
**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

BOARD POLICY GBEC: DRUG/ALCOHOL-FREE WORKPLACE

Background

Carroll County Public Schools provides a safe and orderly environment for both students and staff by fostering the well-being and health of its employees and its students. A safe environment is jeopardized when drugs and/or alcohol are illegally used or distributed in the workplace. In that regard, this administrative regulation for drug/alcohol testing is established to ensure that a safe working and learning environment is maintained.

The regulation balances respect for employees with the needs of the system to maintain a safe, productive, and drug/alcohol-free environment. Its intent is to provide appropriate assistance while sending a clear message that illegal drug use and alcohol abuse are incompatible with the mission of the school system and will not be tolerated.

Carroll County Public Schools maintains an Employee Assistance Program (EAP) to provide employees with no cost confidential counseling in a variety of areas. Employees are encouraged to contact the EAP or one of the agencies in the community when seeking help for drug/alcohol or related problems.

As stated in Board Policy GBEC:

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on Board of Education property and during work hours.
2. Any employee in violation of this policy will be recommended for termination consistent with Carroll County Public Schools' procedures for disciplinary action.
3. Local or state police will be notified in all cases reported.

Prescribed Medication

Employees who are taking a prescription that affects their ability to successfully complete the essential functions of his/her job shall notify their immediate supervisor.

Determination of Reasonable Suspicion

1. All cost center administrators, and other administrators designated by the Superintendent of Schools, will be trained by a recognized authority to identify employee signs/symptoms that determine reasonable suspicion for a drug/alcohol test. Such signs/symptoms may include an unsteady gait, slurred speech, atypical or erratic behavior, and/or not performing the job in a safe manner, such as having a preventable accident on the job. U.S. Department of Transportation (DOT) standards will be used as training standards.

2. All behaviors leading to a decision to require an employee to take a drug/alcohol test will be documented.
3. The cost center administrator/designee must sign the reasonable suspicion form requiring the person to submit to a reasonable suspicion drug/alcohol test.
4. A conference shall be held with any employee identified for reasonable suspicion testing. Administrators will explain the behavior that led to the decision to require testing.

Drug/Alcohol Testing

1. If an employee exhibits signs and/or symptoms of not being fit for duty or has a documented pattern of unacceptable work behavior, or if the administrator has a reasonable suspicion that an employee is in violation of CCPS rules of conduct, the employee may be asked to take a drug/alcohol test by his/her cost center administrator.
2. If reasonable suspicion of illegal drug and/or alcohol use has been determined, the cost center administrator, or his/her designee, will escort the employee to the collection site.
3. All tests shall be administered within two (2) hours of notification.
4. Drug testing will be performed through the testing of a collected urine sample. Alcohol testing will be conducted by the use of a breath alcohol test. The employee may request to have a blood alcohol test. This request is to be made at the time they are informed they are going to be tested.
5. Testing shall only be performed by trained personnel and at approved collecting agencies that are on the Carroll County Public Schools' approved list. Proper chain of custody shall be followed.
6. The test site shall follow all guidelines of the Department of Health and Human Services (DHHS).
7. All labs handling the drug/alcohol test shall be approved by the National Institute Drug Association.
8. Medical Review Officers (MRO) shall be certified.
9. Laboratory results shall be reviewed by the MRO. The employee may provide to the MRO any reasons he/she may have which would explain a positive test result.
10. Carroll County Public Schools will assume the cost of the drug/alcohol test.
11. A copy of these regulations will be provided to the employee by the cost center administrator.

Test Results

1. Employees who have been directed to have a reasonable suspicion drug/alcohol tests shall be immediately placed on administrative leave from their position with pay pending test results.
2. Test results shall be shared with the employee, the Carroll County Public Schools' Human Resources Department and others on a need-to-know basis.
3. Employees may request a second testing of the original specimen used for a drug/alcohol test. The request for a drug test is to be made directly by the employee to the MRO within 72 hours of the notification of first test results. A second alcohol test must occur within 15 minutes of the first test. Any cost incurred by a second test is the responsibility of the employee.
4. Test results shall be released only to the extent necessary for the processing of any of the following actions:
 - a. A claim is made by the employee against Carroll County Public Schools.
 - b. There is a wrongful discharge action/lawsuit
 - c. There is a grievance concerning the disciplinary action taken because of the test.
 - d. There is an administrative proceeding such as an unemployment compensation hearing resulting from a positive test.
 - e. So ordered by a court of law.
5. A test is positive and the employee may be subject to disciplinary action up to and including discharge, if the employee:
 - a. Tests positive for any illegal drugs or a .04 or higher blood/alcohol level.
 - b. Refuses to go for testing.
 - c. Refuses to empty pockets for test collectors.
 - d. Changes or tampers with the chain of custody/control form.
 - e. Fails to stay at testing site until testing is completed.
 - f. Fails to provide a sufficient amount of urine sample for testing and it has been determined through a required medical evaluation that there is no adequate medical explanation for the failure.
 - g. Fails to undergo a medical examination within five (5) business days as directed by the MRO or by Human Resources in the case of a "shy bladder".
 - h. Has adulterated or substituted test results as verified by the MRO.
 - i. Fails to provide an adequate amount of breath for an alcohol test after having a medical examination that determines there is no adequate medical explanation for the failure.
6. A positive finding by the MRO can only be changed by the MRO.

Disciplinary Action

1. Employees who possess, sell, trade or offer for sale illegal drugs and/or alcohol or use illegal drugs and/or alcohol on the job is in violation of both the law and these regulations. In all cases, the cost center administrator will notify proper police agencies.

2. Employees who test positive for drugs and/or alcohol shall receive disciplinary action up to and including termination.
3. Employees who test positive and are not terminated shall be referred for treatment to the EAP. They may not return to work until the EAP/Junction, Inc. or their substance abuse licensed therapist releases them for duty with a successful compliance report and have a negative test. In order to continue employment they must comply with all conditions of EAP/Junction, Inc. or their treatment agency. The employee must consent to up to six (6) unannounced tests for the ensuing twelve (12) months.
4. Employees who receive a second positive drug/alcohol test shall be recommended for termination.
5. Test results will be confidential and maintained by the Human Resources Department.

Approved: 3/10/04