

PURPOSE STATEMENT

The New Richmond Exempted Village School District Board of Education's ("Board of Education," "Board" or "District") Random Drug Testing Policy was created in response to concern that alcohol and illicit drugs may be used by students within the District and to prevent, deter and detect such drug use. The Board of Education desires to implement a policy which will address this concern thereby promoting the health, safety and welfare of the students within this District. To achieve this objective and to maximize the skills and talents of the students, it is important that each student understands the dangers and serious consequences of drug and alcohol use. This Policy reflects the commitment of the Board of Education and the community to establishing a drug and alcohol free school environment. This policy is to supplement Policy 5530 – Drug Prevention.

The purpose of this Policy is as follows:

- A. To provide for the health, safety and welfare of all students;
- B. To identify students with substance use problems for referral to appropriate counseling or treatment services;
- C. To undermine the effects of peer pressure by providing a legitimate reason for students to refuse use of illegal drugs and/or alcohol;
- D. To deter drug use among all students;
- E. To identify students who use illegal drugs and/or alcohol;
- F. To encourage students who use illegal drugs and/or alcohol to participate in appropriate treatment programs; and
- G. To provide easy parent access to drug addiction help through mha.ohio.gov, StartTalking.ohio.gov and similar websites.

This Policy applies to all students in grades 9-12 with privileges, namely;

- A. student athletes;
- B. students participating in extra-curricular activities;
- C. students possessing District parking privileges;
- D. students who volunteer.

This Random Drug Testing Policy does not affect the current policies, practices, or rights of the District regarding student drug possession or use where reasonable suspicion is established by means other than drug testing through this Policy.

Although students risk the loss of the above-named privileges, the Random Drug Testing Policy is designed to be non-punitive with regard to academics. No student will be suspended or expelled from school as a result of a certified positive test conducted by the District under this Policy. The results of random drug tests will not be documented in any student's academic records. Such results will not be disclosed to criminal or juvenile authorities unless otherwise required by law.

All students and parents/guardians/custodians must sign an "Informed Consent Agreement" for drug testing in order to be eligible for the above-named privileges. Once a signed form is on file with the District, it remains valid for all privileged activities while the student remains enrolled at the District.

DEFINITIONS

A. STUDENT ATHLETE

Any student in grades 9-12 participating in a District athletic program including, but not limited to, Baseball, Basketball, Cheerleading, Cross Country, Football, Golf, Tennis, Track & Field, Softball, Soccer, Swimming, Volleyball, and Wrestling.

B. EXTRA-CURRICULAR ACTIVITIES

Any student in grades 9-12 participating in a District sponsored club, group or student organization which holds and/or participates in competitions, practices, events, meetings and/or activities which extend beyond the normal school day; or an activity/group for which a student is not issued a grade.

C. STUDENT DRIVER

Any student in grades 9-12 possessing District parking privileges.

D. DRUG TESTING PERIODS

1. Athletic Season

Student Athletes will be subject to random drug testing beginning with the first day of practice and concluding one (1) calendar year later.

2. Extra-curricular

Extra-curricular participants will be subject to random drug testing beginning with the first meeting/practice and concluding one (1) calendar year later. Members of National Honor Society will be subject to Random Student Drug Testing from application into National Honor Society until graduation from New Richmond High School.

3. Student Drivers

Student drivers will be subject to random drug testing during the entire school year.

E. **TESTING AGENCY**

All drug tests shall be conducted by laboratories certified by the Ohio Department of Health and Human Services. The certified testing agency selected by the Board of Education shall be responsible for randomly selecting students, processing sample results and maintaining confidentiality.

F. **RANDOM SELECTION**

A system of selecting students in grades 9-12 (with privileges) for drug testing in which each student will have a fair and equitable chance of being selected each time selections are required. The term "random number generator" is used to describe this system.

G. **ILLEGAL/ILLICIT DRUGS**

Alcohol, Anabolic Steroids, Nicotine (Tobacco), Marijuana, LSD, Amphetamines, Methamphetamines, Methadone, Methaqualone, Barbiturates, Benzodiazepines (Valium), Opiates, Cocaine, Propoxyphene (Darvon), MD/MA (Ecstasy), Phencyclidine, Tricyclic, Buprenorphine, Oxycodone, and/or any substances included in 21 U.S.C. 802(6). This definition also includes all prescribed and over-the-counter drugs being used in any way other than for medical purposes in accordance with the directions for use provided for in the prescription or by the manufacturer.

