

## STUDENT ACTIVITIES DRUG TESTING POLICY

### 5530.1 STUDENT ACTIVITIES DRUG TESTING POLICY

#### Policy Statement

The Clearview Regional High School District Board of Education recognizes that drug use is a serious threat to the health and safety of all of its students. However, the risk of immediate physical harm is particularly high with respect to student-athletes and dangerous to students in co-curricular activities and those who are driving to school. Furthermore, because these students are oftentimes viewed as a "role model" by other members of the student body, it is imperative that the Board take steps to deter and eradicate drug use among the district's students.

In order to ensure that the district's students do not use drugs, the Board of Education has adopted the following procedures authorizing pre-season screening and random urinalysis drug testing of all students who choose to participate in the district's athletic programs, in co-curricular activities, and/or driving and parking on the school campus, in accordance with the decision of the United States Supreme Court in *Veronia School District 47J v. Acton*, 115 S. Ct. 2386 (1995).

The purposes of the program established pursuant to this policy are educational, diagnostic, and preventative, as opposed to punitive or disciplinary.

#### Procedure

1. **Consent Form:** All students who wish to participate in district athletics, co-curricular programs, or park on school grounds shall be provided a copy of this Student Activities Drug Policy, and thereafter shall be required to sign a form consenting to random testing and/or pre-season screening pursuant thereto. The student must also provide written consent to such testing from their parent(s) or legal guardian(s). Students who are at least eighteen years old, and have declared themselves to be emancipated, assume the role of parent in relation to the provisions of this policy.
2. **Random Selection for Testing:** All students who are identified in the groups above may be tested prior to the beginning of a season, start of co-curricular activities, or granting of a parking permit. All students who are identified in the groups above shall also be part of a random testing population during each athletic season for their sport, during participation in a co-curricular activities, during the issuance of a parking permit to park on school grounds, or whenever a drug-testing program is instituted by the



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district. Random selection and testing of students who are part of the above named groups shall be conducted by the contractor appointed by the Board of Education. Selection and testing shall be done on an intermittent basis. The total number of athletes participating shall be established by the Director of Student Activities. The number of students to be tested will be determined each year by the Superintendent after consultation with the Director of Student Activities, and dependent on the budget approved by the Board of Education. The contractor conducting the random selection, and all testing, shall adhere strictly to all Federal and State standards. Those students selected for testing shall be immediately notified and tested the same day, or as soon thereafter as possible. Once tested, students will be permitted to continue participation in athletics, co-curricular activities, and parking on school grounds awaiting the test results. However, those selected may not participate in a practice or contest until tested.

3. **Collection of Urine Samples:** The student selected for testing pursuant to the foregoing random procedure shall complete a specimen control form which bears an assigned identification number. This number shall be the sole means for identifying the specimen by all laboratory personnel. Only the Superintendent of Schools, the Director of Activities, and other district employees with a "need to know" the identity of the student being tested shall know the assigned number for each student selected for testing. If the student is taking prescription medications, he/she shall identify such medications by providing a copy of the prescription or a physician's authorization. The student shall not be required to disclose the medical condition requiring such medication. After completing the control form, the student shall enter an empty secured lavatory monitored by an adult collector. The collector shall listen for normal sounds of urination. After the sample is produced, the student shall give the sample to the collector who shall check the sample for temperature and signs of tampering, and, if satisfied with the integrity of the sample, the collector shall promptly transfer the sample to a specimen bottle provided by the testing laboratory that bears the assigned identification number.
4. **Testing Facility:** The Board of Education shall determine what facilities are to be used to test student urine samples. Selected facilities shall be recognized testing facilities, and the student shall have the option to send his/her split sample to an approved testing facility of his/her choosing, at his/her expense. The split sample must be collected at the same time as the first sample to be sent to the district's approved testing facility. Chain



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of custody procedures, discussed below, must be followed by the district's chosen facility. The results of tests of the split sample, run by the student's facility of choice, shall be considered the final results.

5. Test Procedure: Urinalysis will be the preferred testing method. However, the district reserves the right to require blood tests. If the student refuses to submit to any test, such student shall forego his/her privilege of participating in the district's athletic and co-curricular programs and/or parking privileges unless and until he/she consents to such testing.
6. Screening and Confirmation Procedures to be Used by the Testing Facility and Levels Determining Positive or Negative Results: The testing facility shall screen each urine specimen by an immunoassay method, e.g.: EMIT RIA, FPI, for each illegal drug or drug group. Specimens may also be analyzed for acid, neutral, and basic drugs by thin layer chromatography. If either or both of the screenings are positive, gas chromatography/mass spectrometry must be used to confirm positive test results. In order for a specimen to be considered positive, either or both of the first level tests, and the gas chromatography test, must report positive results. A negative result of both tests on the first level, or of the gas chromatography test, will preclude a finding that the specimen is positive. However, a negative drug test result, but an abnormal creatinine and specific gravity reading, may result in the student athlete being retested as soon as possible. The levels below will be used to determine whether the test results are positive or negative:

