

## **Student Random Drug Testing Guidelines for USD 475 Junction City High School**

### **OVERVIEW**

The USD 475 board of Education, in an effort to protect the health and safety of its students involved in extra-curricular activities from illegal drug and alcohol use and abuse or injuries resulting from the use of illegal drugs and or alcohol, has adopted a policy for drug testing of students participating in Kansas State High School Activities Association (KSHSAA) activities at Junction City High School. The procedure for random drug testing of high school students participating in extra-curricular activities as defined in this policy is accomplished in conjunction with an independent drug-testing Vendor selected by the USD 475 Board of Education. To facilitate random testing, the Designated Official(s) will provide the Vendor with a list of eligible students and in turn the Vendor will randomly select those students from that list to be tested. The number of students selected for each test will be determined by the Designated Official(s). The Vendor will send qualified collectors to the school to oversee the collection of all specimens as outlined in this policy and procedure. The Vendor will provide Medical Review Officer (MRO) services for interpretation and verification of results. Results are reported to the Building Principals or Designated Official(s) by the MRO. Specimens are collected as split specimens.

### **1. A STATEMENT OF NEED AND PURPOSE**

Recognizing that observed and suspected use of tobacco, alcohol and illicit drugs by USD 475 students (grades 9-12) is a serious concern, a program of deterrence (namely, Student Random Drug Testing of Extra-curricular Participants) will be instituted as a pro-active approach to promote a drug free school environment. The purpose of the program is:

- 1.) to provide for the safety of all students.
- 2.) to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs.
- 3.) to encourage students who use drugs to participate in drug treatment programs.
- 4.) to promote achievement of each student's full academic potential by preventing the impact drug and alcohol use has on the learning centers of the brain.

The random drug testing program is academically non-punitive. This policy is designed to create a safe, drug free environment for students and to assist them in getting help when needed. Consequences for positive results resulting from positive drug tests are outlined section 6 of these guidelines (Procedures/Consequences in the event of a positive result).

Participation in school sponsored extra-curricular activities in USD 475 is a privilege. Accordingly, students in extra-curricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal drugs and alcohol.

Although the USD 475 random drug testing policy is designed for students participating in KSHSAA sponsored activities, any USD 475 parent/guardian/custodian may request to have their student **OPT –IN** to the random pool of student rosters. A consent form to **OPT –IN** to the policy may be picked up in the activities office and/or any academy office.

## 2. DEFINITIONS

**Adulterant/Adulteration** – Any attempt to alter the outcome of the sample.

**Banned Substance** – A substance defined by school policy as being banned from use by students

**Chain-of-Custody Form** – A preprinted form provided by the testing laboratory that records all contact with the provided specimen. The form is initiated by the collector and donor then follows with the specimen until the results are certified by the testing scientist and forwarded to the MRO for final certification.

**Designated Official(s)** – The individual or individuals hired by the school or district to oversee the drug testing program of the school or district.

**Extra-curricular Activities** – School sponsored student activities that take place outside the regular course of study in school. Such activities include all KSHSAA sponsored activities including, but not limited to interscholastic sports teams, forensics, debate, music, band, cheerleading and dance team.

**GC/MS** – Gas chromatography/Mass Spectroscopy; a scientific process to identify specific chemical compounds.

**Illegal drugs** – Any controlled substance which an individual may not legally sell, possess, use, distribute, or purchase under either Federal or Kansas Law. For the purposes of this policy, "illegal drugs" includes, but is not limited to, all scheduled drugs as defined by Kansas Law, all prescription drugs obtained or used without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose.

**Medical Review Officer (MRO)** – A licensed physician trained and certified in the process and interpretation of drug testing results.

**Parent/Guardian/Custodian** – The adult who has legal documented custody of the student.

**Quantitative Levels** – The measurement levels of specific chemicals in the sample.

**SAMSHA** – The Substance Abuse and Mental Health Services Administration is a governmental agency that certifies toxicology laboratories that perform drug testing following strict guidelines and constant quality assurance programs.

**Split Specimen** – Sample is split into two containers to allow for additional testing if necessary.

**Student Participant** – A USD 475 student participating in an extra-curricular activity as defined by the Kansas State High School Activities Association.

**Vendor** – The medical office or company selected by the Board of Education to carry out the policy and procedure.

### 3. PROCEDURES FOR STUDENTS

#### a. Informed Consent for Students –

Prior to the start of any KSHSAA activity, parent/guardian/custodian and student will be informed on the dangers and problems of drug/alcohol use and receive and review a copy of the random drug testing policy. The procedures of the random drug testing policy will be discussed, and the parent/guardian/custodian will have the opportunity to ask any questions they have regarding the program. A consent form shall be signed by the student and parent/guardian/custodian. A student will not be allowed to participate in any KSHSAA sponsored activities as defined by this policy until a consent form is properly executed and on file with the school.

