

Drug Testing Procedures

These procedures are intended to implement Allen County Board of Education Policies 03.13251 and 03.23251 pertaining to Drug Free/Alcohol Free Schools. Because it is impossible to anticipate every situation that may arise under these policies and procedures, the Drug Coordinator should be contacted to resolve any specific situation which is not addressed herein. This contact should be made before action is initiated, if at all possible.

I. APPLICANT TESTING

A. Notice

All applicants who are hired shall be given a copy of the applicable Drug Free/Alcohol Free Schools Policy. A signed copy of the Employee Acknowledgement of Understanding Regarding Drug and Alcohol Testing (03.13251 AP.2, 03.23251 AP.2) shall be retained in the personnel file for every employee.

B. Documentation

All applicants who are required to submit to a drug screening test must acknowledge the Board's policy towards drug and alcohol use and must sign the "Drug Screen Acknowledgment" (03.13251 AP.2, 03.23251 AP.2) BEFORE being sent for a drug screening test. A copy of the acknowledgment should be retained in the personnel file of any applicant who is hired. Any applicant who refuses to cooperate will not be hired.

C. Rules for Initial Post Offer Drug Test

1. All applicants to whom an offer of employment has been extended will be required to undergo a drug screening test. The Board may use blood, urine, hair, or other tests to detect the presence of drugs, or metabolites of those substances in an applicant's body. Employment will be denied to any individual whose drug screen test reveals the presence of illegal drugs.

Testing will occur for the following:

DRUG CLASS	SCREEN CUTOFF	GC/MS CUTOFF
Carboxy – THC (marijuana – met)	50ng/ML	10ng/ML
Amphetamines/Methamphetamine (Ecstasy/MDMA)	1000ng/ML	500ng/ML
Benzoyllecgonine (Cocaine – Met)	300ng/ML	150ng/ML
Opiates (Codeine/Morphine)	300ng/ML	300ng/ML
Phencyclidine/PCP	25ng/ML	25ng/ML

DRUG CLASS	SCREEN CUTOFF	GC/MS CUTOFF
Carboxy - THC (marijuana - met)	50ng/ML	15ng/ML
Amphetamines	500ng/ML	250ng/ML
Methamphetamines		250ng/ML
MDMA		250ng/ML
MDA		250ng/ML
Benzoyllecgonine (Cocaine - Met)	150ng/ML	100ng/ML
6MAM	10ng/ML	10ng/ML
Opiates (Codeine/Morphine)	2000ng/ML	2000ng/ML
Hydrocodone	300ng/ML	100ng/ML
Oxycodone	100ng/ML	100ng/ML
Phencyclidine/PCP	25ng/ML	25ng/ML
Any other abused, illegal, or banned substances as shall be banned by the Board.		

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2. Employment will be denied to any individual whose drug screening test reveals the presence of prescription drugs (such as barbiturates, amphetamines, opiates, etc.) unless the applicant has a current prescription, a valid medical reason for the use of such drugs, and the level of drugs present in the tested specimen is consistent with taking the medication as prescribed.
3. All positive tests will be confirmed by the laboratory through a second test using the gas chromatography -- mass spectrometry method. The individual should be told only that "the results of your drug screen test show positive for (name of drug)."

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II. EMPLOYEE TESTING

A. Rules for Employee Testing

1. The Board may utilize blood, breath, urine, hair, or other tests to detect the presence of alcohol, drugs, or metabolites of those substances in an employee's body.

DRUG CLASS	SCREEN CUTOFF	GC/MS CUTOFF
Carboxy – THC (marijuana – met)	50ng/ML	10ng/ML
Amphetamines/Methamphetamine (Ecstasy/MDMA)	1000ng/ML	500ng/ML
Benzoyllecgonine (Cocaine – Met)	300ng/ML	150ng/ML
Opiates (Codeine/Morphine)	300ng/ML	300ng/ML
Phencyclidine/PCP	25ng/ML	25ng/ML

DRUG CLASS	SCREEN CUTOFF	GC/MS CUTOFF
Carboxy - THC (marijuana - met)	50ng/ML	15ng/ML
Amphetamines	500ng/ML	250ng/ML
Methamphetamines		250ng/ML
MDMA		250ng/ML
MDA		250ng/ML
Benzoyllecgonine (Cocaine - Met)	150ng/ML	100ng/ML
6MAM	10ng/ML	10ng/ML
Opiates (Codeine/Morphine)	2000ng/ML	2000ng/ML
Hydrocodone	300ng/ML	100ng/ML
Oxycodone	100ng/ML	100ng/ML
Phencyclidine/PCP	25ng/ML	25ng/ML
Any other abused, illegal, or banned substances as shall be banned by the Board.		