Random Testing

All students who qualify for this policy must have the Informed Consent Agreement on file with the Athletic Director/coach/advisor. In-session random testing shall be done throughout the season. A student may be tested more than once per season. In the event of a positive result, the specimen will be sent to laboratory for confirmation of results and a certified Medical Review Officer will determine the results.

- A. Random selection of student athletes: Each week, the principal/designee will compile a list of those eligible students who are 'in-season'. Each student will be assigned a number. A computer generated random number will be drawn by the nurse or lab technician to determine which students will be tested.
- B. Scheduled for testing: Random testing will be unannounced. The drug testing dates and times will be selected by the High School Principal/designee and confirmed with the testing company. The frequency and percentage of students tested each time will be determined by the Superintendent in conjunction with the School Board.
- C. OPT-IN STUDENT DRUG TESTING: Parents/guardians/custodians that have students not involved in privileged activities may have their student tested during the next testing cycle. They will be charged for this expense. Interested parents/guardians/custodians should contact their student's Building Principal.

DRUGS FOR WHICH STUDENTS MAY BE TESTED

Alcohol, Anabolic Steroids, Nicotine (Tobacco), Marijuana, LSD, Amphetamines, Methamphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, Benzodiazepines (Valium), Opiates, Cocaine, Propoxyphene (Darvon), MD/MA (Ecstasy), Phencyclidine, Tricyclic, Buprenorphine, Oxycodone, and/or any substances included in 21 U.S.C. 802(6).

REFUSAL TO TEST

Refusal to submit to a random drug test, or refusal to report to the test site immediately will constitute a violation of this Random Drug Testing Policy and will be treated as a positive test result.

COLLECTION PROCESS (Urine Screens)

The student will be notified to report to the collection site. Upon arriving at the collection site, the following procedures will occur:

- A. All students will be identified by the Principal/designee. No exceptions will be allowed.
- B. The testing area will be secured during testing.
- C. Only lab technicians, an administrator, and the student being tested will be witness to the test; privacy must be maintained for all students.
- D. The Athletic Director/Principal/Activity Advisor are responsible for ensuring that all forms are completed and signed by both the parent/guardian/custodian and the student prior to testing.

- E. When a student arrives at the collection site, if s/he is unable to provide a sample, s/he will be asked to drink water or juice provided by the Principal/designee.
- F. No bags, backpacks, purses, containers cups or fluids will be allowed to enter the collection area. All coats, vests, jackets, sweaters, hats, scarves, or baggy clothing must be removed before entering the collection site. Students will be required to empty their pockets. Any infringement of the rules will result in the student taking the test again.
- G. Students processed by the lab technician who cannot produce a sample will be kept in a secured area to wait until they can test. If they leave this area, they will not be allowed to test, and this will be considered a refusal. They are not to have contact with anyone other than the lab technician or school official until after the sample is given.
- H. Students will be asked to wash their hands. The lab technician will add blue dye to the toilet.
- I. Students will be asked to urinate directly into a collection cup given to them by the lab technician. The lab technician will stand outside the restroom.
- J. If any adulteration of the specimen is detected, or if the student tampers with the urine sample in order to avoid providing a sample, it will have the same consequences as a "positive." The lab checks every sample for adulteration, such as additives the student may drink or add to the urine to change the sample.
- K. Any suspicion of tampering will result in the sample being sent to the lab for confirmation of tampering.
- L. The sample must be taken in one attempt within four (4) minutes of entering the bathroom and be at least thirty (30) ml in volume. The student must return the cup to the lab technician.
- M. Students are not to flush the toilets. In the event the student flushes the toilet, the sample is considered to be invalid, and s/he will be required to give a new sample immediately. If the student is unable to provide a new sample immediately, s/he will be asked to drink water or juice provided by the Principal/designee.
- N. While the student is watching, lab personnel will recap and collect the sample. The student will note the specimen number and sign the specimen sheet verifying the specimen number and student identity. In the event the student does not hand the cup directly to the lab personnel, the sample is considered invalid and a new sample must be given.

- O. The specimen will be checked by lab personnel at the time of testing using a rapid screen panel. Any "non-negatives" will be placed in a transport bag and sent to a laboratory and a certified Medical Review Officer will interpret the results.
- P. This collection procedure is subject to change because of procedural requirements by the testing agency. The Board of Education reserves the right to change the collection procedure to coincide with the guidelines set forth by the testing agency.
- Q. When using rapid screens, all non-negatives will be brought to the attention of the High School Principal.

