

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

BP 4112.41, 4212.41, 4312.41

Personnel

Employee Drug Testing

The Governing Board maintains a drug and alcohol-free workplace. In accordance with law, all employees shall render service without using, possessing, being impaired by or being under the influence of alcohol or drugs.

(cf. 4020 - Drug and Alcohol-Free Workplace)

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Pre-Employment Drug/Alcohol Testing

Once a conditional offer of employment has been made, all prospective employees may be asked to undergo a pre-employment drug and alcohol screening for any substance which could impair their ability to safely and effectively perform their job functions.

All drug and alcohol screenings shall be conducted in accordance with state and federal law, and in accordance with Board policy and administrative regulation.

(cf. 4112.4 /4212.4/4312.4 - Health Examinations)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

45122 Physical examinations

GOVERNMENT CODE

8350-8357 Drug-free workplace

12940 Unlawful employment practices

CODE OF REGULATIONS, TITLE 5

5504 Medical certification procedures

UNITED STATES CODE, TITLE 41

701-707 Drug-Free Workplace Act

UNITED STATES CODE, TITLE 20

7101-7184 Safe and Drug-Free Schools and Communities Act

COURT DECISIONS

Loder v. City of Glendale, (1997) 14 Cal. 4th 846

Vernonia School District 47J v. Acton, (1995) 115 S.Ct. 2386

International Brotherhood of Teamsters v. Department of Transportation, (1991) 932 F.2d 1292

National Treasury Employees Union v. Von Raab, (1989) 109 S.Ct. 1384
Skinner v. Railway Labor Executives' Assn, (1989) 489 U.S. 602

| 8/25/04; 5/11/05