

# EXCELSIOR SPRINGS SCHOOL DISTRICT DRUG TESTING POLICY GRADES 9-12

## ***Background and Purpose***

The administration of the Excelsior Springs School District has noted and documented, both formally and informally, an increase in the use of drugs by students, including those students participating in extracurricular activities, as well as those who park on school property.

The educational program and drug testing program described in these materials is part of an overall health program at Excelsior Springs School District. The goal is not to levy discipline but rather to aid in the discovery and prevention of possible drug-related problems. The key component of this program is opening the lines of communication between students and parents about the serious matter of drug usage and abuse.

A student using drugs is a danger to him/herself as well as other students. All students in the Excelsior Springs School District who choose to participate in extracurricular activities and those who choose to park on school property are entitled to do so in a drug-free environment.

***As a condition of participating in extracurricular activities and receiving a parking pass to park on school property, high school students and their parents must consent to random drug testing of the students as further defined in the policy and administrative procedures.***

This program does not affect other policies and practices of the Excelsior Springs School District in dealing with drugs or alcohol use or possession where reasonable suspicion is obtained by means other than the mandatory and random sampling discussed here.

All students who will participate in extracurricular activities during the school year and who complete and return the consent forms within the deadlines set by the superintendent or designee will be included in the testing pool and may be selected for testing as soon as the student is officially enrolled in the drug testing program, even if the extracurricular activity has not yet begun. If a student is 18 years of age and living with a parent/guardian, he/she still must have both student and parent/guardian signatures. If the student is 18 years of age and has established a residence on his/her own, the student's signature is all that is required.

## **Definitions**

**“Consent form”**- means the Parent/Guardian Drug Testing Consent Form which is adopted by the district’s administration.

**“Extracurricular Activities”**: means any school sponsored extracurricular activity and/ or a performance in which a student represents the District, in the opinion of the District’s Administration. Extracurricular activities that will be tested are all MSHSAA(Missouri State High School Activities Association) regulated activities and events such as athletics, band, choir, cheerleading, academic competition, FBLA(Future Business Leaders of America), FCCLA(Family Career Community Leaders of America), Forensics, Drama, Science Olympiad, Math Relays, and Color Guard. This list is subject to change on a yearly basis. The list of extracurricular activities to be tested will be published at the yearly drug testing program informational session before school starts. When an activity or performance is part of a course offered by the school, such as band, choir, or forensics, the student’s grade or enrollment in the course will not be conditioned upon consenting to drug testing. However, the student will be given an alternative assignment in lieu of the activity or performance if the student and his/her parents do not consent to drug testing. The students enrolled in these courses will be notified at the beginning of each semester, if possible, which activities or performances they will be precluded from participating in and the alternative assignments.

**“Parking on school property”**-means any **student** who parks on school property during the school day. The car(s) that the student regularly parks must be registered with the high school office. The student is required to park in the designated student area on school property.

**“Performances”**-means the scheduled games, matches, contests, or performances (including district, sectional and state contests) for the activities listed above.

**“SAMSHA”**- Substance Abuse Mental Safety Health Administration

## **Procedures and Guidelines**

Each school year, prior to a student’s participation in a specified activity, each participating student and a parent/guardian will be invited to attend a drug awareness session. At the session, each student and parent/guardian shall receive information about the problems of drug use and receive a copy of the Excelsior Springs School District drug testing policy and its procedures. During each session, students and parent(s)/guardian(s) will have the opportunity to ask

questions regarding the program. Students and parent(s)/guardian(s) need to sign up for the drug testing program even if they are not sure the students will participate in an extracurricular activity or request a parking pass that school year. If a student is new to the district, he/she has one week from the enrollment date to sign up for the drug testing program.

At the conclusion of the session, the student will take home the drug testing policy and have the consent form signed by both the student and a parent/guardian. This procedure and consent form contains the procedures for mandatory and random drug testing. It provides that the student and parent/guardian must sign the consent form to be eligible to participate in extracurricular activities at Excelsior Springs High School. Students and parents/guardians must also sign the consent form to be eligible to park on school property. If the student is 18 years of age and has established a residence on his/her own, the student's signature is all that is required.

Each student who has signed a consent form will be assigned to the random pool for the duration of participation in the drug testing program. This consent form must be turned in prior to the deadline set for the school year, or the student will not be eligible to participate in extracurricular activities or park on school property for the entire school year.

