

Personnel – Certified/Non-Certified

Drug and Alcohol Use

Employee Testing

To insure the success of its drug and alcohol policy (Nos. 4118.231/42118.231), the Board may require prospective employees to undergo physical examinations, blood tests, urinalysis, or other medical drug and alcohol detection procedures under the circumstances described in these regulations.

All required medical tests will be conducted at Board expense by qualified and Board-approved designated medical personnel. Applicants and current employees will be given an opportunity before testing to advise the medical personnel of any legal or prescribed drugs which they are then taking.

A positive test result means that the test result shows the presence of an illegal or controlled substance or alcohol in the applicant's or employee's system at or above the limits hereinafter described.

An initial urinalysis drug test shall be administered utilizing a reliable methodology. An employee's initial positive result must then be confirmed by a second urinalysis drug test, which shall be separate and independent from the initial test. The second tests shall utilize either a gas chromatography and mass spectrometry methodology or other methodology which has been determined by the State of Connecticut Commissioner of Health Services to be as reliable or more reliable than the gas chromatography and mass spectrometry methodology.

All confirmation tests on employees will be conducted on the same urine sample upon which the initial test was conducted and by the same medical or technical personnel. If the final confirmation test is negative for illegal drugs or alcohol, the Board will disregard the initial screen test.

If an employee's alcohol test reveals an alcohol concentration of .04 or greater, he/she may be subject to disciplinary action, including discharge.

Reasonable Suspicion Testing

Each employee is subject to drug testing whenever the Board, through its Director of Buildings and Grounds or an Administrator or his/her designee, has a reasonable suspicion that said employee has violated this policy through the use of a controlled substance or alcohol. The determination that reasonable suspicion exists to require the employee to undergo a test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations may include indications of the chronic or withdrawal effects of controlled substances.

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Reasonable Suspicion Testing Cont'd.

The person who makes the determination that a reasonable suspicion exists to conduct a drug or alcohol test shall not conduct such test of the employee. Reasonable suspicion must be confirmed by a school nurse. If a nurse is not available, then confirmation shall be by another administrative staff member.

Alcohol testing is authorized only if the observations required by this policy are made during, just preceding or just after the period of the work day that the employee is required to be in compliance with this policy or at any time the employee is using a school vehicle. If an alcohol test required by this section is not administered within two hours following the determination of reasonable suspicion, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this policy is not administered within 8 hours following the determination of reasonable suspicion, the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

An employee who is tested pursuant to this section will be suspended with pay pending the test outcome. If the test is negative, the employee will be allowed to return to work, unless the suspension was imposed for additional reasons unrelated to this policy.

A written record shall be made of the observations leading to the controlled substances “reasonable suspicion” test, and signed by the Director of Buildings and Grounds, Administrator, or his/her designee within 24 hours of the observed behavior or before the results of the controlled substance test are released, whichever is earlier.

If a test under this section is required outside of the employee’s work time, the Board will pay the employee at his/her hourly rate for the time necessary to take the test, but only if the test results are negative, that is, alcohol and drug free.

Confidentiality of Records and Test Results.

Results of job applicant and employee drug and alcohol tests will be kept confidential to the extent allowed by law. Only Board employees and agents who need to know the test results will

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Confidentiality of Records and Test Results Cont'd.

be notified of, or permitted to review, the results. Employees and agents must not reveal the test results to any other persons who have no need to know the results. An employee who violates the provision of this section is subject to disciplinary action up to and including discharge. In addition, test results will be maintained with other employee medical records and shall be subject to privacy protection provided by state law.

Obligation to Report

The Board will not discharge, discipline or otherwise penalize any employee because the employee makes a good faith report of a violation of a suspected violation of this policy. However, any employee found to have knowingly made a false report shall be subject to disciplinary action up to and including discharge.

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NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut