

## **Pre-Employment Drug Testing**

### **Purpose:**

These procedures set forth the administrative regulations which define the manner in which the district seeks to ensure that candidates for new employment in the district are not currently using unlawful/illegal drugs.

These procedures are part of the District's overall commitment to providing a safe and drug-free workplace environment in all district facilities and for all school operations.

### **Definitions:**

1. "Applicant" – A person who has filed an application for employment with the district. This shall include both licensed and non-licensed positions, and both full-time and part-time positions. However, this may not include those persons who seek to fill positions on a temporary or short-term substitute basis.
2. "Candidate" – An applicant who has been selected for employment on a probationary basis pending satisfactory completion of the district's drug-testing program.
3. "Drugs" – Any drugs or substance classified in schedules I through V (I-V) under Federal Controlled Substances Act 21 U.S.C.881 – 812, including , but not limited to, mind-altering substances or narcotic drugs such as hallucinogenic, amphetamines, barbiturates, cocaine, opiates, marijuana or any other unlawful drug or controlled substance, except those prescribed by a physician and used as directed.
4. "Laboratory" – A certified laboratory with trained personnel able to collect specimens for drug testing, able to conduct drug specimen analysis, and provide a qualified Medical Review Officer to verify laboratory drug test results.

### **Procedures:**

1. A statement that drug testing is part of the District's pre-employment process, and that satisfactory completion of such drug screening is a prerequisite of employment in the district will be posted in all district buildings. The application packet will include a Consent for Pre-employment Drug Testing/Release of Information Form.
2. A candidate may be offered employment on a probationary basis pending satisfactory completion of the drug-testing program for unlawful drugs.
3. The Department of Human Resources will notify the prospective new employee selected for a position and provide candidate with the name of the designated drug-testing laboratory.
4. A candidate shall report to the district-designated laboratory to conduct the pre-employment drug screening at the approved time which will, when practical, be within 24 hours following the offer of employment or the District may withdraw the job offer.
5. The district's designated drug-screening laboratory will be required to provide written assurance that the following standards will be maintained:
  - a. It will utilize reliable protocols and procedures. It will also establish screening cut-off levels that

assure that drugs are present at a sufficiently high level to allow the District to reasonably conclude that the candidate is currently engaging in the unlawful use of drugs, consistent with generally acceptable standards, and protect the candidate's rights to privacy to the fullest extent possible;

- b. It will secure the candidate's written consent to perform the pre-employment screening tests;
  - c. It will perform drug-screening tests for the presence of unlawful drugs and will use generally accepted drug-testing procedures to verify positive tests and use acceptable follow-up procedures where appropriate;
  - d. Following immediate verbal communication to the superintendent or his/her designee, the laboratory will provide written confirmation to Department of Human Resources within five (5) workdays following screening.
6. The Department of Human Resources will notify the candidate of the results of the drug-screening tests:
- a. A candidate who wishes to challenge the accuracy of the positive results may request that the test be repeated. The original specimen will be utilized for re-testing. Requests for re-testing must be submitted in writing to the Department of Human Resources within two (2) working days of notification of a positive test result;
  - b. The District will pay for the initial drug screening. If the results are positive and the candidate requests a second test, the cost will be the responsibility of the candidate. The original sample will be used in order to confirm the results of the first test;
  - c. If the results of the re-test are positive the tentative offer of employment shall be null and void and withdrawn; and the candidate will be ineligible for employment with the District.
7. If the drug-screening test is negative but fails the integrity test (sample too diluted), the candidate will be advised that he/she has failed the integrity portion of the screening and may be re-tested at the candidates expense. If the candidate is unable to pass the integrity test, the District's offer of employment shall be null and void and withdrawn immediately.
8. If the drug-screening test inadvertently reveals that a candidate is taking medication for the treatment of a disability/illness, this information will not be used by the district to unlawfully discriminate against the candidate based on that disability/illness.
9. Written records of drug-screening test results will be maintained in separate files and will be treated as confidential medical records by the district.
10. Failure to report to the collection site for testing within the time frame specified by the district shall constitute a refusal to report for testing and make the District's offer of employment null and void.

**Lincoln County School District**  
**Pre-Employment Drug Testing Form**

**Consent for Pre-Employment Testing**

As part of the employment process the District requires testing for illegal drugs. If you wish to complete the application process you must consent to a drug-screening test by signing this form.

Your signature indicates consent to testing using a specimen provided by you, in order to determine the presence of illegal drugs. It is further understood, that the results of an analysis will be used to determine eligibility for employment with the District.

**Release of Information**

I hereby authorize the laboratory/medical officer and/or assessment personnel to release the results of my drug-screening test(s) to the district. I recognize that the information disclosed to the district may contain information that is protected by federal and state law; such as information about drug abuse, illegal drugs and/or controlled substances.

I understand the collection laboratory selected by the District will be a laboratory certified to collect and conduct drug specimen analysis.

I will provide true, correct, and complete facts. I understand that misrepresentation or omission of facts will be grounds for being denied employment. I specifically consent to the disclosure of such information for the purpose of becoming an employee of the district.

I further consent to the disclosure of the results of my pre-employment drug test to the Oregon Employment Department in the event the district terminates my employment as a result of said test and I seek unemployment benefits. I recognize that the information which may be disclosed to the Oregon Employment Department may contain information that is protected by federal and state law pertaining to drug abuse, illegal drugs and/or controlled substances.

The District reports all positive drug test results of licensed applicants to the Teacher Standards and Practices Commission (TSPC) as required by Oregon Administrative Rules (ORS).

\_\_\_\_\_  
Print Name

Date \_\_\_\_\_

\_\_\_\_\_  
Candidate's Signature