2. Employees may be required to submit to a drug or alcohol screening test under the following circumstances:

- (a) Where the Board has a reasonable suspicion that the employee is or has been under the influence of drugs or alcohol.

Among the factors to be considered in determining whether to request that an employee submit to a drug or alcohol screening test because of reasonable suspicion of substance abuse are, but not limited to:

- excessive absenteeism or tardiness;
- unexplained significant deterioration in job performance;
- significant change in personality repeated abusive behavior, insolence, insubordination);
- reliable reports from other employees;
- unexplained absences from normal work sites;
- unusual behavior which cannot be readily explained;

- changes in appearance and demeanor;
- excessive cravings for water or sweets;
- reddened eyes or dilated pupils;
- odor of alcohol or drugs;
- slurred speech; or
- difficulty in motor coordination.

The conduct that is the basis for the request for a drug or alcohol screen test will be observed by two (2) administrators. The observed conduct that arouses suspicion of drug or alcohol use shall be documented in writing by the administrator witnesses as soon as possible following observation. This documentation shall occur within twenty-four (24) hours of observed behavior or before the results of the drug or alcohol screen test are released, whichever is earlier.

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A. Rules for Employee Testing (continued)

- (b) Random testing for drug use will be conducted on a neutral selection basis with all employees in safety sensitive positions having an equal chance of being selected. On an annual basis, a minimum of 25% of employees in safety sensitive positions will be randomly selected for a drug screen test and 10% will be selected for an alcohol screen test.
- 3. Failure or refusal by an employee to sign any required document or to take a drug or alcohol screening test when requested to do so will be grounds for immediate termination of employment.
- 4. In the event an employee has a "positive" drug or alcohol test, this test will be confirmed by the laboratory through a second test using the gas chromatography -- mass spectrometry method. If a confirmed positive result is obtained thorough this second analysis, the employee will then be notified of the test results, and will be disciplined, up to and including discharge.

Each specimen shall initially be tested using a highly accurate 5 panel instant urine test. Initial positive results, for drugs other than THC, from the instant test must be sent to the lab to be tested using a highly accurate immunoassay technique ("EMIT"). If the lab test is positive, it must be confirmed by gas chromatography/mass spectrometry ("GC/MS"). If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive.

- 5. In regard to testing for alcohol, an employee whose confirmed breath alcohol level is determined to be greater than .02 percent will be considered to have committed an intolerable policy violation and will be subject to termination of employment. An employee whose confirmed breath alcohol level is .02 percent or less will not normally be subjected to disciplinary action for alcohol abuse.

All employees whose confirmed breath alcohol level is greater than .02 percent are subject to Section II-B, "Transportation of Impaired Employees" of this procedure.

B. Transportation of Impaired Employees

When a reasonable suspicion drug or alcohol test is requested, a Board representative shall provide transportation for the individual to be tested to and from the collection site. When the collection is completed, arrangements should be made to have the employee transported home or to another location without requiring the employee to drive a vehicle. The employee should not return to work until notified by a Board representative to do so. If such an impaired employee refuses to accept transportation provided by the Board and insists upon driving, the employee should be strongly discouraged from doing so, but not forcibly restrained. Law enforcement should thereafter be contacted.

If the drug or alcohol screen test result is negative, the employee will be compensated for time missed from work because of the application of this procedure.

III. COLLECTION AND SAMPLE TESTING

A. Collection Process

Collection of the test specimen will be conducted by an independent third party administrator. The individual who supervises specimen collections (referred to herein as a "collection site person") shall be trained in maintaining a proper chain of custody, in proper conduct during a specimen collection, and in identifying specimen irregularities.

Any employee required to provide a test sample will be expected to complete any necessary forms required by the collection site or the Board, including those authorizing the disclosure of test results to Board representatives. Failure or refusal to do so will result in disciplinary action, up to and including termination of employment.

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B. Laboratory Handling

Once the specimen has been given, it will be tested by the independent third party administrator. If this preliminary test result is positive, the specimen will be transported to a designated testing laboratory. This laboratory will conduct an initial laboratory test and a confirmation test to determine whether the specimen is positive or negative for the presence of drugs. Each specimen shall initially be tested using a highly accurate 5 panel instant urine test. Initial positive results, for drugs other than THC, from the instant test must be sent to the lab to be tested using a highly accurate immunoassay technique ("EMIT"). If the lab test is positive, it must be confirmed by gas chromatography/mass spectrometry ("GC/MS"). If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive. If a urine test has been completed, the laboratory shall retain possession of the specimen in its original, labeled bottle for a minimum of six (6) months (to enable retesting upon demand). The third-party administrator shall retain records on all specimens for at least two (2) years.

C. Analysis by Medical Review Officer

A Medical Review Officer ("MRO") is a licensed doctor of medicine or osteopathy with knowledge of drug abuse disorders. The MRO is responsible for reviewing the results of the initial and confirmatory tests by the testing laboratory and exploring alternative explanations for a positive result.

The MRO will contact each employee whose drug or alcohol screen test is positive and will provide them with an opportunity to discuss the positive test result. Following this conversation, the MRO will make an independent decision as to whether the drug or alcohol screen test result, together with the employee's explanation, supports a finding of a positive drug or alcohol test result.

The MRO, following the analysis of the test results, will report to the Board's third party administrator whether an employee's drug or alcohol screen test result was positive or negative. Only those samples which tested positive for drugs or alcohol and for which the employee failed to offer a satisfactory explanation will be reported. All other tests will be reported as negative.

IV. DISCLOSURE OF TEST RESULTS

A. By the Medical Review Officer

1. Negative Results - If a drug test result is negative, the MRO need not contact the employee, but shall report the result to the Board's third party administrator.

2. Positive Results - As protection against the possibility of any false positive test results, when a drug test result is positive, this fact shall be communicated initially to the employee by the MRO. In order to facilitate this process, the individual tested will be expected, at the time the sample is provided, to indicate where or how the employee can be reached by the MRO. If the individual declines this discussion within 72 hours of contact from the MRO, the MRO need not make other efforts to review the drug or alcohol test result with the individual tested and shall report the positive test results to the Board's third party administrator. The Board's third party administrator shall report the positive test results to the Drug Coordinator or the Safety Coordinator who are the designated Board representatives.

Prior to verifying a positive test result, if the individual is willing to discuss the positive test result, the MRO will conduct a medical interview with the tested individual in person or by telephone to explore possible alternative medical explanations for any positive test results. The MRO will also review the tested individual's medical history to the extent provided by the tested individual and any other relevant medical facts that might have an impact upon the drug or alcohol test result.

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IV. DISCLOSURE OF TEST RESULTS (continued)

If the confirmed positive test result could have resulted from a legally prescribed medication, the MRO will also review the tested individual's medical history and any other relevant medical factors that might have an impact upon the drug or alcohol test result. If the confirmed positive test result could have resulted from a legally prescribed medication, the MRO will review all medical records made available by the tested individual.

If there is any question as to the accuracy or validity of a positive test result, the MRO may authorize a re-analysis of the original sample by the Board's testing laboratory. If, after completing the above review procedures, the MRO verifies the positive test result, this result should be reported only to the Board's third party administrator and the designated Board representatives.

3. Adulterated or Unreadable Specimens - When a sample is believed to have been adulterated through the actions of the tested individual, the MRO shall contact the tested individual and provide him/her with an opportunity to explain. If no satisfactory explanation is given, this information will be communicated only to the Board's third party administrator and the designated Board representatives, and it will be presumed that the tested individual could not have given a negative specimen and he/she may be deemed non-cooperative by the employer. If the specimen is unreadable due to circumstances not caused by or contributed to by the tested individual, the MRO will advise the tested individual and the Board's third party administrator of that fact and shall request that a second drug screen test be scheduled and completed as soon as possible.

B. By the Employer

1. Negative Results - If the test result is negative, the Board need not contact the employee with the test results. Upon request of the employee, the designated Board representatives shall advise the employee his/her drug or alcohol screen test result was negative.
2. Positive Results - If a urine drug or alcohol test result is reported to the Board to be positive, the tested individual may request a second confirmatory test at his or her own expense. If the tested individual requests a second confirmatory test, it shall be performed on the original specimen using GC/MS or equivalent technology, and shall be performed by a SAMSHA laboratory designated by the Board.

The cost of the second confirmatory test (as determined by the laboratory) shall be paid before re-testing is done. If the results of the second confirmatory test are negative, the tested individual will be reimbursed the cost of the secondary confirmatory test and the results of the initial positive test will not be used as a basis for discipline.

If the second confirmatory test is again positive and the tested individual is still unable to provide the MRO with a satisfactory explanation for the result, the tested individual will be advised of the result of the second confirmatory test. The employee will be discharged.

Drug Testing ProceduresB. By the Employer (Continued)

3. Adulterated or Unreadable Specimens - If the Board is informed that a specimen cannot be properly analyzed because of contamination or adulteration caused by or related to the employee's actions, he/she will be discharged for failure to cooperate. If the adulterated sample was not caused by or related to the conduct of the tested individual, a second drug or alcohol screen test shall be scheduled and completed as soon as possible.

V. CONFIDENTIALITY

All information involving drug and alcohol testing of an employee or applicant shall be treated as confidential medical information. All such information will be accessible only to the third party administrator and those Board officials and designated medical or professional persons as have been approved on a valid need to know basis. It will not be provided to any other party without the written consent of the employee except pursuant to administrative or legal procedure or process. Any employee who willfully discloses such information in violation of Board policy will be subject to discipline.

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