerized program.
3. **Reasonable Suspicion:** When a trained supervisor has reasonable cause to believe an employee is using a prohibited substance the supervisor will require that the employee submit a drug test through the utilization of urine and/or hair follicle drug testing and/or an alcohol breath test. The decision to test must be based on a reasonable and identifiable belief that the employee is using a prohibited substance on the basis of specific physical behavior or performance indicators. Supervisors will be required to document the employee’s conduct and justifications.
4. **Post-Accident Drug Testing:** As soon as practicable following an accident the county shall test for alcohol and controlled substances of each surviving employee (1) who was performing safety sensitive functions with respect to the vehicle if the accident involved

a loss of human life; (2) who receives a citation under state or local law for a moving traffic violation arising from the accident. An alcohol test must be administered within eight hours following the accident and controlled substance test must be administered within 32 hours following the accident. Any employee subject to post accident testing shall remain readily available for such testing or may be deemed to have refused to submit to testing.

5. **Returned-To-Duty Drug Testing:** Before an employee returns to the performance of safety sensitive duties after engaging in conduct prohibited by this policy he or she will be required to undergo a blood or breath alcohol test, at the discretion of the immediate supervisor, with the results indicating an alcohol concentration level of less than 0.02 and a controlled substance test with a result indicating a verified negative result for controlled substance use.
6. **Follow-Up Drug Testing:** Follow-up testing will be done with employees for whom it has been determined that they are in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances. The number and frequency of such follow-up tests shall be directed by the substance professional following the employees returned to duty. Follow-up testing shall not exceed 60 months from the date of the employees returned to duty.

Drug Testing Procedures: The Board approved substance collection contractor shall have the necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, storage, and transportation of specimens to the certified drug laboratory as specified in 49 CFR part 40. The accredited forensic laboratories conducting such tests will be certified under the Department of Health and Human Services guidelines. The screening and confirmation values are subject to change, based on DOT criteria and updates from accredited testing laboratories. The initial testing will use an immunoassay for PCP, amphetamines, cocaine, marijuana, and opiates. Utilization of hair follicle testing which detects the following drugs: cocaine, marijuana, opiates (codeine, morphine and 6-acetylmorphine), amphetamines (amphetamine, methamphetamine, MDMA, MDA, phencyclidine (PCP) oxycodone, oxymorphone, hydrocodone and hydromorphone. All specimens identified as positive on the initial test will be confirmed positive using the accredited testing laboratories. All test results will be forwarded to the Medical Review Officer in a confidential matter. The Medical Review Officer will review both positive and negative test results to assure their accuracy and that the chain of custody is intact. Before a specimen is considered positive the Medical Review Officer will make contact with the donor to verify the test as being positive. The employee shall comply with the directives from the Medical Review Officer and/or their designee.

Drug Specimen Procedures: Drug specimens will be collected at the designated collection site in accordance with industry standards and split specimen collection procedures for hair and oral specimen tests. Breath and urine specimens will be collected at the designated collection site in compliance with DOT regulations.

Medical Review Officer Review and Reporting Test Results: The designated and approved Medical Review Officer will review and verify the validity of all test results and authorize

reanalysis of a specimen(s) to determine the accuracy of the reported results when appropriate. The Medical Review Officer will act in accordance with the guidelines for Medical Review Officer as set up by the Department of Transportation and with the standard operating procedure manual for the accredited substances collection site.

Negative results: In the area of negative results, the Medical Review Officer's position is purely administrative. All negative results will be reviewed by the Medical Review Officer and reported as such to the county designee.

Positive results: Prior to reporting a verified positive result, the Medical Review Officer will give the individual an opportunity to discuss the test. The Medical Review Officer will review, interpret, and verify positive test results. He will be responsible for examining alternative medical and biochemical explanations. Such action and review may include conducting a medical interview, medical history, or reviewing other relative factors. The Medical Review Officer is responsible for directly contacting the individual on a confidential basis to review test results. If after making all reasonable efforts and documenting such, the Medical Review Officer is unable to reach the individual directly, the Medical Review Officer will contact the board designee who will direct the individual to contact the Medical Review Officer as soon as possible. If these efforts are unsuccessful, the board will remove the employee from the safety sensitive position.

Under the following circumstance the Medical Review Officer may verify a test as positive without having communicated directly with the individual.

1. The employee expressly declined the opportunity to discuss the results with the Medical Review Officer.
2. The Medical Review Officer may verify test as positive after five days if the board has contacted or made a reasonable effort to contact the employee but the employee did not contact the Medical Review Officer.

