

# MINERSVILLE AREA SCHOOL DISTRICT

SECTION: Pupils

TITLE: Drug Testing Policy

ADOPTED: February 23, 2009

REVISED:

	227.1 DRUG TESTING POLICY
1. Purpose	<p>The Board recognizes that the use of drugs has a serious and deleterious affect on students' motivation, memory, judgment, coordination, and reaction time, and negatively affects students academically, physically, and emotionally. These concerns, in conjunction with the heightened health and safety risks associated with students participating in extra-curricular/co-curricular activities or operating motor vehicles to and from school and school-related activities while impaired, and the recognition that drug use and abuse is particularly dangerous to students who participate in such activities, have compelled development of this policy. The Board wants to provide a legitimate reason for students to refuse to consume or use drugs, and to provide assistance to students who have problems with such substances.</p> <p>To address and combat students' use of drugs, the Board is implementing both a voluntary drug testing program for all students and a mandatory, random drug testing program for students participating in extra-curricular/co-curricular activities or with parking privileges. Participation in extra-curricular/co-curricular activities and student use of school parking facilities is a privilege, not a right. Accordingly, students participating in these activities or with parking privileges carry a special responsibility to themselves, fellow students, his/her parents/guardians, the public and their school to exercise prudent judgment.</p> <p>The policy is designed to:</p> <ol style="list-style-type: none"> <li>Create and maintain safe, drug-free environment for all students participating in extra-curricular/co-curricular activities and students with driving privileges.</li> <li>Prevent student participants in extra-curricular/co-curricular activities and students with driving privileges from using drugs.</li> <li>Protect the health and safety of all students, faculty and the public.</li> <li>Prevent accidents, injuries and property damage resulting from the use of drugs.</li> <li>Provide students with access to assistance and treatment for drug problems.</li> <li>Provide parents with an opportunity to maintain the safety of their student(s) through voluntary participation in the drug testing programs.</li> </ol>

## 227.1 Drug Testing Policy

<p>2. Definitions</p>	<ul style="list-style-type: none"> <li>■ <u>Alter the Integrity of a Urine Sample</u> <ol style="list-style-type: none"> <li>1. alter the outcome of drug test by adding a substance to a urine sample</li> <li>2. substitute a sample</li> <li>3. interfere with the detection of drugs in a urine sample</li> <li>4. over-hydrating oneself in an attempt to dilute the urine to decrease the possible detection of drugs</li> </ol> </li> <li>■ <u>Approved Contractor</u> A certified person, corporation or agency selected by the District for the purpose of collecting, testing, and maintaining the integrity of the urine samples, and interpreting and maintaining the confidentiality of test results in compliance with the policy.</li> <li>■ <u>Co-Curricular Activities</u> Activities that include Board-sponsored activities offered for academic credit toward graduation, and which requires a student to attend or participate in activities scheduled during non-school hours. A list of co-curricular activities shall be created by the Superintendent or designee and may be supplemented during the year as approved by the Superintendent and reported to the Board.</li> <li>■ <u>Extra-Curricular Activities</u> Activities that include Board-sponsored activities that are not offered for academic credit toward graduation. A list of extra-curricular activities shall be created by the Superintendent or designee and may be supplemented during the year as approved by the Superintendent and reported to the Board.</li> <li>■ <u>Drug</u> Any controlled substance which is prohibited by Federal/Pennsylvania Law, all "look alike" drugs, anabolic steroids, all alcoholic beverages, any prescription or patient drug, except those for which permission to use in school has been granted pursuant to Board policy.</li> <li>■ <u>Random Selection</u> A selection process whose alternative outcomes occur with an equal probability. All eligible students will have an equal probability of being selected.</li> <li>■ <u>Violation of this Policy or Violates this Policy</u> The findings of a confirmed positive drug test, refusal to take a mandatory, random drug test or an attempt to alter the integrity of a urine sample.</li> <li>■ <u>Medical Review Officer (MRO)</u> A licensed physician trained and certified in the process and interpretation of drug testing results.</li> <li>■ <u>Student Assistance Program</u> Program administered by the Pennsylvania Department of Education's Division of Student and Safe School Services designed to assist students in overcoming issues including alcohol, tobacco, other drugs, and mental health issues in order that they may achieve, remain in school, and advance.</li> </ul>
<p>3. Types of Testing</p>	<p>A. <u>Mandatory Testing Requirements</u> No student (enrolled in the grades 7 through 12) shall be permitted to participate in extra-curricular/co-curricular activities or obtain a parking permit unless the student and the student's parent/guardian signs a consent to Mandatory Testing and Authorize for Release of Information Form, authorizing the random drug testing of their student. Once the Consent has been submitted, it shall remain in effect until the Superintendent or designee receives a signed withdrawal request from</p>