#### b. Drug Testing Frequency

All students wishing to participate in KSHSAA extra-curricular activities as defined by this policy may be subject to testing for illegal or banned substances as specified in Section 8 below. Eligible students will be randomly tested anytime during the school year. Any student who refuses to submit to urine drug testing will not be allowed to participate in extra-curricular activities as defined by this policy. The refusal to submit to a urine drug test will be considered the same as a positive drug test result. Prior to reinstatement the student will be required to complete a negative drug analysis, paid for by the student, provided by the district vendor before participation is allowed.

#### c. Sample Collection

Samples will be collected as outlined under Vendor Requirements, Section 5, below.

Any eligible student randomly selected for drug testing who is not in school on the day of testing will be tested at the next available testing time. Students not able to provide an adequate specimen at the testing time will be unable to participate in KSHSAA extra-curricular activities and the failure will be considered the same as a positive drug test result. Arrangements may be made for special collections at a Vendor Collection site with prior approval of the Building Principal or Designated Official.

### 4. Confidentiality Results

All drug test results are considered confidential information and will be handled accordingly. Those persons having results reported to them as set forth by this policy must sign a Confidentiality Statement.

### 5. Vendor Requirements

At a minimum, the Vendor must be able to provide the following services:

#### a. Random Selection of Eligible Students

Once provided a list of eligible students, the Vendor must select the required number of students in a random and confidential manner. The Vendor will arrange with the Designated Official(s) a day and time to do the collection of specimens. The schedule will not follow any recognizable pattern. The selected student names will be given to the designated Official, who will arrange for these students to report to the collection area.

#### b. Collection of Specimens

The Vendor will oversee the collection of specimens as outlined in the Procedures for Random Drug Testing of Geary County USD 475 Students. Chain of Custody forms will be provided by the Vendor that meets the criteria of this policy and that of the testing laboratory. Students will be given as much privacy as possible in the obtaining of the specimen. Only specimens collected by the vendor will be allowed.

**c. Testing of specimens**

The Vendor will have all specimens tested for the specified illicit or banned substances by a qualified laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMSHA) following the guidelines of the Department of Health and Human Services (HHS). All specimens must be initially tested using a highly accurate immune-assay technique, with all presumptive positive results then confirmed by a Gas Chromatography/Mass Spectroscopy (GC/MS) confirmatory test (understanding that no current GC/MS test is available for LSD).

The testing laboratory must be able to test for the following drug classes, substances or their metabolites in collected specimens including, but not limited to:

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
MDMA (Ecstasy)	Nicotine	Opiate
Phencyclidine	Propoxyphene	K2 "Spice"
Other synthetic drugs (Bath Salts)		

**d. Medical Review Officer (MRO) Services**

The Vendor will provide MRO services by a licensed physician who is certified by the Medical Review Officer Certification Council (MROCC) or the American Association of Medical Review Officers as having proven by examination to have had the appropriate medical training to interpret and evaluate drug test results and thus qualified for certification as an MRO. Additionally, the MRO must demonstrate a willingness to abide by the Procedure for Random Drug Testing of Geary County USD 475 students as to the evaluation of positive drug tests and reporting findings in a timely and confidential manner. All results will be kept on file by vendor for a period of seven years.

**e. Reporting of Random Test Results by Vendor**

The MRO will certify all drug screens as negative or positive and report positive findings to the parent and then the building principal or designated official in a confidential and secure manner.

**f. Statistical Reporting and Confidentiality of Drug Test Results**

The Vendor, testing laboratory, or MRO may not release any statistics on the rate of positive drug tests to any person, organization, news publication or media without expressed written consent of the Geary County USD 475 Superintendent of Schools. However, the Vendor will provide the building principals with an annual report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive specimens.

**6. PROCEDURES/CONSEQUENCES IN THE EVENT OF A POSITIVE RESULT**

**A. Parent/Guardian/Custodian notification:**

1. The building principal or designated official, within 24 hours, will notify the parent/guardian/custodian by phone first, then the student of any positive results. A written notification from the building principal or designated official, by form letter, will be sent to the parent/guardian/custodian by certified mail. The building principal or designated official will keep all test results until 30 days after the student graduates. If the student does not graduate but withdraws from school, results will be kept until 30 days following the student’s original expected graduation date.

