

# **DRUG TESTING POLICY**

## **Norwayne Local Schools**

The Norwayne Board of Education Drug Testing Policy was formed out of a commitment and desire to establish a truly drug and alcohol free school program. Because of pervasive nature of drug use in our schools and the ever increasing influence of peer pressure, the Board of Education believes that by implementing a drug-testing program, for students in grades 7-12 who participate in extra-curricular activities, it will encourage students to remain drug/alcohol free.

The Norwayne Local School District will work to educate about, prevent, and intervene in the use or abuse of all drugs, alcohol, and mood-altering substances by the entire student population and to implement a program of deterrence as a pro-active approach towards a drug free school district.

The Norwayne Local Schools have selected student athletes, students who participate in extracurricular activities and students who drive to school to be included in the randomized drug testing pool. Since 2002 schools are able to test extracurricular activities, parking permits and almost any other activity that does not involve a grade.

### **PURPOSE OF THIS POLICY SHALL BE:**

- a. To provide a healthy and safe environment for all students.
- b. To discourage students from using illegal drugs and alcohol.
- c. To undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs/alcohol.
- d. To encourage students who use drugs to seek help and/or participate in drug treatment programs.
- e. To provide the district with positive guidelines and disciplinary policies for violations of the drug free policy.

The program does not affect the current policies, practices, or rights of the District regarding student drug and/or alcohol possession or use, where reasonable suspicion is established by means other than drug testing through this policy. The drug testing policy is non-punitive.

Students involved in extra-curricular activities need to be exemplary in the eyes of the community and other students. The drug testing and education policy is designed to create a safe, drug free environment for students and assist them in getting help when needed. Although students risk the loss of continued participation in extra-curricular activities, no student shall be suspended or expelled from school as a result of any certified "positive" test conducted by his/her school under this program.

No student will be penalized academically for testing positive for banned substances. The results of drug tests will not be documented in any student's academic record.

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## **DEFINITIONS:**

**Student** -any individual enrolled in the Norwayne Local Schools grades 7-12 who attends Norwayne High School, Norwayne Middle School or any other school directly affiliated with Norwayne Local Schools.

**Student Driver** -Any student who drives or parks their own vehicle on school property. All students who drive or park on school property must register their vehicles with the high school office and have the appropriate identification posted in their vehicle.

**Extra-Curricular Activities** -Any board approved activity that is non-graded and recognized by the board of education through a supplemental contract. (i.e.: Athletics, Student Council, Academic Challenge, National Honor Society, Drama Club, Jazz Band, Pep Band, Cheerleading, etc.)

**Prevention** -is defined as those activities designated to motivate students to avoid chemical use.

**Random Selection** – a mechanism for selecting extracurricular participants for drug/alcohol testing in which each participant shall have an equal chance of being selected for testing each time selections are made.

**Reasonable Suspicion** – means a suspicion based on specific personal observations including, but not limited to; appearance, speech, body odors, behavior, or other physical or observable traits of a student/athlete.

**Positive Result** – the presence of alcohol, nicotine, an illegal drug or their metabolites.

**Medical Vendor** – The medical office or company that the Board of Education selects to carry out this policy of testing.

**Chain of Custody Form** – a preprinted form provided by the testing laboratory that records all contact with the urine specimen, from initial collection through the final certification of the test result.

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

**Adulterant/Adulteration** – any attempt to alter the outcome of a urine drug test by adding a substance to the sample, attempting to switch a sample, or otherwise interfere with the detection of illicit or banned substances in the urine.

**Split Specimen** – an original urine specimen that is split into two separate samples. Season-In-season start dates will begin as published by the school or sanctioning organization and continue until completion of the banquet for that activity in the District. Norwayne Local School District, Creston, Ohio

**Illicit Drugs** -Any controlled substance that a person may not legally sell, offer to sell, possess, give, exchange, use, distribute, or purchase under Ohio Revised Code Chapter 2925 or Federal Law, any harmful intoxicant as defined in Ohio Revised Code Section 2925.01, and anabolic steroids. This definition also includes all prescription drugs obtained without authorization and 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 in the prescription or by the manufacturer.

**Alcohol** – Any intoxicating liquor, alcohol, beer, wine, mixed beverage, or malt liquor/beverage, as defined in Ohio Revised Code Section 4301.01. This definition includes any liquid or substance, such as “near beer”, which contains alcohol in any proportion or percentage. This definition does not include a substance used for medical purposes in accordance with directions for use provided in a bona fide prescription by the manufacturer, and in accordance with District policy and rules related to the use of prescription and non-prescription drugs, providing the substance is (a) authorized by a medical prescription from a licensed physician and kept in the original container which shall state the student’s name and direction for use, or (b) an over-the-counter medicine.

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

**School Year** – The school year is defined as that period of time that begins with the first official day of school, as determined by the board of education, and runs to the last official day of school.

## **RANDOM TESTING**

Random testing shall be done throughout the year. Up to 20% of eligible students may be tested on a monthly basis during the school year. A student may be tested more than once per season. Any student who refuses to submit to the urine drug testing will not be allowed to practice or participate in extracurricular activities/events in the Norwayne Local School District for one calendar year. In the event of a positive result, the specimen will be sent to a laboratory for confirmation of results and a certified Medical Review Officer will determine the results.

a. Random selection of students: The Principal/Athletic Director will use a system to ensure that students are selected in a random fashion. This system may include computer generated random numbers or names or by pulling numbers from a pool of numbers equal to the number of eligible students.

b. Scheduling of random testing: Random testing will be unannounced. The day and date will be selected by the Principal/Athletic Director and confirmed with the building administrator.

