

Board Policy AFC: Emergency Closings

Status: ADOPTED

Original Adopted Date: 11/06/2000 | **Last Revised Date:** 02/13/2020 | **Last Reviewed Date:** 02/13/2020

Emergency Closings

The Superintendent or his/her "designee" is authorized by the Board of Education to close schools in the event of hazardous weather or other emergencies which present dangers to the safety of students, school staff members or school property.

Board Policy CMA: Administrative Rules

Status: ADOPTED

Original Adopted Date: 04/11/1988 | **Last Revised Date:** 02/13/2020 | **Last Reviewed Date:** 02/13/2020

Administrative Rules

The Board of Education authorizes the Superintendent to develop administrative regulations to implement Board policy.

Board Policy DFK: Gifts and Bequests

Status: ADOPTED

Original Adopted Date: 09/18/2014 | **Last Revised Date:** 02/13/2020 | **Last Reviewed Date:** 02/13/2020

Gifts and Bequests

It shall be the policy of the Gilmer County Board of Education that donations from any source shall be accepted or denied in accordance with state and federal laws and to policies of the Board including but not limited to, any applicable safety standards. Donations include, but are not limited to, monetary contributions, real or personal property, and services.

Any gifts or donations offered to an individual school and/or the Gilmer County Board of Education as a whole that would obligate the school system to expend funds, commit the board's property, or otherwise impose conditions on the school system prior to or as a result of accepting the gift or donation must be approved in advance by the Board. The Superintendent/designee has the authority to accept any unconditional gifts or donations.

In order to assist the school system in maintaining compliance with the Georgia Equity in Sports Act, any donations made to athletic programs of the school system and accepted by the Board or Superintendent/designee must be accompanied by either a valuation of such donation or an accounting of actual costs incurred by the donor regarding the donation.

Upon acceptance, gifts or donations become the property of the Gilmer County Board of Education and are not subject to any limitation on future use other than any that may be imposed by the laws, rules, and regulations that govern the school system.

The Superintendent shall establish criteria for the evaluation of offers and acceptance of donations to the school system.

Board Policy GCRA(1): Drug Screening of Bus Drivers

Status: ADOPTED

Original Adopted Date: 11/21/1994 | **Last Revised Date:** 02/13/2020 | **Last Reviewed Date:** 02/13/2020

Drug Screening of Bus Drivers

The Gilmer County Board of Education places a high priority on ensuring safe transportation for its students transported on school buses. The Board of Education recognizes that unimpaired judgment on the part of its drivers is essential to providing safe transportation and that alcohol misuse and controlled substance use may impair the judgment of drivers.

In order to help prevent accidents and injuries resulting from alcohol misuse and controlled substance use, the Board of Education will implement the United States Department of Transportation, Federal Highway Administration, Controlled Substances and Alcohol Use and Testing Regulations ("Regulations"), as well as applicable State law and the regulations promulgated there under. All individuals who drive or may drive a bus for the Board of Education at any time, including, but not limited to full-time drivers, part-time drivers, substitute drivers, teachers who drive buses, mechanics and others, must participate in the controlled substance and alcohol testing program as more fully described in federal and State regulations.

Individuals who have positive controlled substance test results shall be terminated, as shall individuals whose test results reveal blood alcohol concentrations 0.04 and above and individuals who refuse to submit to a required alcohol or controlled substance test. Individuals whose test results reveal blood alcohol concentrations of at least 0.02, but less than 0.04, and individuals who engage in other conduct prohibited by the regulations may, in the Board of Education's discretion, be terminated.

Drivers must inform their immediate supervisor of any therapeutic drug use, whether by prescription or "over the counter," and must provide a statement from their treating physician that the substance does not adversely affect the driver's ability to operate the bus.

TESTING FOR DRUG & ALCOHOL ABUSE

It is the policy of the Gilmer County Board of Education that all employees, who, as a condition of employment and job assignment, must have a Commercial Drivers License, hereafter referred to as drivers, shall be tested for misuse of alcohol or use of controlled substances. Such tests shall include pre-employment and/or pre-duty testing, reasonable suspicion testing, random testing, post-accident alcohol and controlled substance testing, and follow-up testing. In addition to tests for alcohol abuse, tests shall be conducted to detect the use of marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamine).

All drivers and driver applicants shall be notified that they are so covered, and that tests for alcohol abuse and use of controlled substances will be administered from time to time as provided by this policy. Drivers cannot refuse to submit to such tests while employed by the Gilmer County Board of Education.

No driver shall report for duty or remain on duty while having an alcohol concentration of .04 or greater. No driver shall report for duty or remain on duty when using any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver in writing that the substance does not adversely affect the driver's ability to perform safety sensitive functions and safely operate a commercial motor vehicle. Drivers shall be required to inform their supervisor(s) of any therapeutic drug use.

