

EAST WASHINGTON SCHOOL CORPORATION EXTRA-CURRICULAR/CO-CURRICULAR ACTIVITIES AND STUDENT DRIVER DRUG TESTING POLICY

A STATEMENT OF NEED AND PURPOSE

A program of deterrence will be instituted as a proactive approach to a drug free school. Through driving or participation in extracurricular/co-curricular activities, students using illegal drugs pose a threat to their own health and safety, as well as to that of other students. The purpose of this program is threefold: (1) to provide for the health and safety of students; (2) to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs; and (3) to encourage students who use drugs to participate in drug treatment programs. Students involved in extracurricular activities need to be exemplary in the eyes of the community and other students. It is further the purpose of this program to prevent students from driving to and from school or participating in extracurricular activities while he/she has drug residues in his/her body, and it is the purpose of this program to educate, help, and direct students away from drug, alcohol and tobacco abuse and toward a healthy and drug free lifestyle. The program is non-punitive. It is designed to create a safe, drug free, environment for students and assist them in getting help when needed. No student shall be expelled or suspended from school as result of any verified "positive" test conducted by his/her school under this program other than stated therein.

INTRODUCTION

The effective date of this program is August 1, 2017. This program does not affect the current policies, practices, or rights of East Washington School Corporation with tobacco and/or drug and/or alcohol possession or use, where reasonable suspicion is obtained by means other than drug testing through this policy. East Washington School Corporation reserves the right to test any student who at any time exhibits cause for reasonable suspicion of tobacco and/or drug and/or alcohol usage.

REASONABLE CONCERN

East Washington School Corporation has a strong commitment to the health, safety and welfare of its students. Our commitment to maintaining the extracurricular/co-curricular activities in East Washington School Corporation as a safe and secure educational environment requires a clear policy and supportive programs relating to detection, treatment, and prevention of substance abuse by students involved in extracurricular/co-curricular activities and/or student drivers.

SCOPE

Participation in extracurricular/co-curricular activities is a privilege. This policy applies to all East Washington School Corporation students in grades 7-12 who wish to participate in extracurricular/co-curricular activities. This policy also applies to any student who wishes to drive to school, from school, or during school.

CONSENT FORM

It is MANDATORY that each student who participates in extracurricular/co-curricular activities or drives to or from school, sign and return the "consent form" prior to participation in any extracurricular/co-curricular activity. Failure to comply will result in non-participation and/or no issue of a student driving permit to school. For extra-curricular activities, this form will be part of the physical form that must be returned prior to starting a sport.

At the beginning of each selection date, school year or sport season, as determined by the Indiana High School Athletic Association, or when a student moves into the District and joins an activity, all students wishing to participate in that season's sports may be subject to urine testing for illicit or banned substances. There will be approximately 15 names drawn out to be tested each month throughout the school year. Any student who refuses to submit to urine drug testing will not be allowed to practice or participate in designated extra-curricular/co-curricular East Washington School Corporation activities or drive to school until they have submitted the proper consent form, so they are a part of the random sample eligible for testing.

Each student shall be provided with a "**consent form**", a copy of which is attached hereto, which shall be dated and signed by the student and by the parent/guardian. In so doing, the student is agreeing to participate in the random drug testing program at East Washington School Corporation or is stating he/she does not plan to participate in extracurricular/co-curricular activities. Any student who fails to sign and return a consent form by the first official day of school or the first official start date for each sport season or extracurricular activity, will be declared ineligible for participation. The student can regain eligibility if the form is turned in.

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 absent legal compulsion by valid and binding subpoena or other legal process, which the East Washington School Corporation Board of Education will not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent, legal guardian, or custodian will be notified at least 72 hours before response is made by the East Washington School Corporation Board of Education, to the extent permitted by such subpoena or legal process.

BANNED SUBSTANCES

For the purpose of this Policy, the following substances or their metabolites that can be tested for are considered illicit or banned for East Washington School Corporation students.

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
Methaqualone	Nicotine	Opiates
Phencyclidine	Propoxyphene	*Other

Tobacco (for any student under the age of 18 or in accordance for provisions set forth by the IHSAA or any other governing body)

*Other drugs recommended by school administration, law enforcement or drug testing agency.

