

Introduced by

Senators Clemens, Kreun, G. Lee

Representatives Damschen, Jones, B. Koppelman

1 A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota  
2 Century Code, relating to requiring school districts to develop a drug testing policy.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 15.1-09 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **School boards - Drug testing policy.**

7 The board of each public school district shall adopt and implement a policy providing for  
8 random drug testing of all school district employees. For purposes of this section, "employee"  
9 includes administrators, teachers, coaches, ancillary staff, and any other individual who  
10 receives remuneration for services provided to the school district. The policy must:

- 11 1. Require testing for part-time and full-time employees;
- 12 2. Require testing of every individual seeking employment with the school district during  
13 the hiring process;
- 14 3. Require random drug testing of at least ten percent of all school district employees in  
15 each twelve-month period;
- 16 4. Provide an employee may not be subject to random drug testing more than once in a  
17 twelve-month period;
- 18 5. Allow the board of the school district to review all drug test results;
- 19 6. Provide the refusal of an employee to take a required random drug test is equivalent to  
20 a failed test;
- 21 7. State the consequences for a failed drug test by an employee;
- 22 8. Require termination of employment if an employee fails more than two random drug  
23 tests; and
- 24 9. Require the school district to pay for all drug testing and related expenses.