For random drug testing, each student will be assigned a number that will be maintained in the Activity Director's office. This number will be the student's identification number for testing and will not change. Only the activity director and district staff designated by the superintendent to assist the activity director in administering the drug testing program will have access to student numbers.

Such random drug testing may occur at any time during the school day. The drug testing company will randomly select numbers, and the Activities Director will match the selected numbers to the master list of participants. Participants will be called for testing in the order listed until all have been identified as available for testing. Testing will occur during the school year only and regardless if that student's activity is in season or not or if his/her club is meeting or not.

Students who wish to drop out of the drug pool must have their parent/guardian come to the school and meet with the Activities Director. The student and parent/guardian must sign a release form stating that they no longer wish to participate in the random drug testing pool. If the student is 18 years of age and living on his/her own, he/she still needs to come in and meet with the Activities Director to drop out of the testing pool. **Once a student enters the pool, he/she must remain in the pool for the remainder of that school year to be eligible to participate in extracurricular activities or park on school property for that school year.**

## ***Parent-Requested Participation***

Parents of students who wish for their student to participate in the drug testing program may voluntarily enroll the student in the district's program even if the student is not involved in extracurricular activities and does not park on school property. The student will be placed in the drug pool and noted as a voluntary participant. If selected and the test is positive, the parent will be notified of the positive test, but the student will not be penalized through this policy or the Student Discipline Policy of the Excelsior Springs School District.

## ***Privacy and Confidentiality***

The testing method to be administered will be urinalysis. Appropriate steps will be taken to respect the privacy of students while, simultaneously, preventing falsification of testing.

Upon receiving a notice from the administration that the student has been selected for a random drug test, the student will go to an assigned area and wait until it is his/her turn to produce a specimen. A representative of the Excelsior Springs School Administration or School Nurse will be available during the testing procedure.

Prior to being called by the test administrator (from the pre-established drug testing company), the student will be given an identification number by a school official. When called by the test administrator (employee from drug testing company), the student will proceed to the testing site. The student will present the identification number to the test administrator, who will record that number on the tests recording form. The test administrator will then ask the student to remove hats and outer garments (if any) and place the contents of the pockets on the testing table. The student will be allowed to return any non-containers to his/her person. The student will then be asked to select a collection cup and instructed to open the cup and dump the contents on the table. The test administrator will accompany the student to the restroom, where the student will be instructed to place the collection cup on a ledge or counter and then wash their hands. The test administrator will have placed blue dye into the toilet in the restroom and have taped off all but one sink, prior to the student testing or as the student is washing. When the student finishes drying his/her hands, the test administrator will instruct the student to step into a pre-selected stall and void into the collection cup. The student will also be asked not to flush any toilet or use any faucet. The test administrator will then step out of the restroom, or behind the restroom outer wall, until the student completes the void, comes out of the stall, and places the collection cup on a pre-arranged flat surface.

When the test administrator re-enters the restroom, he will take the collection cup and determine if there is a sufficient specimen to test, that the specimen has an appropriate temperature, and that there is no foreign color or odor to the

specimen (if any of the above take place, the test administrator will reject the specimen and collect a second specimen). If the specimen is acceptable for testing, the student will be asked to again wash his/her hands and then stand by the entrance of the restroom (keeping the specimen in his/her sight). The test administrator will then open a screening test device and place it in the specimen.

When the test administrator completes the screening process, the student will be permitted to leave the test area, unless the initial screen indicates the presence of a drug included on the schools testing agenda. If the screening test indicates a positive screen, the verification process will be implemented. If a student is unable to produce a urine sample, the student will undergo a time limit of 3 hours in order to produce a sample. At that time if the student is still unable to produce a sample, the student must make an appointment with a doctor to see if a medical reason exists to explain the inability to produce a urine sample.

The test results will remain confidential and will only be released to the student, his/her parents or guardians, and approved school officials. Regardless of a positive test or not, parents will be notified through a letter that their child was randomly tested that school day.

