

Policy for Drug Testing of Belle Plaine Unified School District Students

In an effort to protect the health and safety of its students from illegal and/or performance-enhancing drugs and/or alcohol use and abuse and injuries resulting from the use of drugs and alcohol, the USD 357 Board of Education adopts the following policy for drug and alcohol testing of students participating in extracurricular activities.

Statement of Purpose and Intent

It is the desire of the Board of Education, administration, and staff that every student in the district refrains from using, possessing, or distributing illegal or performance-enhancing drugs and/or alcohol. The disciplinary actions triggered by this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in extracurricular activities. This policy is intended to supplement and complement all other policies, rules, and regulations of the district regarding possession and/or use of illegal drugs and alcohol and does not limit the district's authority to enforce the provisions of other relevant policies or take disciplinary actions authorized thereby.

Participation in school sponsored extracurricular activities at the district is a privilege. Accordingly, students in extracurricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to conduct themselves in accordance with a high standard of conduct, which requires avoiding the use or possession of illegal or performance-enhancing drugs and alcohol.

The purpose of this policy is to prevent illegal or performance-enhancing drug and alcohol use; to educate student participants regarding serious physical, mental, and emotional harm caused by drug and alcohol use; to prevent injury, illness, and harm that is a potential result of drug and alcohol use; and to strive within the district for an environment free of such use and abuse.

The sanctions of this policy solely limit the opportunity of any student found to be in violation of this policy to participate in extracurricular activities. There will be no academic sanction for violation of this policy.

1. The random drug testing program is designed to be academically non-punitive.
2. No student shall be penalized academically for testing positive for illegal drugs.
3. The results of drug tests pursuant to this policy will not be documented in any student's academic records.
4. Consequences stemming from positive results will be cumulative over grades 7-8 and cumulative for grades 9-12.

USD 357 has adopted this policy for use by all students participating in extracurricular activities in grades 7-12.

Definitions

Adulterant/Adulteration is any attempt to alter the outcome of a urine drug test by adding a substance to the sample, attempting to switch the sample, or otherwise interfere with the detection of illicit or banned substances in the urine, or purposefully over hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

Banned Substance is a substance defined by school policy as being prohibited for use by students at school, on or in school property, or at school sponsored activities, programs, or events.

Chain-of-Custody Form is 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 is the district employee designated by the superintendent to oversee the drug testing program of the school or district, most often the building principal.

Drug Use Test means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drugs, alcohol, or the metabolites thereof in a person's urine or saliva.

Extracurricular activities means those school sponsored student activities that take place outside the regular course of study in school. Such activities include all district sponsored activities including, but not limited to, school dances and prom, graduation/promotion exercises, interscholastic sports teams, cheerleading, and dance team activities. Also including noncompetitive extracurricular activities such as any middle school or high school sponsored clubs, groups, including, but not limited to, Letter Club, NHS, SADD, Foreign Language Club, StuCo, Skills USA, FCCLA, Afterschool and Summer Weight Lifting, Open Lunch Privileges, Organization and/or Class Trips off Campus, After Prom Activities, PTO Activities, and Enrollment or participation in USD #357 summer driver's education class.

GC/MS is Gas Chromatography/Mass Spectroscopy; a scientific process to identify specific chemical compounds. A molecular fingerprint is obtained that identifies a chemical compound with 100% accuracy.

KSHSAA is the Kansas State High School Activities Association of which the district is a participating member.

Illegal Drugs means any 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 without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose.

Illicit Substance is a drug classified as being available only by prescription from a physician or classified as being controlled and having no therapeutic use.

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

Performance-Enhancing Drugs include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or other athletic ability. The term “Performance-Enhancing Drugs” does not include dietary or nutritional supplements such as vitamins, minerals, and proteins that can be lawfully purchased in over-the-counter transactions.

Positive when referring to a drug test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test. “Positive” when referring to an alcohol test administered under this policy means a breathalyzer test result that is considered to demonstrate the presence of alcohol in a student participant’s system.

Reasonable Suspicion means a school employee’s suspicion based on specific personal observations concerning the appearance, speech, or behavior of a participating student, and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion could also be based on unusual increases in size, strength, weight, or other athletic abilities. All observations, sources, and personal information will be weighed by school employees on a case-by-case basis.

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

Student Participant is a USD 357 student participating on a sanctioned athletic team as defined by the Kansas State High School Activities Association, or an extracurricular activity as defined by this policy.

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

Procedure

At the beginning of each school year, students and parent/guardian may choose to enroll the student in the random drug testing program. Students and parent/guardian will complete and sign the informed consent agreement each year while attending Belle Plaine schools. The informed consent agreement will be effective for all extracurricular activities in which the student might participate during the school year and summer they are enrolled in Belle Plaine Schools. No student may participate in any extracurricular activity, as defined by this policy, until this form is properly completed/signed and on file with the school. All consent forms must be on file in their respective offices within the first 10 school days of the school year or 10 days of school if the student is new to Belle Plaine Schools. Building administration will visit with students and parents who opt-out or decline involvement in the testing pool to verify their understanding of not being in the drug testing program.