PROCEDURES IN THE EVENT OF A POSITIVE TEST

- A. The Medical Review Officer will review all "non-negatives" or suspected adulterations.
- B. Depending upon the substances found in the urine specimen, the parent/guardian/custodian will be contacted to determine if the student is taking any prescription medication from a physician.
- C. If the student is taking medication, the parent/guardian/custodian will be asked to obtain a letter within five (5) school days from the prescribing physician verifying the medication and forward to the MRO. Failure to provide such requested information will be considered a positive result.
- D. The Medical Review Officer will then determine if any of the prescribed medications resulted in a positive drug screen.
- E. The Medical Review Officer 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 illicit or banned substances from the body. If the Medical Review Officer believes 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.
- F. The Medical Review Officer shall confirm all specimens identified as positive on the initial drug test through the use of the gas chromatography/mass spectrometry method of detection, or any other method that is professionally recognized as being more accurate than the gas chromatography/mass spectrometry method. In the event the confirmatory test confirms the results of the initial test, the District will proceed with the "Note: Consequences for Violations of the Random Drug Testing Policy."

- G. The Medical Review Officer based upon the information given will certify the drug test results as positive or negative. Positive results will be reported to the High School Principal/designee by telephone.
- H. The Principal/designee, within one (1) school day of receiving the test results from the drug testing agency, will attempt to notify the parent/guardian/custodian (first and preferably by telephone) of the positive results. Once the parent/guardian/custodian is notified, the student will then be notified of the positive results. The Principal/designee will then provide a written notification to the parent/guardian/custodian via U.S. mail.
- I. If the parent/guardian/custodian or student wishes to contest the results, the drug testing agency will arrange a retest of the specimen to be submitted to the same laboratory. The parent/guardian/custodian or student must pay for this expense. Such a request must be made to the Principal/designee in writing within five (5) school days from the first notification of the positive test results. The results of this test shall be determinative, except in those instances where the first test and confirmatory test indicated the presence of adulterant(s) in which case the results of the initial and confirmatory shall be determinative.
- J. Consequences for violations of this Random Drug Testing Policy will not be delayed due to the contesting of the results of the initial and confirmatory test.

CONSEQUENCES FOR VIOLATIONS OF THE RANDOM DRUG TESTING POLICY

A. First Violation

Student athletes will be denied participation in twenty percent (20%) of athletic competitions. Students participating in extra-curricular activities and/or possessing District parking privileges will be denied participation for thirty (30) calendar days. These consequences will carryover into the next school year. Students who are members of National Honor Society will be referred for disciplinary action to the National Honor Society Faculty Council.

The student will seek an assessment from a certified agency approved by school administration specializing in teen drug/alcohol/tobacco abuse education/intervention and treatment at the student's expense. The student must provide written documentation indicating completion of any follow-up counseling and/or treatment prescribed by the assessing agency.

B. Second Violation

Student athletes will be denied participation in fifty percent (50%) of athletic competitions. Students participating in extra-curricular activities and/or possessing District parking privileges will be denied participation for sixty (60) calendar days. These consequences will carryover into the next school year.

The student will seek an assessment from a certified agency approved by school administration specializing in teen drug/alcohol/tobacco abuse education/intervention and treatment at the student's expense. The student must provide written documentation indicating completion of any follow-up counseling and/or treatment prescribed by the assessing agency.

C. Third Violation

The student shall be permanently denied participation in athletics, extra-curricular activities, and driving/parking privileges for the remainder of their enrollment at New Richmond High School, effective immediately.

SELF-REFERRAL

- A. A self referral may only be used before a student has been randomly selected for drug testing.
- B. Violations already reported or pending violations cannot be self-referred.
- C. A self-referral may only be used one time during a student's New Richmond School District academic and athletic career.
- D. The principal/designee reserves the right to make final determination concerning acceptance of a self-referral.
- E. The student will not be denied participation for their sports season, extracurricular season, or parking privilege. National Honor Society members will be referred to the National Honor Society Faculty Council.
- F. The student will seek an assessment from a certified agency approved by school administration specializing in teen drug/alcohol/tobacco abuse education/intervention and treatment at the student's expense. The student must provide written documentation indicating completion of any follow-up counseling and/or treatment prescribed by the assessing agency.
- G. A self-referral may only be used one time during a student's New Richmond High School career.

- H. A self-referral will still be considered a first offense as far as this policy is concerned.

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