In addition, the test results will not be used for student discipline and will not become part of the student's permanent record/transcript or communicated to any other party. All files regarding the participants in the program, as well as test results, shall be kept strictly confidential and will be kept separate from the mandatory school files required for each student. If the student tests positive, the results will only be used to determine eligibility for participation in extracurricular activities as defined in this policy and for eligibility for a student parking pass. The results will not be used to suspend or expel a student from school, will not be included in the student's disciplinary record, and will not be communicated to any other party unless the school district is subpoenaed.

### ***Verification of Sample***

Verification of sample will vary with drug testing company that is hired to do random testing with school district.

### ***Disclosure of Other Medications***

Upon confirmation by a SAMSHA-certified (Substance Abuse Mental Safety Health Administration) laboratory of a positive specimen, the parents of the student will be asked to bring any prescription medications the student is currently taking to a meeting with the designated school official. The official will then verify with either the school nurse or the test administrator (or the administrator's company representative) the validity of the medication producing the positive result. If the medication produces a legitimate medical reason for the presence of the drug, the results will be deemed as negative. If there is not

legitimate or acceptable medical explanation, the positive result will remain. Proof of medication can be given through the presentation of a prescription bottle or through doctor verification.

## ***Consequences***

A student who has initially consented to be tested may refuse to be tested, but if he/she chooses to do so, he/she will immediately be suspended from participating in extracurricular activities and/or the privilege of parking on school property for 365 calendar days.

Consequences for a positive test shall be suspension from participation in all school-sponsored activities and/or driving to and from school for a period of 30 calendar days from when the test results are determined by the test administrator.

In order for the student to be reinstated to extracurricular activities and/or park on school property, he/she must take another drug test at the expense of the student and parent/guardian. This test must show negative for drugs in the system. The lab testing facility must be pre-approved by the school district, and the test must include the substances tested for in the school testing program. The student can attend practice sessions, continue to attend team functions and sit with fellow participants during the activities but may not participate.

The 30 days can be reduced to 10 calendar days, with approval from the superintendent if the student and a parent/guardian will participate in substance abuse education as recommended by a mental health professional certified in substance abuse treatment. If the student and parent/guardian do not wish to reduce the suspension, they can wait to be tested until the next round of tests at no cost to them.

After a student tests positive for illegal substances, he/she will be subject to non-random testing at the request of the administration for the remainder of the student's participation in extracurricular activities and/or parking on school property in the designated student areas for the current school year.

A second positive test, mandatory or random, will result in the student being ineligible to participate in all extracurricular activities and/or parking on school property for an additional 90 calendar days.

A third positive test results in the permanent loss of extracurricular and/or parking privileges during the student's enrollment with the district.

## ***Drug Counseling and Assistance***

Upon request, the district's counselors will provide information on treatment programs and other resources available in the community.

## ***Drugs that Excelsior Springs School will be testing for:***

Excelsior Springs will conduct a 12-panel drug test. The list of the panel from the screening company is attached at the end of this packet.

**EXCELSIOR SPRINGS SCHOOL DISTRICT #40**  
**STUDENT DRUG TESTING CONSENT FORM**

**STUDENT CONSENT**

I, \_\_\_\_\_, [full name] have received, read, understand and agree to abide by the Excelsior Springs School District #40 drug testing policy and procedures. As a condition of participating in activities and/or parking on district property in the Excelsior Springs School District #40, I agree to provide urine specimens when directed and authorize the district to have the specimens tested for drugs and alcohol. I also authorize the release of information concerning the results of such a test to the Excelsior Springs School District #40 and to my parents/guardians.

Student Name (please print): \_\_\_\_\_

Student Signature: \_\_\_\_\_

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

**PARENT CONSENT**

I, \_\_\_\_\_, [name of parent/guardian] have received, read, understand and agree to abide by the Excelsior Springs School District #40 drug testing policy and procedures. As a condition of my student's participation in activities and/or parking on district property in the Excelsior Springs School District #40, I authorize the district to collect urine specimens from my student and authorize the district to have the specimens tested for illegal drugs, performance- enhancing drugs and alcohol. I also authorize the release of information concerning the results of such a test to the Excelsior Springs School District #40.

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

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

This consent form will remain in effect for the duration of the student's enrollment within the Excelsior Springs School District #40, unless revoked in writing by the parent/guardian.

# FAQ

***If my son/daughter tests positive out of season does the activity suspension carry over the summer?***

Depending on the timing of the drug test, the student may be excluded from participation in activities and/or parking on district property at the end of the school year, over the summer and/or into the beginning of the next school year.