The employer shall notify an employee of the results of a pre-employment controlled substance test if the employee requests such results within 60 calendar days of being notified of the disposition of the employment application. The employer shall notify the employee of the results of random, reasonable suspicion, and post-accident test for controlled substances if the results are verified as positive. The employer shall also inform the employee as to which controlled substance(s) were verified as positive.

Consequences of Positive Drug Test: An employee testing positive for a controlled substance or refusing to submit to a drug test will be immediately removed from their safety sensitive position. Refusal to submit to testing will be considered a positive result. Said employee will be suspended from employment, without pay, and recommended for dismissal per the school laws of West Virginia.

Alcohol Testing Procedures: The Doddridge County Board of Education will designate collection sites which have necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, and storage of information, as specified in 49

CFR part 40. Persons conducting such test will be called breath alcohol technicians as defined by the Department of Transportation. Because alcohol is a legal substance, the rules define specific prohibited alcohol-related conduct. Performance and safety sensitive functions are prohibited:

1. While having an alcohol concentration of 0.02 or greater as indicated by breath test.
2. While using alcohol.
3. Within four hours after consuming alcohol.
4. If the employee refuses to submit to an alcohol test.
5. If the employee uses alcohol within eight hours after an accident or until tested.

An individual/employee verified positive to any drug test may be required to submit to a second or confirmation drug test. If the initial test registers an alcohol concentration of less than 0.02 the test is considered negative and nothing else is required. If an individual has an alcohol concentration of 0.02 or greater, a second or confirmation test is required. These confirmation test result determines if any further actions will be taken.

PROHIBITIONS

- Please reference Doddridge County Schools **Drug Free Workplace Policy**.
- No employee will report to duty or remain on duty requiring the performance of safety sensitive functions under any of the following conditions:
 1. While having an alcohol concentration of 0.02 or greater.
 2. While in possession of alcohol.
 3. Controlled substances may not be used except when the use of the controlled substance is pursuant to the instructions of a physician, stating that the substance does not adversely affect the employee's ability to safely operate a commercial motor vehicle.
 4. Within four hours after using alcohol.
- No driver required to take a post-accident test shall use alcohol for eight hours following the accident or until he or she undergoes a post-accident test, whichever occurs first.
- No driver shall perform a safety sensitive function if the driver refuses to submit to a required alcohol or controlled substance test.

Consequences for Refusing to Submit to Testing: The Doddridge County Board of Education may not employ any person who fails a drug or alcohol test specified in this policy. Refusal to

submit to testing or to sign appropriate consent forms will be considered a positive test. The following will be considered as refusal to submit to testing:

1. Failure to provide adequate breath, urine or hair specimen for testing when required without a valid medical explanation.
2. Engaging in conduct which clearly obstructs the testing process.
3. Failure to sign the drug testing form if the employee refuses to submit to a drug or alcohol test.
4. Leaving the scene of an accident except when necessary to receive medical treatment.
5. A refusal can also occur where an employee who screened positive for alcohol admits alcohol misuse in violation of the rules and refuses a confirmation test.

Record Keeping: Documentation of all results will be maintained in separate and secure files. The following records will be maintained for five years.

1. Driver alcohol test results indicating concentration of 0.02 or greater.
2. Driver verified positive controlled substance test results.
3. Refusals to take required alcohol and/or controlled substance test.
4. Driver evaluation and referrals.

Records related to the alcohol and controlled substances collection process and training shall be maintained for two years. Records of negative and canceled controlled substance test results and alcohol test results with concentration of less than 0.02 must be maintained for a minimum of one year.

Confidentiality: The board policy is to ensure confidentiality in the application of this program. Results will not be released without the expressed authorization of the tested individual except upon request by the appropriate supervisor, Medical Review Officer, or DOT. All drug and alcohol test records will be stored in a secure location, as designated by the board, in the board's offices. Such records will not be made part of the individual's personnel files. Results of testing will not be released to subsequent employers unless written consent is given by the individual. Each employee may also have access to their individual records upon written request.

Documentation: The information maintained in the employee's file will include the following:

1. Employees submitting to a drug test and type of test.

2. Collection date.
3. Collection location.
4. Identity of the person performing the test, collection, analysis, and Medical Review Officer.
5. Test results. If a test result for controlled substance is positive, the identity of the drug for which the test was verified positive will be maintained.

All such reports will be retained by the school system for five years with the exception of one year limitation for negative results. The Medical Review Officer is responsible for maintaining records for a period of five years.

Doddridge County Board of Education
Approved and Adopted January 5, 1995 April 4, 1995
Amended: June 12, 2018