

SCHOOL BUS DRIVERS

Eligibility for Employment

Any applicant for employment hired to transport students must

- a. have a physical examination of a scope prescribed by the Virginia Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination;
- b. furnish a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs, convicted of a charge of refusing to take a blood or breath test, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or been required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498;
- c. furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character;
- d. exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339;
- e. have reached the age of 18 on the first day of the school year; and
- f. submit to testing for alcohol and controlled substances as required by state and federal law and regulation.

Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a driver to transport students.

Persons hired as drivers to transport students must annually furnish the documents listed in (a) and (b) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator.

Drug and Alcohol Testing

The Alexandria City ~~school division~~Public Schools shall implement a drug and alcohol testing program for ~~school bus~~ drivers hired to transport students and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations, who perform safety-sensitive functions as required by federal and state law and regulations.

Prohibited conduct

Drivers shall be prohibited from

- alcohol possession and/or use on the job,
- alcohol use during the four hours before performing safety-sensitive functions,

- having prohibited concentrations of alcohol (as defined in federal regulations) in their systems while on duty or performing safety-sensitive functions, and
- alcohol use during eight hours following an accident or until after ~~she/he~~she undergoes a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect his/her ability to safely operate a motor vehicle.

Required testing

Drivers shall be subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pursuant to state law, drivers shall be subject to pre-employment alcohol testing. Any employee who refuses to submit to a post-accident, random, reasonable suspicion or follow up test shall ~~not perform or continue to perform safety sensitive functions~~ be subject to personnel action, up to and including dismissal.

Notification

Each driver shall receive educational materials that explain the requirements of federal law and regulations together with a copy of the Division's policy and procedures for meeting these requirements. Each driver shall sign a statement certifying that he/she has received a copy of the above materials and the Division shall maintain this signed copy.

Before performing each alcohol or controlled substance test the Division will notify the driver that the test is required by federal law and regulation.

Consequences if testing indicates drug or alcohol misuse

If the testing confirms prohibited alcohol concentration levels (as defined in federal regulations) or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with ~~the~~ federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with negative urine sample.

Record retention

The Division shall maintain records in compliance with ~~the~~ federal regulations in a secure location with controlled access. With the driver's consent, the Division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver shall be entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the driver's request.

Test Procedure

The Division shall administer controlled substance tests in accordance with federal laws governing test procedure and testing sites. The Division shall take steps to insure proper training and testing procedures are provided.

Adopted: November 17, 1998

Amended: November 21, 2002

Amended: April 20, 2006

Amended:

Legal Ref.: 49 U.S.C. §§ 31136, 382.101 et seq.

Code of Virginia, 1950, as amended, section 22.1-78, 46.2-339, 46.2-340

8 VAC 20-70-280

Cross Ref.: EEAC School Bus Safety Program

GBEA Unlawful Manufacture, Distribution, Dispensing, Possession
or Use of a Controlled Substance