***If my son/daughter misses the sign up deadline is there an appeal?***

No, Anyone who thinks that they may be interested in trying out for any extra-curricular or co-curricular activity must sign up to participate in the random testing. This would include someone who would turn 16 during the school year if they wanted to drive and park on campus even though they may not participate in activities.

***My student is new to the district and enrolls after schools starts and misses the deadline can they still participate in activities?***

Yes. New students that wish to participate in activities or park on campus have one week after enrolling to sign up for the program.

***What if my son/daughter withdraws from testing after the activity is over that he/she participates in?***

They will no longer be allowed to park on campus or change their mind to participate in upcoming activities for the remainder of that school year.

***What if my son/daughter is absent on the day they are drawn to test?***

They will be added to the next months random test group.

***What if a selected student refuses to test when they are drawn what are the consequences?***

Anyone refusing to test will have their parents notified immediately allowing them to talk to their student allowing them to change their mind. If the student still refuses they will be suspended from all covered activities and/or parking on district property for one calendar year and will forfeit eligibility for all awards and honors given for covered activities from which the student was suspended.

***Is random drug testing of students legal?***

Yes. In 2002 the US Supreme Court (Board of Education of Independent School District #92 of Pottawatomie County v. Earls) broadened the authority of public schools to test for illegal drugs for students that choose to participate in extra-curricular activities or co-curricular activities. The Court found such policies as “a reasonably effective means of...preventing, deterring, and detecting drug use.” Participation in extracurricular and co-curricular programs is a privilege and carries with it the responsibility to adhere to high standards of conduct, that include refraining from use of illegal drugs, synthetic drugs, and prescription drugs without a valid prescription.

***Why conduct random student drug testing?***

Random drug testing will serve as a deterrent and give students another reason to resist peer pressure to take and use drugs. Random drug testing can identify students who have started using drugs and that are good targets for early intervention. Using drugs not only interferes with the student’s ability to learn, but it can disrupt the total educational environment, affecting other students as well. A 2010 study conducted by the U.S. Department of Education found random drug testing for extra-curricular activities led to lower drug use among students.

***Why not random drug test the faculty and the staff?***

This is not permissible and considered a violation of the 4<sup>th</sup> Amendment. However, our policies permit staff members to be tested for drugs or alcohol if the district has reasonable suspicion that the faculty or staff member has violated the district Drug-Free Workplace Policy.

Drug testing by a government employer constitutes a “search” under the Fourth Amendment, and, therefore, must be reasonable. *Reeves v. Singleton*, 994 S.W.2d 586, 591 (Mo.App.W.D. 1999)(citing *Ford v. Dowd*, 931 F.2d 1286, 1289-90 (8<sup>th</sup> Cir. 1991). As such, government employers (including school districts) cannot force employees to undergo random drug testing. Instead, the school district must show that it had reasonable suspicion to justify the search. *Id.*

School districts are permitted to drug test employees where there is reasonable suspicion that the employee was engaging in drug use. *Id.* This requires more than a “hunch,” but that it is reasonable to conclude, based upon all the information available, that the drug use has occurred. *Id.* Such searches have been deemed reasonable, and therefore permitted under the Fourth Amendment.

By contrast, drug testing for government employee drivers in transportation is specifically authorized pursuant to federal law (the Omnibus Transportation Employee Testing Act of 1991). This law specifically requires random drug testing of drivers, as well as drug testing based on reasonable suspicion and post-accident. This law is specific to transportation employees only and does not authorize the random drug testing of all district employees.

***How many students actually use drugs at Excelsior Springs High School?***

In the 2014 Missouri Safe Schools Student Survey, completed last school year by over 500 Excelsior Springs High School students, a little over one-half (52%) of the student body respondents indicated that one or more friends who they felt closest to had used marijuana during the last year. Thirty-two percent (32%) of student body respondents indicated that one or more friends had used other illegal drugs such as cocaine, acid, meth, or ecstasy. Nationwide about fifty percent (50%) of high school seniors report that they have used an illicit drug at least once according to the National Institute of Drug Abuse.

