

Stark County Board of Developmental Disabilities

Transportation Procedure 047 Reasonable Suspicion Testing-Alcohol and Controlled Substances	Effective: 9/1/2015
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Subject: Reasonable Suspicion Testing – Alcohol And Controlled Substances

All Vehicle Operators and Bus Drivers required to have and maintain a Commercial Driver's License (CDL) shall submit to an alcohol test when a trained staff person has reasonable suspicion to believe that the driver has violated the prohibitions concerning alcohol. The determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.

All vehicle Operators and Bus Drivers required to have and maintain a Commercial Driver's License (CDL) must submit to a controlled substances test when a trained staff person has reasonable suspicion to believe that the driver has violated the prohibitions concerning controlled substances.

The determination that reasonable suspicion exists to require the driver to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or other staff person designated by the Superintendent who is trained in accordance with 49 CFR §382.603.

Alcohol testing is authorized only if the observations are made during, just preceding, or just after the period of the workday that the driver is required to be in compliance. A driver may be directed by the employer to only undergo reasonable suspicion testing while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

Notwithstanding the absence of a reasonable suspicion alcohol test, no driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall the employee be permitted to perform or continue to perform safety-sensitive functions, until:

1. An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or
2. Twenty-four (24) hours have elapsed following the determination that there is reasonable suspicion to believe that the driver has violated the prohibitions in this part concerning the use of alcohol.

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Any driver who is identified by a trained staff person according to the specified criteria will be driven to one of the testing centers below.

Aultman Immediate Care Facility at 6100 Whipple Ave NW North Canton, will be utilized between the hours of 8:00 AM and 5:00 PM, weekdays. In order to meet the time requirements reflected above, should the occurrence be beyond the hours of Aultman's Immediate Care Facility, and on weekends and holidays, Aultman Hospital, 2600 6th St. S.W., Canton, Ohio may be used.

Where the utilization of the above testing facilities is not practicable, the supervisor will contact a possible testing site, indicate his/her name, explain the situation, determine the cost and authorize the expenditure. The driver who is identified by a trained staff person according to the specified criteria will be driven to that testing center.

The billing address will be given to that vendor; Whipple-Dale Centre, 2950 Whipple Ave. N.W. Canton, Ohio 44708, Attention: Finance Office. On the next business day, trained staff person will inform the Board's Business Manager of the incident, the vendor and the sum of the expenditure.

The results of the testing results are communicated to the Board's Director of Human Resources at 330-477-5200, extension 3914

Staff persons with a positive test for either alcohol or controlled substances are subject to the Board's Policy 4.39 Drug free Workplace Policy, and to the federal requirements for completion of a Substance Abuse Professional (SAP) evaluation, referral and education/treatment procedure.

A written record shall be made of the observations leading to an alcohol or controlled substances reasonable suspicion test, and signed by the trained staff person who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

Ref: 49 CFR §382.307.

Ref: Ohio Pupil Transportation Safety Rules Chapter 3301-83