Pre-Employment/ Pre-Duty Testing

Prior to the first time a driver performs safety-sensitive functions, the driver shall undergo testing for alcohol and controlled substances.

Post-Accident Testing

In the event of an accident involving directly or indirectly a school district bus or other commercial vehicle, the driver(s) of the vehicle shall be tested for alcohol and controlled substances use within two hours after the accident. If it is not possible to administer the test within two hours, the Superintendent shall prepare and maintain on file for inspection a record stating the reasons the test was not promptly administered. Drivers who are subject to post-accident testing shall remain readily available for such testing. Otherwise, the driver is considered to have refused to submit to testing and employment shall be terminated. Nothing in this policy shall be construed to require the delay of necessary medical attention for injured people following an accident, or to prevent a driver from leaving the scene of an accident for a period necessary to obtain assistance in responding to the accident.

Random Testing

Random testing for alcohol abuse and use of controlled substances shall be unannounced and conducted quarterly. They shall be conducted as follows:

For alcohol abuse, twenty-five percent (25%) of drivers shall be chosen for random testing each calendar year.

For use of controlled substances, fifty percent (50%) of drivers shall be chosen for random testing each calendar year.

The percentage of drivers tested may be adjusted with written approval of the Federal Highway Administration (FHWA).

Selection of drivers to be tested shall be made by a scientifically valid method that insures that each covered employee has an equal chance of being tested each time selection is made, i.e., a random number table of a computer-based random number generator that is matched with employees' social security numbers, or other comparable identifying numbers.

Drivers who are notified that they have been selected for random testing shall proceed immediately to the test site. Drivers shall only be tested for alcohol while performing safety-sensitive functions, just before performing safety-sensitive functions, or just after the driver has ceased to perform safety-sensitive functions.

Reasonable Suspicion Testing

Reasonable suspicion shall be cause for a driver to be required to undergo testing for alcohol abuse or use of controlled substances. Reasonable suspicion must be based upon specific, contemporaneous, articulable observations by a qualified supervisor or school official concerning the appearance, behavior, speech or body odors of a driver, or indications of the chronic and withdrawal effects of controlled substances. Such observations must have been made by a qualified supervisor or school official during, just proceeding, or just after the period of the workday that the driver is required to perform safety-sensitive functions. Within 24 hours of the observed behavior, a written record shall be made of the observations leading to a controlled substance reasonable suspicion test and signed by the supervisor or school official who made the observations.

Persons designated by the Board to be qualified to determine whether reasonable suspicion exists to require a driver to undergo testing must have received at least sixty (60) minutes of training on alcohol misuse and at least an additional sixty (60) minutes of training on controlled substances use. The training must have covered the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

Follow-up Testing for Drivers With Test Results of .02 to .039

In the event it is determined that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the Superintendent shall insure that the driver is:

1. advised of the resources available to the driver in evaluating and resolving problems associated with misuse of alcohol and use of controlled substances including names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs;
2. evaluated by a substance abuse professional who shall determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and controlled substances use;

Before a driver whose test reflects .02 - .039 returns to duty, the driver shall undergo a return-to-duty alcohol test at the driver's expense, with a result of an alcohol concentration of less than 0.02, or a controlled substance test with a verified negative result.

Penalties

1. A driver refusing a test shall be terminated from his or her employment. The following constitutes refusal to test:

Controlled Substance -fails to provide a urine sample, without a valid medical explanation. Engages in conduct that clearly obstructs the testing process failure of employee to remain readily available for testing for thirty-two (32) hours following an accident requiring testing or the test administered.

Alcohol- refusal of an employee to complete and sign the breath alcohol testing form (Step 2) failure to provide

breath or adequate breath (note: exception for medical reasons and the employer must send to a licensed physician for a medical evaluation, and receive a written evaluation). Failure of employee to remain readily available for testing for eight (8) hours following an accident requiring testing, or the test is administered.

2. A driver who is found to have used an illegal drug shall be terminated from his or her employment.
3. A driver whose test reflected .04 or greater shall be terminated from his or her employment.
4. A driver whose test reflects .02 - .039 shall be removed from safety-sensitive duties for twenty-four (24) hours. The driver will not return to duty until retested, at driver's expense, as previously noted in this policy. A driver found to have any measurable alcohol in his or her system shall be subject to disciplinary action at the discretion of the Gilmer County Board of Education.

Confidential Handling of Driver Test Information

Driver alcohol abuse and controlled substance use testing information is confidential and may be released only to the appropriate substance abuse professional. Any other release of this information is only with the driver's written consent.
