

Lincoln County School District

Code: **GBED**
Adopted: 6/14/16 (Effective 7/01/16);
1/14/20
Readopted: 9/14/16

Drug Testing

Offers of employment for certain positions in the district may be contingent upon successful passage of a district-required drug test. Any position which requires driving or equipment operation shall be contingent upon successful passage of a district-required drug test. The district may require drug tests for safety-sensitive positions such as teachers, instructional assistants, maintenance workers, coaches, and those who would have direct unsupervised contact with students.¹ The district will designate when and where such testing will be conducted. District required drug testing expenses will be paid by the district. The offer of employment may be withdrawn from candidates who test positive for drugs.

Information the district receives regarding drug testing will be collected and maintained on separate forms and in separate files apart from personnel files. All such records will be kept confidential, maintained for a minimum of one year and released only in accordance with provisions of the Americans with Disabilities Act or other applicable laws.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 657.176](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§ 31301-31317; 49 C.F.R. Parts 40, 382, 391-395 (2006).
Lanier v. City of Woodburn, 518 F3d. 1147 (9th Cir. 2008).
Americans with Disabilities Act Amendments Act of 2008.

Cross Reference(s):

GCC - Recruitment of Licensed Staff
GDC - Recruitment of Classified Staff

¹Based on Lanier – “Safety sensitive” may also include positions that have heavy student contact and in loco parentis responsibility (e.g. teachers, administrators, paraprofessionals).