Parents may choose to rescind their consent at anytime by submitting a signed “remove from testing” form to their student’s current school, Belle Plaine Middle School or Belle Plaine High School. Submitting a “**remove from testing**” form will forfeit the student’s privilege of participating in **ALL school activities for the remainder of the school year.**

Tests for Alcohol

Students participating in extracurricular activities as defined in this policy may be required to submit to an alcohol breath analyzer test to determine the presence of alcohol in their system.

Urine Drug Testing Frequency

Students will be required to provide urine, saliva, or breathe samples for the purpose of drug and/or alcohol testing as follows:

1. All students wishing to participate in extracurricular activities as defined by this policy may be subject to urine testing for illegal or banned substances as specified on a random basis. Up to twenty-five percent (25%) of eligible students will be randomly tested on up to a bi-weekly basis anytime during the school year. Any student who refuses to submit to urine drug testing will not be allowed to participate in extracurricular 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. Names previously chosen will be placed back in the pool for the possibility of random selection at a later time.
2. At any time requested by the administration, based on reasonable suspicion that the student is under the influence of, using, distributing, selling, or in possession of illegal or performance-enhancing drugs and/or alcohol.
3. Any eligible student randomly selected for urine 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 urine specimen at the testing time within one (1) hour and thirty (30) minutes will be unable to participate in extracurricular 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.

Vendor Requirements

Any drug use test required by the district under the terms of this policy will be administered by or at the direction of a professional laboratory chosen by the district, using scientifically validated toxicological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control, and scientific testing.

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. Up to biweekly, the Vendor will arrange with the designated official 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.

At any time requested by the administration, based on reasonable suspicion, that the student currently enrolled in the random drug testing program is under the influence of, using, distributing, selling, or in possession of illegal or performance-enhancing drugs and/or alcohol could be required to provide a urine sample for testing.

Collection of Urine Specimens

The Vendor will oversee the collection of urine specimens as outlined in the Procedures for Random Urine Drug Testing of Belle Plaine USD 357 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. When a student is selected for testing, he/she will be given the opportunity to call his/her parents prior to being tested. If a parent wishes to be present for the test, he/she will need to arrive at the school within 30 minutes of being contacted by his/her child. Names previously chosen will be placed back in the pool for the possibility of random selection at a later time.

Testing of Urine 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 immuno-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 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 a Medical Review Officer. Additionally, the MRO must demonstrate a willingness to abide by the **Procedure for Random Urine Drug Testing of Belle Plaine USD 357 students** as to the evaluation of positive drug tests and reporting findings in a timely and confidential manner.

Reporting of Random Urine Test Results by Vendor

The MRO will certify all urine drug screens as negative or positive and report positive findings in a confidential manner to the designated official. A written notification letter from the school administration will be sent to the parent/guardian/custodian of all students who are tested.

Statistical Reporting and Confidentiality of Urine 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 Belle Plaine USD 357 Superintendent of Schools. However, the Vendor will provide the designated official with an annual report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens.

Procedures in the Event of a Positive Result

If the test for any student has a positive result, the laboratory will contact the parents or guardians and solicit any information on medication that would create a positive test result. A medical review officer, provided by the testing company, will confirm the positive result and contact the designated official with the results. Once a positive result is determined, the student will become ineligible to participate, travel, or compete in extracurricular activities for a duration specified as follows. To offer students healthy alternatives, students will be able and are expected to practice with the team during the period of ineligibility unless otherwise specified below.

Upon a positive test result, the designated official will contact the student and the parent or guardian of the student within 2 school days and will schedule a conference. At the conference, the designated official will solicit any explanation of the positive result.

If the student asserts that the positive test results are caused by something other than consumption of an illegal drug, performance-enhancing drug, or alcohol by the student, then the student will be given an opportunity to present evidence of such to the designated official. The district will rely on the opinion of the laboratory that performed the confirmation test in determining whether the positive test result was produced by method other than consumption of an illegal drug, performance-enhancing drug, or alcohol. If the parent/guardian or student wishes to contest the results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory. This is done at parents/guardians or students expense. Such a request must be made to the designated official (building principal) in writing within five (5) working days from first notification of positive test results.

A decision to designate the student as ineligible under this policy may be appealed in writing to the district's superintendent within five days. The superintendent will make a written decision available to the student and the student's parent(s) or guardian within five working days. The ineligibility will remain in force throughout this appeal as well.

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.