2. The student will be notified and be required to submit to five (5) periodic tests throughout the next twelve (12) month period. If a student avoids this requirement by dropping out of KSHSAA sponsored activities and then following this twelve month period decides to participate in KSHSAA sponsored activities, the student will be required to complete a negative drug analysis, paid for by the student, provided by the district vendor before participation is allowed and the student will be required to complete the five (5) periodic tests after reinstatement.

3. If the parent/guardian/custodian or student wishes to contest the results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory as selected by the vendor. This is done at parent/guardian/custodian or student expense. Such a request must be made to the building principal or designated official in writing within two (2) school days from first notification of positive test results.

4. The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

### **B. First, Second and Subsequent Positive Result(s):**

A positive result from the MRO, or an altered sample will constitute a first positive. The student participant will then be suspended from activities as defined below in Section C, consequences for drug violation(s). Additionally, student participants who have a first positive result will be required to submit to five (5) follow up drug tests during the next twelve (12) month period. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family.

A second and subsequent positive result by MRO ruling or adulteration will result in the student moving to second, third, or fourth violation status as defined below in section C, consequences for drug violation(s). The student will continue or repeat the five necessary follow-up drug screens within the next twelve (12) month period. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family.

### **C. Consequences for Drug Violation(s):**

Use of tobacco, cereal malt beverages or other intoxicants, narcotic or hallucinogenic drugs, amphetamines, barbiturates, marijuana, synthetic drugs, or anabolic steroids is prohibited for students involved in KSHSAA extra-curricular activities.

#### **Alcohol, Tobacco, and Over-the Counter Drug Violation**

1st violation: Loss of eligibility for the next 7 school days or 2 interscholastic events, whichever is less. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family. The student may continue to attend and participate in practice based on team/program rules and guidelines.

2nd violation: The student will lose eligibility for the next 14 school days or 4 interscholastic events, whichever is less. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family. The student may continue to attend and participate in practice based on team/program rules and guidelines.

3rd violation: The student will lose eligibility for the next 21 school days or 8 interscholastic events, whichever is less. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family. The student may continue to attend and participate in practice based on team/program rules and guidelines.

4th and subsequent violations: The student will forfeit eligibility for the remainder of the school year. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family. If the violation occurs during the last quarter of a school year, the student will be ineligible during the first semester of the next academic school year.

\*\*During middle/high school enrollment, students are afforded only one 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> violation. Subsequent violations will begin with the 4<sup>th</sup> violation status.

\*\*\*Pending outcome of a due process hearing, the student may be subjected to 5 drug tests within the next 12 month period.

## **Drug Violation**

1st violation: The student will lose eligibility for the next 28 school days or 12 interscholastic events, whichever is less. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family. The student may continue to attend and participate in practice based on team/program rules and guidelines.

2nd violation: The student will lose eligibility for the remainder of the school year. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family. If the violation occurs during the last quarter of a school year, the student will be ineligible during the first semester of the next academic school year.

3rd and subsequent violations: The student will be ineligible to participate for one calendar year starting at the date the offense occurred. Prior to reinstatement, the school recommends that the student receive appropriate abuse counseling from a qualified professional at the expense of the family.

\*\*During middle/high school enrollment, students are afforded only one 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> violation. Subsequent violations will begin with the 4<sup>th</sup> violation status.

\*\*\*Pending outcome of a due process hearing, the student may be subjected to 5 drug tests within the next 12 month period.

## **7. NON-PUNITIVE NATURE OF POLICY**

No student will be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities, including the school SRO, unless required to do so by a court order, by a valid and binding subpoena or other legal process. In the event of service of any such court order, subpoena or legal process, the student and the student's parent, legal guardian, or custodian will be notified at least 72 hours before response is made by the Geary County USD 475 Board of Education, if such notice is allowed by law.

This policy is designed to create a safe, drug free environment for students and to assist them in getting help when needed.

## **8. ILLICIT OR BANNED SUBSTANCES**

For the purpose of this policy, the following drug classes, substances or their metabolites that can be tested for are considered illicit or banned for students including, but not limited to:

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
MDMA (Ecstasy)	Nicotine	Opiate
Phencyclidine	Propoxyphene	K2 "Spice"
Other synthetic drugs (Bath Salts)		

## **9. REMOVAL OF TEST RECORDS**

A. USD 475 schools will remove all records of testing and the results thereof within thirty (30) days after the graduation of any student from Junction City High School.

B. USD 475 shall remove all records of testing and the results thereof of any student who does not graduate but withdraws from school, thirty (30) days following the student's original expected graduation date.