



# Independent School District 152



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## Attachment C: Bus Driver or Applicant - Refusal to Submit to Testing

**School Board Policy:** 416-C

**Date Adopted:** 12/12/1994

**Date Reviewed:** 12/11/2019

**Section:** 400 EMPLOYEE/PERSONNEL

**Date Revised:** 12/11/2019

### ATTACHMENT C

#### -- BUS DRIVER OR DRIVER APPLICANT --

#### REFUSAL TO SUBMIT TO TESTING

I hereby refuse to submit to drug/alcohol testing by doing the following:

- \_\_\_\_\_ Failing to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so;
- \_\_\_\_\_ Failing to remain at the testing site until the testing process is complete;
- \_\_\_\_\_ Failing to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test;
- \_\_\_\_\_ Failing to permit the observation or monitoring of any provision of a specimen in the case of a directly observed or monitored collection in a drug test;
- \_\_\_\_\_ Failing to provide a sufficient breath specimen or sufficient amount of urine when directed, and it has been determined that there was no adequate medical explanation for the failure;
- \_\_\_\_\_ Failing or declining to take a second test as directed;
- \_\_\_\_\_ Failing to undergo a medical examination or evaluation, as directed by the Medical Review Officer (MRO) or the Designated Employer Representative (DER).
- \_\_\_\_\_ Failing to cooperate with any part of the testing process (e.g., refusing to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the

collection process, failing to sign the certification on the form; or

\_\_\_\_\_ Having a verified adulterated or substituted test as reported by the MRO.

[An applicant who fails to appear for a pre-employment test, who leaves the testing site before the preemployment testing process commences, or who does not provide a urine specimen because he or she left before it commences is not deemed to have refused to submit to testing.]

I recognize that my refusal subjects me to the consequences specified in federal law and regulations. It also constitutes a presumption of a positive result. I further recognize that if I am an applicant, I will be disqualified from consideration for the conditionally offered position. If I am an employee, I will not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If the school district offers me an opportunity to return to a DOT safety-sensitive function, I understand I will be evaluated by a substance abuse professional and will be required to submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Employee/Applicant

Time: \_\_\_\_\_

Supervisor: \_\_\_\_\_

\_\_\_\_\_  
Supervisor's Signature

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Employee refusal to sign

Supervisor's Initials: \_\_\_\_\_