

## **CONTROLLED SUBSTANCE AND ALCOHOL TESTING**

The U.S. Department of Transportation has issued regulations (49 CFR parts 40, 382, 391, 392 and 395) (the "Regulations") pursuant to the Omnibus Transportation Employee Testing Act of 1991 (P.L. 102-143)(the "Omnibus Act") which governs the use of drugs and alcohol by commercial motor vehicle drivers, and which also require all school districts to conduct mandatory drug and alcohol testing of covered drivers. The regulations require testing to begin on January 1, 1996.

I. It is the District's intention to comply fully with the Omnibus Act and DOT's regulations governing drug and alcohol use and testing, and the requirements of the DOT's regulations are hereby incorporated into this Policy. In the event DOT's regulations are amended, this Policy and the applicable term(s), condition(s) and/or requirement(s) of this Policy shall be deemed to have been amended automatically at that time, without the need for redrafting, in order to reflect and be consistent with DOT's regulations. In such case, the District reserves the right to apply the amended requirements immediately, and without giving prior notice to drivers and/or applicants, unless such notice is required by DOT or another applicable law. The District also intends to comply with the applicable requirements of the Drug Free Workplace Act of 1988, the Drug Free Schools and Communities Act, the Americans With Disabilities Act, the Family and Medical Leave Act, the Rehabilitation Act 504 and the New York State Human Rights Law.

II. Administration shall promulgate administrative regulations to implement this policy and comply with the Omnibus Act, the Regulations and other applicable laws and collective bargaining agreements.

III. Administration shall also develop Drug and Alcohol Testing Educational Material that complies with 49 CFR part 382, subpart F, for distribution to covered employees as required by the Regulations.

IV. Administration shall provide written notice to the bus drivers' bargaining unit of the adoption of this policy and of any administrative regulations hereunder, and of the availability of the Educational Materials required by the DOT.

***Great Neck Public Schools***

***Adopted: 11/27/95***