

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4212.42(a)

**RE: Drug and Alcohol Testing for School Bus Drivers
Personnel – Non-Certified**

Approved: May 12, 2015
Revised: June 4, 2019
Revised: May 10, 2022

The Bloomfield_ 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 and state law and regulations requiring a school bus driver’s 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 positions for the District who must have a Commercial Drivers License (CDL) to operate school vehicles.

In addition to the above cited federal requirement, the Board of Education expects its school transportation carrier, by June 30, 2019, to provide training to all school bus drivers, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector (“EpiPen”), (3) notifying emergency personnel, and (4) reporting an incident involving a student’s life-threatening allergic reaction.

Beginning July 1, 2019, each carrier must provide the training to school bus drivers (1) following the issuance or renewal of a public passenger endorsement to operate a school bus for carrier employees, and (2) upon the hiring of a school bus driver who is not employed by such a carrier (e.g., subcontractor), except a driver who received the training after the most recent issuance or renewal of his or her endorsement is not required to repeat it.

Prior to employment of bus drivers, 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 (Clearinghouse) to obtain information about the driver’s eligibility under federal rules to perform a safety-sensitive function. The district/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. (Prior employers’ inquiries will continue until January 2023.)

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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)