## 227.1 Drug Testing Policy

a parent/guardian to remove his/her student from the drug testing program. If at any time during the school year the student that is not involved in the random drug testing programs chooses to join an extra-curricular/co-curricular activity, that student will automatically be placed in the next testing pool once Consent is received by the designee.

### B. Voluntary Testing Requirements

Any parent/guardian of a student (enrolled in 7 through 12) who does not participate in an extra-curricular/co-curricular activity or does not obtain a student parking permit may voluntarily include their student in the drug testing program. The parent/guardian must sign Consent to Voluntary Testing and Authorization for Release of Information Form, authorizing the drug testing of his/her student. After the Superintendent or designee has received the Consent, the student's name will be included in the list of students eligible for random selection. Once the Consent has been submitted, it shall remain in effect until the Superintendent or designee receives a signed withdrawal request form from a parent/ guardian to remove the student from the drug testing program.

All drug testing of urine samples shall be conducted without additional student or parent/guardian notification, during the school year, for a predetermined percentage of the students participating in the drug testing programs. Students selected for testing shall be chosen by a random sampling process by an approved contractor. Any eligible student selected randomly for urine drug testing who is not in school on the day of testing will be tested at the next available testing date. The school district may test up to ten (10) of the eligible students randomly, at two (2) week intervals during the school year or interscholastic season without regard as to whether the student is then participating in an extra-curricular/co-curricular activity.

The drug test will be administered to determine the presence of some or all of the following: anabolic steroids, amphetamines, barbiturates, cocaine, codeine, depressants, heroin, marijuana, morphine, methamphetamine, opiates, PCP, stimulants, Valium, and alcohol, or other drugs added at the discretion of the Superintendent, in the student's urine sample. A test result indicting the presence of any of these substances will be considered a violation of this policy.

If a student refuses to submit a urine sample for testing, the refusal will be deemed a violation of this policy. If a student attempts to alter or alters the integrity of a urine sample during the collection process, such conduct will be deemed a violation of this policy.

If a student fails to supply an adequate sample when requested, that student must remain in the testing area and will be allowed to drink up to eight (8) ounces of liquid every one-half hour (30 minutes) for up to two (2) and one-half hours. Failure to supply an adequate sample within the allotted time will result in a refusal to submit a sample and will be deemed a violation of this policy.

### 4. Testing Procedures

1. Eligible students will arrive with an acceptable identification (ID) with a photo license, etc. If they cannot provide a photo ID, the building principal will identify the student.

2. The student will be asked to wash his/her hands with soap and water and dry them. The student will be required to up pants legs and empty his/her pockets prior to testing.
3. No purses, bags, or containers may be taken into the collection area with the student.
4. The Chain of Custody Form will be filled out and a list of all medications or over-the-counter drugs the student has consumed in the past thirty (30) days will be noted. The student will be asked whether or not they have eaten any poppy seeds in the past seven (7) days. The second copy of the Chain of Custody form which includes the name will be kept by the school designee. The student is never out of the supervision of the collector with the chain of custody form.
5. The collector prepares the specimen cup by placing the temperature sticker on the side of the cup.
6. The collector adds a bluing agent to the water in the urinal or toilet. When the specimen is collected the attendant will check to make certain that the specimen has the temperature and appearance of a freshly collected urine specimen. The attendant will tightly secure the container lid and seal the cup with a security seal while simultaneously saying to the student "I am sealing your specimen with your ID on the specimen, Is this the correct ID?" (The student should answer "yes").
7. The student will then initial the seal in the presence of the collector and the witness will also indicate the date and time on the specimen and initial the specimen.
8. The student will then sign the Chain of Custody form.
9. The specimen and the Chain of Custody form will then be put in a Bio-hazard bag and then placed in a secure area. The courier will then pick up the specimen(s) and deliver them to the approved contractor.

