SENATE BILL NO. 2337

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

School boards - Drug testing policy.

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

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