



ADMINISTRATIVE PROCEDURE

ALCOHOL AND CONTROLLED SUBSTANCES TESTING FOR SCHOOL VEHICLE DRIVERS AND EMPLOYEES PERFORMING SAFETY SENSITIVE FUNCTIONS

4110
Procedure No.

August 15, 2014
Date

I. **PURPOSE:** The State Board of Education mandates that each local school system implement an alcohol and controlled substances testing program for school vehicle drivers and employees responsible for performing safety sensitive functions.

II. **DEFINITIONS:**

A. “Performing” (a safety-sensitive function) shall be considered as responsible to perform a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform such function.

B. Safety sensitive functions shall include the following:

1. Operating school vehicles as required by an individual’s job description;
2. Operating service vehicles when operation of such vehicles requires the driver to hold a Commercial Driver’s License (CDL);
3. Controlling the dispatch or movement of a service vehicle;
4. Maintaining (including repairs, overhaul and rebuilding) a service vehicle;
5. Carrying out security duties; or
6. Any position aboard a school vehicle that requires a person to assist students either by routine or on an emergency basis, including bus attendants who are responsible for the safety of students.

B. “School vehicle” means any vehicle that is used regularly for the exclusive transportation of children, students, teachers or staff for educational purposes, or in connection with a school safety activity.

C. “School vehicle driver” means any individual who is presently employed, seeks employment, or is promoted to a position as a driver of a “school vehicle” which is either owned by or leased to the Board of Education of Prince George’s County.

III. **PROCEDURES:**

A. All employees who perform safety sensitive functions shall be subject to this Alcohol and Controlled Substances Testing Program as follows:

1. Upon application for employment or promotion to such a position.
2. Upon the employee’s involvement in an accident while operating a school vehicle. The school vehicle driver should be tested in the event of an accident in which any person is transported to a medical facility, or any vehicle involved is towed away from the scene of the accident.
3. When a supervisor or member of law enforcement has reasonable cause to believe that the employee is using an illegal drug or alcohol.



ADMINISTRATIVE PROCEDURE

ALCOHOL AND CONTROLLED SUBSTANCES
TESTING FOR SCHOOL VEHICLE DRIVERS AND
EMPLOYEES PERFORMING
SAFETY SENSITIVE FUNCTIONS

4110

Procedure No.

August 15, 2014

Date

4. At random, in accordance with the State’s Drug Testing Program, Federal Motor Carrier Safety Administration (FMCSA) Regulations, and Federal Department of Transportation Regulations, 49 CFR (Code of Federal Regulations) Parts 40 and 382.
 - B. Administration of drug testing shall be performed by a medical facility designated and approved in accordance with established Purchasing and Procurement procedures of Prince George’s County Public Schools. This includes facilities that may provide on-site testing.
 - C. School vehicle drivers and employees performing safety sensitive functions directed for drug testing will be ordered to appear or be escorted at a specific time on a regular duty day and to an approved drug testing location. Time taken by a school vehicle driver or who performs safety sensitive functions shall be deemed as regular duty time for which regular salary will be paid.
 - D. School vehicle drivers and employees who perform safety sensitive functions directed for alcohol testing will be notified by their supervisor or supervisor’s designee of the test. The test will be conducted in a private area at the bus lot or other approved location upon receipt of the notification to employee by a certified technician.
 - E. Failure to appear and submit for drug/alcohol testing, or failure to produce a sufficient sample for testing, shall:
 1. Bar any applicant for employment from being hired to a position in the Prince George’s County Public Schools,
 2. Disqualify an employee from operating a school vehicle or performing a safety sensitive function, or
 3. Result in the employee’s termination from employment with the Board of Education of Prince George’s County.
 - F. Return to Service of Disqualified School Bus Drivers.
 1. An individual who has been disqualified from driving a school bus in Maryland may not return to service as a school bus driver in the school system unless the individual submits to the Director of Transportation a statement signed by a substance abuse professional certifying under oath that the individual has:
 - a. Been determined, by the substance abuse professional, to be a recovering alcoholic or drug addict;
 - b. Successfully participated in a drug or alcohol abuse treatment program prescribed by the substance abuse professional of at least six (6) month



ADMINISTRATIVE PROCEDURE

ALCOHOL AND CONTROLLED SUBSTANCES TESTING FOR SCHOOL VEHICLE DRIVERS AND EMPLOYEES PERFORMING SAFETY SENSITIVE FUNCTIONS

4110
Procedure No.

August 15, 2014
Date

duration and has not tested positive for alcohol or controlled substances, as appropriate, at any point during the rehabilitation program; and

c. Been free of alcohol or controlled substances for at least ten (10) years, including the six (6) month period in which the individual participated in a rehabilitation program.

2. An individual who has been disqualified from driving a school bus in Maryland shall pass a return-to-duty test before returning to service as a school bus driver.

3. An individual who has been placed in service as a school bus driver shall be subject to follow-up testing for up to sixty (60) months.

IV. **RELATED REGULATIONS:** COMAR 13A.06.07.10, Alcohol and Controlled Substances Use and Testing; Section 11-154 of the Transportation Article of the Annotated Code of Maryland; 49 CFR Part 40; 40 CFR Part 382.

V. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Chief Administrator for Supporting Services and will be updated as necessary.

VI. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 4110, dated February 1, 2010.

VII. **EFFECTIVE DATE:** August 15, 2014.

Distribution: Lists 1, 2, 3, 4, 5, 6, 10, and 11