<u>Substance</u>	<u>Screen/Initial Level</u>	<u>Confirmation Level</u>
Amphetamines (Class)	500 ng/ml	250 ng/ml
Ecstasy Screen	500 ng/ml	250 ng/ml
Cocaine Metabolites	150 ng/ml	100 ng/ml
Marijuana Metabolite	20 ng/ml	15 ng/ml
Opiates	300 ng/ml	300 ng/ml
PCP	25 ng/ml	25 ng/ml
Barbiturates	300 ng/ml	300 ng/ml
Benzodiazepines	300 ng/ml	300 ng/ml
Methadone	300 ng/ml	300 ng/ml
Propoxyphene	300 ng/ml	300 ng/ml
Oxycodone/Oxymorphone	100 ng/ml	100 ng/ml
Alcohol, Urine	0.02 ng/ml	0.02 ng/ml



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The above listed levels will be modified to be consistent with the current industry standard for determining drug testing results.

If any illegal drug not listed is detected, the cut-off levels commonly used for that drug by accredited testing facilities shall be used.

The Medical Review Officer will promptly forward the test results to the Superintendent of Schools.

### 7. Chain of Custody

The adult collector at the collection site, in the presence of the student, shall cap and seal the sample with evidence tape and attach the label to the specimen bottle. The collector shall fill in the required information on a chain of custody form and enter the date and time that the specimen was taken and sealed. The chain of custody form, and the specimen shall be sent to the testing laboratory. The testing facility shall record the temperature; the testing lab shall evaluate the specific gravity and creatinine level on the label for the sample, and sign the label.

Upon arrival at the testing laboratory, personnel from that laboratory shall mark on the chain of custody form the date and time that the laboratory received the specimen. While the specimen is at the laboratory, any technician or laboratory personnel who opens the bottle, or otherwise handles the specimen, shall mark his/her name, the date, time, and the purpose for which the specimen was handled, on the chain of custody form. The collecting facility shall ensure that the specimen is shipped or couriered to the facility as quickly as possible. If a test result is positive, the specimen shall be re-secured with evidence tape, signed, and dated by the testing personnel. When the testing procedure is complete, testing reports will be prepared and signed by the testing personnel. The Medical Review Officer must review the form listing medications the student is taking, and note whether such medicine could cause a positive test result. If at any time during the process inadequacies in the chain of custody occur, such inadequacies shall be reported to the Medical Review Officer who shall, in turn, notify the district. The testing facility shall retain the specimen in a locked freezer until they receive further direction from the district regarding the disposition of the sample.



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If, after consulting with appropriate medical authorities, the district determines that the inadequacies in the chain of custody will affect the results of the test, the district shall direct the testing facility to dispose of that specimen. The district shall then collect another specimen and follow the procedures in this policy.

### 8. Procedures Upon Positive Test Result

If a sample tests negative, no further action shall be taken by the district. If a sample tests positive for drug use, the split sample shall be tested to verify the result of the initial test. If the verification test is negative, no further action shall be taken by the district. If the verification test is positive, the student's parent(s) or legal guardian(s) shall be notified immediately, and the Superintendent shall promptly thereafter convene a meeting with the student, his/her parent(s) or legal guardian(s), at which the student shall be presented the following options:

- a. Participating for at least six weeks in an assistance program coordinated by the Student Assistance Counselor, selected by the district, which may include weekly urinalysis; or
- b. Suffering suspension from athletics for the remainder of the current season for athletics and the following athletic season in that sport and suspension from co-curricular activities and parking privileges for the year.

The student who tests positive may be retested prior to the start of the next athletic season for all sports which he/she is eligible and before resuming all co-curricular activities and parking privileges.

A student who tests positive on a second occasion shall be automatically suspended from athletics, activities and parking pursuant to option b. above. The student must also obtain outside counseling or substance abuse assistance from a certified counseling or rehabilitation service and show proof of at least three sessions. This will be at the cost of the student and parent(s) or legal guardian(s).

A third positive test shall result in suspension from athletics for the remainder of the current season and the next two athletic seasons in that sport and suspension from co-curricular activities and



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parking privileges for the current year and the next year. Proof of five outside counseling sessions must be given to return to Clearview Regional High School District. The Board of Education shall not incur the cost of this counseling.

### 9. Confidentiality

The district respects the privacy of its students, and shall maintain confidentiality regarding any drug testing. All records of tests and subsequent actions shall be kept in a file, separate from the student's regular file. The district will not release records of drug tests or any resulting action to anyone, other than the student and/or his/her parent(s) or legal guardian(s), who is not directly involved with the testing, without written authorization from the student and/or his parent(s) or legal guardian(s). Results of any tests taken pursuant to this policy shall be destroyed after one year or after the time the suspensions have lapsed, whichever is greater, unless otherwise requested by the student and/or his/her parent(s) or legal guardians) and approved by the Superintendent.

Adopted: 20 November 2008  
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