Testing will be performed on urine samples collected by trained and certified collection personnel following forensic collection procedures. Urine samples will be submitted to a screening test for multiple drugs as set forth in this policy. Urine samples found to test positive on the screening assay will be subject to further confirmatory testing for the drug(s) identified, using a different analytical methodology. Only those drugs found to be positive on the screening assay and confirmatory tests will be reported as positive to the Medical Review Officer (MRO). All test results will be sent to the MRO. For all positive test results, the MRO will contact the student and/or the student's parent/guardian by telephone to determine if there is a legitimate medical explanation for the result. The MRO will report to the designated school representative a positive test only a laboratory confirmed positive test for which the student and/or the student's parent/guardian is unable to provide an acceptable medical explanation. Students shall comply with reasonable requests of the approved contractor. Failure to comply with a reasonable request of the approve contractor or any attempt to alter the integrity of the urine sample will be a violation of this policy. The testing procedures shall be scheduled at the discretion of the Superintendent.

5. Confirmation/  
Notification of  
Positive Tests

If it is determined that a violation of this policy has occurred, the student and the student's parent/guardian will be notified by the designee. If requested, a donor challenge test will be at the expense of the student and/or parent/guardian and will be administered using the original urine sample at the same laboratory. If the donor challenge test result is negative, no further action will be taken and the student and/or the student's parent/guardian will be reimbursed by the school district for the cost of the donor challenge test.

6. Consequences for Violations of this Policy

If a donor challenge test is requested, the consequences for a violation shall not apply until the results of the donor challenge test are available.

When a student who participates in extra-curricular/co-curricular activities or has a student parking permit violates this policy, he/she will be subjected to the following actions:

A. First Violation

The student (enrolled in grades 7 through 12) will be automatically referred to the Student Assistance Program (SAP) and will be suspended from participating in extra-curricular/co-curricular activities and/or parking privileges for forty-five (45) students days from the date of receipt of confirmation of the positive test or until the school has received notification of positive completion of the recommendations of the SAP team.

The student's belongings, locker, and car may be immediately searched upon notification of a positive test. During the suspension period, the student may also be subject to random searches at the discretion of the administration.

To be eligible for continued participation in extra-curricular/co-curricular activities and/or parking privileges after the period of suspension, the offending student must consent to continued drug testing one (1) time every two (2) weeks for the one (1) year period following the date of the receipt of confirmation of the positive test at the expense of the parent/guardian using the district's approved contractor. The school district shall also notify the student and student's parent/guardian of the results of the drug testing.

B. Second Violation

The student (enrolled in grades 7 through 12) will be automatically referred to the Student Assistance Program (SAP) and will be suspended for participating in extra-curricular/co-curricular activities and/or parking privileges for one (1) full calendar year from the date of receipt of confirmation of the positive test and the school has received notification of positive completions of the recommendations of the SAP team.

The student's belongings, locker, and car may be immediately searched upon notification of a positive test. During the suspension period, the student may also be subject to random searches at the discretion of the administration.

To be eligible for continued participation in extra-curricular/co-curricular activities and/or parking privileges after the period of suspension, the offending student must consent to continued drug testing one (1) time every two (2) weeks for the one (1) year period following the date of receipt of confirmation of the positive test at the expense of the parent/guardian using the district's approved contractor. The school district shall notify the student and/or student's parent/guardian of the results of the drug screening.

C. Third Violation

The student (enrolled in grades 7 through 12) will be suspended from participating in extra-curricular/co-curricular activities and/or parking privileges for the remainder of his/her enrollment as a student with the Minersville Area School District. The school district shall also notify the student and/or the student's parent/guardian of the results of the drug testing.

The student's belongings, locker, and care may be immediately searched upon notification of a positive test. During the suspension period the student may also be subject to random searches at the discretion of the administration.

During the suspension, the offending student may not participate in any game, competition, practice, or in any way associate with the team/organization. The student must also hand in any uniforms and/or equipment belonging to the district for the term of the suspension. The coach/advisor will be responsible for reporting uniform/equipment return to the athletic director.

When a student who has voluntarily opted to participate in the drug testing program violates the policy, he/she shall be required to participate in the Student Assistance Program. If a student is referred to the Student Assistance Program for a violation of this policy, the School District encourages the student's parent/guardian to fully participate in the assessment process.