TESTING PROCEDURES

- (1) The principal/designee will submit a list of students whom he/she deems eligible and qualified for random testing. Each student to be entered into the pool of candidates for random testing will be assigned a number. Testing may occur on a different day, Monday through Friday. This variable schedule will keep students conscious of the possibility of being tested at any time during the year. Each student will be assigned a number that will be placed in the drawing. A process will be utilized to assure that students are selected in a random fashion. The random selection of students will be conducted by an outside, independent company thus ensuring that the selection process is truly random.
- (2) If the student shows signs of tobacco and/or alcohol and/or drug use that provides reasonable suspicion to search a student, the principal/administrative designee will call the student's parent/guardian and ask that the student be tested. Also, a parent/guardian may request that his/her student's name be placed in the pool.
- (3) No student will be given advance notice or early warning of the testing. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.
- (4) Upon being selected for a urinalysis test under this policy, either by random draw, reasonable suspicion, request of a parent/guardian, or a "follow-up" test, a student will be required to provide a sample of "fresh" urine according to the quality control standards and policy of the laboratory conducting the urinalysis.
- (5) All students will remain under school supervision until they have produced an adequate urine specimen. If unable to produce a specimen, the student will be given up to 12 ounces of fluid. If still unable to produce a specimen within two

hours, the student will be given the opportunity to go to a designated supervised area to allow time to be able to provide a specimen prior to the conclusion of the school day. Failure to provide an adequate sample prior to the conclusion of the school day will be deemed a refusal. A swab test may be used when the student can not produce throughout the day, or if there is reasonable suspicion from the school administration.

- (6) All specimens registering below 90.5 degrees or above 99.8 degrees Fahrenheit will be invalid. There is a heat strip on each of the specimen bottles indicating the validity of the urine specimen by temperature. If this occurs, another specimen must be given by the student.
- (7) If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for all the “extra-curricular/co-curricular activities” for one calendar year from the date of the testing. This will be reported to the parent/guardian.
- (8) Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he/she left the collection site. The principal/designee must time and sign the pass.
- (9) The specimens will then be turned over to the testing laboratory, and each specimen will be tested for alcohol, and “street drugs” (which may include all drugs listed as controlled substances under the laws of the state of Indiana). Also nicotine and “performance enhancing” drugs such as steroids may be tested. If a student is on a prescription drug and that student tests positive, then a parent or student may submit a doctor prescription for verification.
- (10) The laboratory selected must follow the standards set by the Department of Health and Human Services. It must be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA) and the Joint Commission of Accreditation of Healthcare Organizations (JCAHO).

COLLECTION OF SPECIMENS, CHAIN OF CUSTODY

The Administration will establish guidelines to set up the collection environment, guarantee the validity of specimens, and supervise the chain of custody.

TEST RESULTS

- (1) This program seeks to provide needed help for students who have a verified “positive” test. The student’s and other students’ health, welfare, and safety will be the reason for preventing students from participation in extracurricular/co-curricular activities and restrict him/her from driving to or from school.
- (2) The principal/designee will be notified of a student testing “positive” (that is, if the test shows that drug residues are in the student’s system after using at least two

different types of analyses). The principal/designee will notify the student and his/her parent/guardian following guidelines for notification established by the Administration. The student or his/her parent/guardian may submit any documented prescription, explanation, or information which will be considered in determining whether a “positive” test has been satisfactorily explained.

- (3) If the test is verified “positive”, the principal/designee will meet with the student and his/her parent/guardian at a school corporation facility. The student and parent/guardian will be given the names of counseling and assistance agencies that the family may want to contact for help.

Any student who tests positive for a drug test will receive a suspension from all extra and co-curricular activities including driving to or from school for the pre-determined amount of the suspension. Suspensions may carry over to the following school year.

- For High School Athletics:
 - 1st offense- result is a 25% of the season. If a school approved program is completed, and the student athlete is re-tested (at the expense of the student and/or family) the suspension may be reduce 10% when the results come back as negative.
 - 2nd Offense- results in a 365 day suspension. If a school approved program is completed, and the student athlete is re-tested (at the expense of the student and/or family) the suspension may be reduced to 50% when the results come back as negative.
 - 3rd Offense- Student/athlete is suspended from all activities including driving for the remainder of their high school career.
 - For all other extra-curricular activities including driving, choir, band, FFA, and club activities, testing positive will result in a semester suspension from participating in these activities. This suspension is no less than 1 month when the positive test happens at the end of a semester.
 - For Driving, the term may be reduced to 30 school days or 2 calendar months (whichever is less) provided the student successfully passes a second drug test.

Upon completion of any 365-day suspension, a student interested in participating in any extra or co-curricular activities (including driving to and from school) will be subject to the random drug testing procedure.

- (4) Information on a verified “positive” test result will be shared on a “need to know” basis with the student’s coach or sponsor. The results of “negative” tests will be kept confidential to protect the identity of all students being tested.
- (5) Drug testing results sheets will be returned to the principal/designee identifying students by number and not by name. Names of students tested will not be kept in open files or on any computer. Result sheets will be locked and secured in a location that only the principal/designee has access to.

STATISTICAL REPORTING AND CONFIDENTIALITY OF DRUG TEST RESULTS

The testing laboratory 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 East Washington School Corporation Board of Education. However, the lab will provide the Superintendent with a quarterly report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens.

