



WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

MEMORANDUM

TO: Woodbridge Board of Education

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: October 13, 2021

RE: Proposed Revision of Policy 4212.42, “Drug and Alcohol Testing, and Required Training, for School Bus Drivers”

Based on last evening’s meeting of the Policy Committee, please find attached a proposed revision of Policy 4212.42 to accomplish three goals:

- (1) To integrate the anaphylaxis training requirements for school bus drivers (required by Connecticut Public Act 18-185, “An Act Concerning the Recommendations of the Task Force on Life-Threatening Food Allergies in Schools”); this is accomplished in new paragraph 2; and
- (2) To integrate amendments to the federal law governing commercial driver’s license drug testing (49 CFR Section 382.701 *et seq.*); this is accomplished in new paragraphs 3-4; and
- (3) To retitle the policy based on the broader focus.

This policy is required by federal law, and the proposed changes are represented in red. The proposed revisions have been reviewed with our BOWA Transportation Coordinator, who has confirmed that our practices are fully compliant with these revisions.

Personnel --Non-Certified

Drug and Alcohol Testing, and Required Training, For School Bus Drivers

Contracts for transportation approved by this District shall contain assurance that the contractor will establish a drug and alcohol testing program that meets the requirements of federal regulations.

In addition, the Board of Education expects its school transportation contractor to train all school bus drivers with instruction pertaining to the identification, the signs, and the symptoms of anaphylaxis, the administration of epinephrine by a cartridge injector, and the notification of emergency personnel and the reporting of an incident involving a student's life-threatening allergic reaction. Such training shall occur following the issuance or renewal of an endorsement to operate a school bus for carrier employees, and upon the hiring of a school bus driver, except a driver who received the training after the most recent issuance or renewal of his/her endorsement is not required to repeat it.

Prior to employment of a bus driver, the Board of Education expects its school transportation carrier to conduct a full query of the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse to obtain information about the driver's eligibility under federal rules to perform a safety-sensitive function. Until January 6, 2023, the school transportation carrier will also contact prior employers where the applicant was a CDL driver for information to determine the driver's eligibility to perform safety-sensitive functions.

The school transportation carrier will also utilize the Clearinghouse for current CDL drivers who are employees on at least an annual basis. Required personal information that is collected and maintained in connection with the testing program shall also be reported, as required, to the Clearinghouse.

Legal Reference: United States Code, Title 49

2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)

Code of Federal Regulations, Title 49

40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs

382 Controlled Substance and Alcohol Use and Testing

395 Hours of Service Drivers

Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540

International Brotherhood of Teamsters v. Department of Transportation

932 F. 2d 1292 (1991)

American Trucking Association, Inc. v. Federal Highway Administration, (1995) WL 136022 (4th circuit)

[10-212c](#) Life-threatening food allergies and glycogen storage disease: Guidelines; district plans. (as amended by PA 18-185)

[14-261b](#) Drug and alcohol testing of drivers of certain vehicles, mechanics and forklift operators

[14-276a](#) Regulations re school bus operators and operators of student transportation vehicles; qualifications; training. Pre-employment drug test required for operators

[52-557b](#) Immunity from liability for emergency medical assistance first aid or medication by injection. School personnel not required to administer or render. (as amended by PA 05-144, An Act Concerning the Emergency Use of Cartridge Injectors and PA 18-185, An Act Concerning Life-Threatening Food Allergies in Schools)

Policy adopted: ~~May 21, 2019~~

WOODBIDGE PUBLIC SCHOOLS

Woodbridge, Connecticut