
PRE-EMPLOYMENT DRUG SCREENING TESTING REGULATION

Purpose

This procedure sets forth the manner in which the district seeks to ensure that individuals offered employment in the district to safety-sensitive position and positions in which the person is responsible for student's safety and security are not currently using illegal drugs.

Definitions

1. Candidate – an applicant who has been preliminarily selected for employment in a safety-sensitive position or position in which the person is responsible for student's safety and security and is pending satisfactory completion of the district's drug testing program.
2. Drugs – any drug or substance classified in Schedules I through V under the Federal Controlled Substances Act, 21 U.S.C. 811 to 812, including but not limited to mind-altering substances or narcotic drugs such as hallucinogenics, amphetamines, barbiturates, marijuana or any other illegal drug or controlled substance, except those prescribed by a physician and used as directed.

Procedure

1. A statement that drug testing is a part of the district's pre-employment process for safety-sensitive position and positions in which the person is responsible for student's safety and security and that satisfactory completion of such tests is a prerequisite of employment in those positions will be posted in the district human resources office and will also be included as a part of the application packet. Also included in the application packet will be the "*Consent for Pre-Employment Drug Testing*" and "*Release of Information*" form.
2. A candidate will be offered employment pending a satisfactory completion of the district's drug testing program for illegal drugs.
3. A candidate must report to the district designated laboratory to conduct the pre-employment drug screening at the approved time, which, will be within 24 hours following the offer of employment, or the district may withdraw the job offer.
4. The district's designated drug screening laboratory will be required to provide written assurance that the following standards will be maintained:
 - a. It will utilize reliable testing protocols and procedures. It will also establish screening cut-off levels that assure that drugs are present at a sufficiently high level to allow the district to reasonably conclude that the candidate is currently engaging in the illegal use of drugs, consistent with generally accepted standards, and protect the candidate's right to privacy to the extent possible.
 - a. It will secure the candidate's written consent to perform the pre-employment drug screening tests.

- b. It will perform drug screening tests for the presence of illegal drugs and will use generally accepted drug testing procedures to verify positive tests, and use accepted follow-up procedures where appropriate.
 - c. Following verbal communication to the district indicating the results, it will provide written confirmation to the district human resources office within two (2) days following screening.
 5. The human resources office will notify the candidate of the results of the drug tests.
 - a. Candidates who wish to challenge the accuracy of a positive result on the drug test may request that the test be repeated. The original specimen will be utilized for retesting. Requests for retesting must be submitted in writing to the human resources office within two (2) working days of notification of a positive test result.
 - b. The district will pay for the cost of the original drug screening and a second test on the original sample in order to confirm the results of the first test.
 - c. If the results of the retesting are positive the candidate may apply for positions in the district after one calendar year from the date of the test. The candidate who has tested positive for illegal drugs and wishes to apply for future employment opportunities with the district must provide evidence of current enrollment in, or completion of, a licensed drug treatment program. If the candidate is currently enrolled in a approved drug-treatment program at the time employment is offered, the candidate will be required to provide an expected program completion date and written certification of successful program completion. Additionally, the candidate must successfully complete the controlled substance screening test administered by the district designated laboratory to determine that the individual is not currently engaging in the illegal use of drugs at the time employment is offered.
 6. If the candidate passes the drug screening (negative), but fails the integrity test (sample too dilute), the candidate will be advised that they have failed the integrity portion of the screening, and will be re-tested at district expense. Candidates will also be advised to limit fluids for four hours prior to the drug screen.

If the candidate fails to pass the integrity test the second time, they may be retested but such retest will be at their own expense.

If, after three tests, the candidate is unable to pass the integrity test, the district's offer of employment will be withdrawn.
 7. If the results of the drug screening are satisfactory, the candidate will be invited to return to the human resources office to complete appropriate forms of employment.
 8. If the drug testing inadvertently reveals that a candidate is taking medication for the treatment of a disability, this information will not be used by the district to unlawfully discriminate against the candidate on the basis of that disability.
 9. Written records of drug testing results will be maintained in separate files and will be treated as confidential medical records by the district.
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