Under this drug testing program, any staff, coach, or sponsor of East Washington School Corporation who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved, other than in the case of a legal subpoena being made upon that person in the course of a legal investigation. Once again, this will underscore the East Washington School Corporation commitment to confidentiality with regards to the program.

FINANCIAL RESPONSIBILITY

- (1) Under this policy, East Washington School Corporation will pay for all initial random drug tests and all initial reasonable suspicion drug tests. Any “follow up” drug tests must be paid for by the student or his/her parent/guardian.
- (2) A request on appeal for another test of a “positive” urine specimen is the financial responsibility of the student or his/her parent/guardian
- (3) Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student or his/her parent/guardian.
- (4) The parent/guardian/student will be responsible for the cost of any drug test given as the result of a parent/guardian/student request that a student be tested.

CERTIFYING SCIENTIST RESPONSIBILITIES

The Certifying Scientist will review all results of urine drug testing. Any urine specimen testing positive for illicit or banned substances will be handled in the following manner:

- a. The Certifying Scientist determines if any discrepancies have occurred in the **Chain of Custody**.
- b. Depending on the substances found in the urine, if necessary the principal /designee will contact the parent/guardian/custodian to determine if the student is on any prescribed medication from a physician.
- c. If the student is on medication, the parent/guardian/custodian will be asked to obtain a letter from the prescribing physician, within five working days, to document what medications the student is currently taking.

Failure to provide such requested information will be considered a positive result.

- d. The Certifying Scientist will then determine if any of the prescribed medications resulted in the positive drug screen.
- e. Finally, the Certifying Scientist, based on the information given, will certify the drug test results as positive or negative and reports this to the Building Principal, initially reporting positive results by phone.
 - (1) For example, a drug screen positive for codeine may be ruled negative by the Certifying Scientist when he receives a letter from the treating physician that the student has been prescribed Tylenol with codeine as a pain medication following tooth extraction.
 - (2) Or, if the student has a positive drug screen for codeine and has no documented physician order for the medication (maybe a parent gave the student one of their pills), this would likely be ruled a positive drug test by the Certifying Scientist.
 - (3) Drug screens positive for illicit drugs (marijuana, heroin, cocaine or alcohol, etc.) would automatically be considered positive by the Certifying Scientist.
- f. The Certifying Scientist may use quantitative results to determine if positive results on repeat tests indicated recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the Certifying Scientist 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.
- g. The Certifying Scientist will complete the final review on the drug testing custody and control form and return the appropriate copy to the Building Principal in a confidential manner.

OTHER RULES

Apart from this drug testing program, East Washington School Departments and the coaching staff/sponsor of each sport/activity have their own rules and requirements. Coaches/sponsors have the necessary authority to enforce those rules. Any student who violates a rule or requirement as a member of a team or activity will be subject to the consequences as defined in those rules and requirements.

RANDOM DRUG TESTING GUIDELINES

CHAIN OF CUSTODY

- (1) The certified laboratory will provide training and direction to those who supervise the testing program, set up the collection environment, and guarantee specimens and supervise the chain-of-custody. To maintain anonymity, the student's number, not name, will be used.
- (2) The principal/designee will be responsible for escorting students to the collection site. The student should bring all materials with him/her to the collection site and should not be allowed to go to his/her locker. (The administrator should not bring

all the students drawn from the pool to the collection site simultaneously. Calling three or four students at a time allows the collections to be carried out quickly and will not cause students to wait a long time, thereby creating a loss of important time from class. Athletes may be called after school, perhaps during practice time.)

- (3) Before the student's urine is tested by the laboratory, students will agree to fill out, sign and date any form, which may be required by the testing laboratory. If a student chooses, he/she may notify the administrator that he/she is taking a prescription medication. A written prescription must be produced by the student to the school within 5 days of the positive test. The prescription will be sent to the proper personnel at the lab for proper determination.
- (4) A kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle. The student will sign that the specimen has been sealed. Only the lab testing the specimen may break the seal.
- (5) If the seal is tampered with or broken, after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible. The student will remain eligible for extracurricular/co-curricular activities subsequent to a retest.
- (6) Students will be instructed to remove all coats and wash their hands in the presence of the supervisor prior to entering the restroom. The door will be closed so that the student is by himself/herself in the restroom to provide a urine specimen. The supervisor will wait outside the restroom. The student will have five minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restroom will be shut off.
- (7) After it has been sealed, lab personnel will transport the specimen to the testing laboratory. The testing laboratory will report the results back to the principal/designee.
- (8) In order to maintain confidentiality, the container, which contains the urine specimen to be tested, will not have the name of the student on the container. Instead the student's identification number will appear on the container. Also, the result sheet for the urinalysis will be mailed back to the principal/designee with no name attached; only the student's identification number will appear on the result sheet.