Any student who tests positive in a drug/alcohol use test under this policy shall be subject to the consequences listed below. **Violations under this drug testing policy are cumulative throughout grades 7-8 and 9-12 and do not start over each school year.**

First Positive Result

A positive result by MRO ruling or adulteration will result in the student being suspended from participating in all extracurricular activities, including all performances and competitions for a period of twenty (20) school days, which shall include suspension from any activities falling on evenings of such school days or weekends falling between school days in which a suspension is to be served. Students may be allowed to practice but are not allowed to participate in any contests during this period. During this time it is recommended that the parent/guardian obtain an acceptable substance abuse evaluation and education/counseling program from a certified or licensed program for the student. If the student and/or parent/guardian can provide proof of an acceptable substance abuse evaluation from a certified or licensed program, the suspension will be reduced to ten (10) school days. It is highly recommended that the student attend an education/counseling program if the drug evaluation deems necessary. The cost of the substance abuse evaluation and education/counseling program will be the responsibility of the student or student's parents/guardian if under age eighteen (18). Additionally, student participants who have a first positive result will be required to submit to three (3) follow-up drug tests during the next twelve (12) month period to remain or regain eligibility for extracurricular activities participation. The period of exclusion from extracurricular activities may continue into the following school year. Local law enforcement will be notified when required by law.

Second Positive Result

A second positive result by MRO ruling or adulteration will result in the student being suspended from participating in all extracurricular activities, including all performances and competitions, for a period of forty-five (45) school days which shall include suspension from any activities falling on evenings of such school days or weekends falling between school days in which a suspension is to be served. Students are **not** allowed to practice during this suspension. During this time it is recommended that the parent/guardian obtain an acceptable substance abuse evaluation and education/counseling program from a certified or licensed program for the student. If the student and/or parent/guardian can provide proof of an acceptable substance abuse evaluation from a certified or licensed program, the suspension will be reduced to thirty (30) school days. It is highly recommended that the student attend an education/counseling program if the drug evaluation deems necessary. The cost of the chemical assessment and/or substance abuse program will be the responsibility of the student or student's parents/guardian if under age eighteen (18). The student will be required to submit to five (5) follow-up drug screens during the next twelve (12) month period to remain or regain eligibility for extracurricular activities participation. The period of exclusion from extracurricular activities may continue into the following school year. Local law enforcement will be notified when required by law.

Third Positive Result

A third positive result by MRO ruling or adulteration will result in the student being suspended from participating in any extracurricular activities as defined in this policy for a minimum of ninety (90) school days which shall include suspension from any activities falling on evenings of such school days or weekends falling between school days in which a suspension is to be served. Students are **not** allowed to practice during this suspension. During this time it is recommended that the parent/guardian obtain an acceptable substance abuse evaluation and education/counseling program from a certified or licensed program for the student. Upon return to participation in extracurricular activities the student will be required to submit to five (5) follow-up drug screens during the next twelve (12) month period to remain or regain eligibility for extracurricular activities participation. Local law enforcement will be notified when required by law.

Fourth Positive Result (or more)

A fourth positive result by MRO ruling or adulteration will result in the student being suspended from participating in any extracurricular activities as defined in this policy for a minimum of one calendar year which shall include suspension from any activities falling on evenings of such school days or weekends falling between school days in which a suspension is to be served. Students are **not** allowed to practice during this suspension. In addition, during this time it is recommended that the parent/guardian obtain an acceptable substance abuse evaluation and education/counseling program from a certified or licensed program for the student. Upon return to participation in extracurricular activities the student will be required to submit to five (5) follow-up drug screens during the next twelve (12) month period to remain or regain eligibility for extracurricular activities participation. The period of exclusion from extracurricular activities may continue into the following school year. Local law enforcement will be notified when required by law.

Self-Reporting

A student who has never tested positive under the USD 357 policy has the option to voluntarily “self-report” the use of an illegal drug/alcohol. Under this self-reporting clause, the student must self-report to the building principal prior to being selected in a random draw. Any student who self-reports a 1st offense shall have a five (5) school day suspension from participating in extracurricular activities. Students cannot self-report if they have already tested positive as a 1st offense. This self report will constitute a 1st positive test. Students who self-report will have a conference with their parents, counselors, and administration.

ILLICIT OR BANNED SUBSTANCES *(may include but is not limited to)*

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 Belle Plaine Unified School District Students:

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites (THC)	Methadone
MDMA (Ecstasy)	Nicotine	Opiates
Phencyclidine	Propoxyphene	

USD 357 has the right to add any other tests which may include any drug not approved for medical use by the US Drug Enforcement Administration or the US Food and Drug Administration.

REMOVAL OF TEST RECORDS

The school district shall remove from its records, all records of any testing and results thereof within 48 months after the withdrawal of any student from the USD 357 school system.

The Belle Plaine USD 357 Student Drug Testing Policy does not supersede the student handbooks of Belle Plaine High School or Belle Plaine Middle School with regard to students found to be in possession of, using, distributing, or under the influence of illegal substances or alcohol while on school property or at a school activity (home or away). Therefore, a student who violates the policy, as set forth in the student handbooks should expect further consequences as deemed appropriate by the building principal. This policy shall not supersede any state and/or federal law or KSHSAA policy on this topic.