

## Personnel – Non-Certified

### Drug and Alcohol Testing for School Bus Drivers

The Waterford Public School district is committed to the establishment of a drug use and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (OTETA) and applicable state statutes pertaining to pre-employment and random drug testing of school bus drivers. The District shall adhere to federal law and regulations requiring a school bus driver drug and alcohol testing program.

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, state statutes, and this policy, and will actively enforce the regulations of this policy as well as federal and state requirements.

This policy applies to all drivers and applicants for driver position for the District who must have a Commercial Drivers License (CDL) to operate school vehicles.

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 (4<sup>th</sup> circuit)  
                               Connecticut General Statutes  
                               14-261b Drug and alcohol testing of drivers of certain vehicles, mechanics  
                               and forklift operators  
                               14-276a Regulations re: school bus operators of student transportation  
                               vehicles; qualifications; training. Pre-employment drug test required for  
                               operators

Policy adopted:       April 15, 2004  
 policy revised:       August 23, 2007

WATERFORD PUBLIC SCHOOLS  
 Waterford, Connecticut