No student shall be suspended from school, expelled or otherwise penalized academically as a result of a confirmed positive result under this policy. Information regarding the results of the drug tests shall not be disclosed to law enforcement authorities unless the School District is otherwise compelled to do so by valid subpoena or court order. If such disclosure is requested, the School District will notify the student and student's parent/guardian as soon as possible. The results of the drug test under this policy will not be documented in a student's academic records. Positive drug test results will be maintained by the School District solely to administer this policy. Any student's positive drug test results will be destroyed upon time of the student's graduation, completion of year of eligibility, and/or the age of twenty-one (21) by the Minersville Area School District.

## 227.1 Drug Testing Policy

### Extra and Co-Curricular Activities

The following listed activities and descriptions of students in grades 7-12 are subject to the Minersville Area School District. Any new activity or sport added during the school year will also be subject to involvement in the random drug testing program.

#### Activities

(This includes any student who has any involvement at all with the following:)

Annual Musical  
Band/Bandfront (all groups)  
Chorus (all groups)  
German Club  
National Honor Society  
Proms and School Dances  
SADD  
Spirit Club  
Student Council  
TAT  
Yearbook

#### Athletics

(This is not limited to the players only. It also includes any student involved with the sport to any extent such as managers and statisticians.)

Baseball  
Basketball  
Cheerleading  
Cross Country  
Football  
Golf  
Soccer  
Softball  
Track & Field  
Volleyball  
Wrestling

#### Student Drivers

Any student who wishes to park their car during school hours on district property at any time during the school year.

*The Minersville Area School District reserves the right to add, change and/or amend this list at any time as necessary.*

## 227.1 Drug Testing Policy

### MINERSVILLE AREA SCHOOL DISTRICT CONSENT TO VOLUNTARY TESTING OF URINE SAMPLES AND AUTHORIZATION FOR RELEASE OF INFORMATION

I hereby acknowledge that I have received a copy of the Minersville Area School District Drug Testing Policy. I further acknowledge that I have read the Policy and that I fully understand the provision of the drug testing program and agree to voluntarily comply with the terms and conditions set forth in the Policy.

I hereby consent and authorize the School District to collect a urine sample from my son/daughter and to have such sample tested for the presence of certain drugs and substances in accordance with the provisions of the Policy. I further authorize the School District to release confidential information related to the drug testing to the approved contractor, school principal, district designee, Superintendent and/or members of the Student Assistance Program, all information and records, including without limitation the results of the drug testing of my son/daughter's urine in accordance with the Policy, to the extent set forth in this Consent, I waive any privilege with regards to such information.

I hereby acknowledge that this voluntary Consent shall remain valid unless and until I notify the Minersville Area School District, by completion of the proper forms, of my desire to remove my son/daughter from the school district's drug testing program.

I hereby release and discharge for myself and my son/daughter the School District and its directors, officers, employees, and agents from any and all claims, rights, expenses, debts, demands, costs, contracts, liability, obligations, actions, and causes of action of every nature, known or unknown, whether in law or equity, which I or my son/daughter had, now has, or may have which is in any way connected with, or arises out of, the drug testing process or this Policy.

\_\_\_\_\_  
Printed Parent/Guardian Name

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Student Name

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

\_\_\_\_\_  
Date



MINERSVILLE AREA SCHOOL DISTRICT  
DRUG TESTING PROGRAM  
WITHDRAWAL FORM

I hereby wish to withdraw my son/daughter from any and all extra-curricular/co-curricular activities and parking privilege which require my son/daughters participation in the Minersville Area School District Drug Testing Program.

I am completing and submitting this form to the Superintendent or the district designee as acknowledgment for my desire to withdraw my son/daughter from all aspects of this program. My son/daughters name will be withdrawn from the random testing poll on the date this form is received. Completing this will impact his/her participation in all extra-curricular/co-curricular activities and/or parking privileges. I understand, by withdrawing, he/she can no longer participate in any of these programs or activities. My son/daughter may re-enter the testing pool after a period of one (1) calendar year by the completion of a new Consent to Mandatory Testing of Urine Samples and Authorization for Release of Information Form.

\_\_\_\_\_  
Printed Parent/Guardian Name

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Student Name

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed District Official

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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\_\_\_\_\_  
Extra-Curricular/Co-Curricular Sports and/or Activities

\_\_\_\_\_  
Parking Privilege Number