COLLECTION PROCESS

Selected student athletes report from class to the collection site. A specimen of urine is collected following this process:

- a. Student first is asked to wash their hands with soap and water and dry

- them.
- b. No purses, bags or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
 - c. The drug testing custody and control form is completed by the Student and collector.
 - d. The collector prepares the urine bottles.
 - e. The collector adds a bluing agent to the water in the urinal or toilet.
 - f. The student is told to urinate directly into the provided container and should provide a sufficient amount of urine (45 ml) in one attempt. The student is also told they are to hand the container of urine to the collector.
 - g. The student steps up to the urinal or enters the stall to collect the specimen, then hands the container to the collector. The student may then re-wash their hands.
 - h. With the student watching, the collector will recap the specimen bottles tightly.
 - i. The collector checks the volume, reads and records the temperature within four minutes of collection, and looks for evidence of tampering. If tampering is suspected, a second specimen will be requested. A second suspected tampered specimen will be considered **refusal to test** and the Principal notified.
 - j. The collector takes the properly signed and initialed bottle seals and places them over the caps and sides of the bottles.
 - k. The student is asked to initial the transport bag.
 - l. The sealed bottles are placed inside the transport bag and the top sealed as directed.
 - m. The top lab copies of the drug testing custody and control form are folded with the top portion visible to the outside and placed in the Requisition Pouch. This pouch is then sealed as indicated. The student is given the donor copy of the form.
 - n. While the student watches, the sealed specimen bag is carried to a secured storage area.
 - o. The Student is then sent back to class.
 - p. The collector distributes the remaining copies of the form as required, being responsible for getting the appropriate copy of the form to the Certifying Scientist in a timely manner.
 - q. The Principal will be notified immediately of any student who refuses to give a urine sample.

Notification Procedure for a Positive Drug Test

When a principal/designee is notified that a student has tested positive the principal will:

- a. Notify the student of the positive test result and give the student the following information:
 - the substance(s) they tested positive for in the drug test
 - the parent/guardian will be contacted to set up a conference

- the student and/or parent/guardian may submit any documented prescription, explanation, or information which will be considered in determining whether a "positive" test has been satisfactorily explained
 - the consequences of the positive drug test will be determined by the administration based on school policy and explained to the student and/or parent/guardian in conference.
- b. Notify the parent of the positive test result and give the parent the following information:
- the substance(s) the student tested positive for in the drug test
 - the student and/or parent/guardian may submit any documented prescription, explanation, or information which will be considered in determining whether a "positive" test has been satisfactorily explained
 - the consequences of the positive drug test will be determined by the administration based on school policy and explained to the student and/or parent/guardian in conference

The principal will work with the parent in an attempt to arrive at a mutually agreeable time for a conference.

The principal/designee will attempt to follow the guidelines for parent notification in a timely manner for every positive drug test result. In extenuating circumstances the administrator/designee may notify the parent first if he/she believes reversing the order of notification is in the student's best interest.

Notification will be made in person, by telephone, or by personal mail. Notification will not be made by leaving messages with other individuals, on answering machines, or through e-mail.

PICK-UP PROCESS

The Vendor is responsible for seeing that specimens are delivered to or picked up by the testing laboratory and the Chain of Custody form properly annotated.

EAST WASHINGTON CORPORATION
EXTRA-CURRICULAR/CO-CURRICULAR ACTIVITIES & STUDENT DRIVER
CONSENT FORM

I have received and have read and understand a copy of the “East Washington School Corporation ExtraCurricular /Co-curricular Activities & Student Driver Drug Testing Program.” I desire that _____ participate in this program, and in the extracurricular/co-curricular program of East Washington School Corporation, and hereby, voluntarily agree to be subject to its terms for my entire school career (grades 7 –12). I accept the method of obtaining urine specimens, testing, and analyses of such specimen, and all other aspects of the program. I agree to cooperate in furnishing urine specimens that may be required from time to time.

I further agree and consent to the disclosure of the sampling, testing, and results provided for this program. This consent is given pursuant to all State and Federal Privacy Statutes, and is a waiver of rights to nondisclosure of such test records and results only to the extent of the disclosures in the program.

Printed Student Name

Printed Parent/Guardian Name

Student Signature

Parent/Guardian Signature

Date

Date

I, _____, have decided not to participate in any extracurricular activities sponsored by East Washington School Corporation or drive to and from school for the remainder of this school year. In order for me to participate in the extracurricular/co-curricular activity program at a later date, I understand that I must submit to a urinalysis. ***I understand that my parent/guardian and I are financially responsible for the urinalysis.***

Printed Student Name

Printed Parent/Guardian Name

Student Signature

Parent/Guardian Signature

Date

Date