***Does the school have an effective drug education program?***

Meaningful drug, alcohol, and tobacco education programs are in place across all grade levels in the school district. Drug, alcohol, and tobacco education is a part of the district’s physical education curriculum, health curriculum, science curriculum, and a part of the D.A.R.E. Program taught by the school resource officer. Excelsior Springs High School also has the C2000 committee. The random drug testing program would become a component in the district efforts to prevent drug abuse.

***What drugs will the program test for?***

The drug test shall screen for illegal drugs, synthetic drugs, and prescription drugs (without a valid prescription) including: Opiates (Hydrocodone, Codeine, and Morphine), Amphetamines (Adderall), Benzodiazepines (Valium, Xanax), Barbiturates, Methadone, Oxycodone, Cocaine, Methamphetamine, Marijuana, Phencyclidine (PCP), Methylenedioxymethamphetamine (Ecstasy), and Propoxyphene (Darvon).

***What about alcohol?***

Alcohol is a drug, and its use among Excelsior Springs High School students is high. Fifty-four percent (54%) of survey respondents indicated that they had used alcohol within the last year. However, alcohol does not remain in the body long enough for most tests to detect.

***Will the student face disciplinary consequences or will law enforcement be notified if a student tests positive?***

No. The primary reason for drug testing is not to punish students who use drugs but to prevent further drug abuse and to help students live a drug free life. If the student tests positive for drug use, they will be restricted from participating for a period of time in extra-curricular and/or co-curricular activities and referred to seek an effective drug treatment program.

***What will be the method of collection for the random student drug test?***

The testing method to be administered will be urinalysis. Appropriate steps will be taken to respect the privacy of students while, at the same time, preventing the falsification of testing. The student will void urine in private within a closed-door stall. Before the student enters the bathroom, the collection technician will have secured the bathroom by taking steps such as removing trash cans, placing dye in the toilet water, taping-off water supplies, etc.

***How accurate are drug tests?***

The district will utilize Employee Screening Services to conduct the random drug testing program. Federal drug testing guidelines will be in place to ensure accuracy and fairness in the drug testing program.

# Employee Screening Services

Lebanon, Rolla, Sedalia, Springfield

CORPORATE OFFICE: 2055 S. Stewart, Ste. A, Springfield, MO 65804  
Phone: 417-887-7697 Fax: 417-887-7692 Toll-Free: 888-379-7697

Drug Testing Coordinator:

The following is a list of drug families found in a 12-panel drug test, including some of the prescriptions that are normally found in a particular family. The drugs with a "\*" are in a 4-panel and a 7-panel. Those with a "\*\*" are the extra drugs in a 7-panel. We hope this helps in your evaluation of the drugs to include in your drug prevention program.

1. Opiates\*: morphine, codeine. Hydrocodone (Vicodin, Hycodan, Panacet, Anexsia) and hydromorphone (Diluadid) may confirm positive through GC/MS at a lower cut-off level of 300ng/ml. One manufacturer also noted that high concentrations of oxycodone might cause a positive.
2. Amphetamines\*: Adderal, Dexedrine, Benezedrine. **Methamphetamine will usually show up in an amphetamine panel.**
3. Benzodiazepines\*\*\*: diazepam (Valium), chlordiazepoxide (Librium), oxazepam (Serax), alprazolam (Xanax) and others.
4. Barbiturates\*\*\*: pentobarbital, butabital, amobarbital, secobarbital and Phenobarbital.
5. Methadone: Dolophine.
6. Oxycodone: Percodan, Percocet, Oxycontin, oxymorphone (Numorphan), hydrocodone (Vicodin) and codeine.
7. Cocaine\*
8. Methamphetamine: though it usually shows up in the amphetamine panel, many manufacturers feel that a separate panel specifically for Meth is more beneficial. The material I have says that MDMA (Ecstasy) can show up as Meth. Some medications, taken in larger dosages, may show up as Meth. Those listed are: Pseudoephedrine, Selegiline (Atapryl, Dipryl, Eldepryl), Benzphetamine (Didrex), a Vicks inhaler and Ranitidine (Zantac). The lab confirmation can separate between legal and illegal Meth.
9. Marijuana\*
10. Phencyclidine (PCP)\*\*: Venlafaxine (Effexor) may show up as PCP.
11. MDMA (methylenedioxymethamphetamine): Ecstasy
12. Propoxyphene (Darvon): a synthetic opiate.