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### **DRUGS FOR WHICH STUDENTS MAY BE TESTED:**

LSD, Alcohol, Marijuana, Amphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, Nicotine (Tobacco), Benzodiazepines, Opiates, Cocaine, Propoxyphene (Darvon), or Any substance included in (21 U.S.C. 802 (6)), which an individual may not sell, offer to sell, possess, give, exchange, use, distribute, or purchase under State or Federal Law. 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.

### **COLLECTION PROCESS (Urine Screens)**

- The student will be notified to report to the collection site. A specimen from the student will be collected as follows and all students must follow this process:
- All students must have a picture ID or be identified by the Athletic Director or Principal. No exceptions will be allowed.
- Drug testing area must be secured during the testing.
- Only lab technicians, designated school administrator and students will be witness to the test.
- Privacy must be kept for all students.  
The Principal/Athletic Director is responsible for ensuring that all of the forms are completed and signed by both parent/guardian/custodian and student. No student is to enter the collection site until forms and proper ID are completed.
- When students arrive and cannot give a sample, they will need to start drinking water, pop or juice. After 36 oz. the human body will need to urinate.
- No bags, backpacks, purses, cups, containers or drinks 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. Only pants and t-shirts or dresses may be worn in the collection area. Any infringement of the rules will result in the student taking the test over.
- 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. They are not to have contact with anyone until after the sample is given.
- Students will be asked to urinate directly into the collection cup given to them by the lab personnel. The lab technician will stand outside the stall and listen for normal sounds of urination.

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- Any and all adulterations of the specimen will be detected and considered the same as a test refusal or 1st time infraction. (The lab checks every sample for adulteration, such as additives you drink or add to urine to change the sample.)
- Adulterations: We will treat adulterations and diluted samples as first time offenses. They are not called positives but have the same consequences. A retest will be required within 24 hours.
- Any suspicion of tampering with the sample will be brought to the tester's attention. The sample will be screened or sent to the lab for immediate confirmation of tampering.
- The sample must be taken in one attempt and be at least 30 ml in size. The student must hand the cup to the lab technician.
- Students are not to flush the toilets or urinals. In the event that a student flushes the toilet he or she will be required to give a new sample immediately or the sample will be invalid.
- With student watching, the lab technician will recap the sample and hand it to the student who must then return it to the intake technician. In the event that the student does not hand the cup directly to the intake technician, the sample is invalid and a new sample must be taken. If the student leaves the collection area or has contact with anyone, the sample will be invalid and the student will have to give another sample.
- This collection procedure is subject to change because of procedural requirements by the testing agency. The School Board reserves the right to change the collection procedure to coincide with the testing guidelines set forth by the testing agency.
- When using rapid screens, all non-negative screens will be sent out with a chain of custody form to a certified laboratory for confirmation. A Certified Medical Review Officer will verify the positive test.

#### **IF A POSITIVE TEST OCCURS:**

The MRO 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 MRO determines if any discrepancies have occurred in the Chain of Custody.
- b. Depending on the substances found in the urine, if necessary the MRO will contact the parent/guardian to determine if the student is on any prescribed medication from a physician.

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c. If the student is on medication, the parent/guardian will be asked to provide a copy of the prescription label, 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 MRO will then determine if any of the prescribed medications resulted in the positive drug screen.

e. Finally, the MRO, based on the information given, will certify the drug test results as positive or negative and reports this to the Building Principal and/or Athletic Director, initially reporting positive results by phone.

For example, a drug screen positive for codeine may be ruled negative by the MRO when he/she receives a letter from the treating physician that the student has been prescribed Tylenol © with codeine as a pain medication following tooth extraction. Or, if a student has a positive drug screen for codeine and has no documented physician order for the medication (maybe a friend gave the student one of his/her pills), this would likely be ruled a positive drug test by the MRO.

Drug screens positive for illicit drugs (marijuana, heroin, Cocaine or alcohol, etc.) would automatically be considered positive by the MRO.

The MRO may use quantitative results to determine if positive results on repeat tests 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.

The MRO will certify all urine drug screens as negative or positive and report by telephone positive findings in confidential manner to the Building Principal and/or Athletic Director.

An altered test or refusal to test will be treated the same as a positive test. A student who is randomly selected for testing and is absent on the day of testing will be subject to the testing procedure the next day of testing.

A student who is randomly selected for testing and misses the appointment for collection without good cause will be considered in violation of the code of conduct in accordance to the Athletic/Extra-Curricular Code of Conduct.

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The high school principal and/or athletic director will contact the student's parent, guardian, or custodian with the results within 24 hours of the verification by the Medical Review Officer. The parent shall be advised that the result may be contested, and a retest may be performed on the second (split) portion of the specimen at student/parent expense. A written notification from the building principal and/or athletic director will also be sent. If a split portion is not available for a second test, then the first test will become null and void and the student athlete will be subject to testing on the next scheduled day of testing.

If the parent or student wishes to contest the results, the MRO will arrange for the split portion of the specimen to be transported to another laboratory approved by the Board of Education for testing. This will be done at the parent's or student's expense. A request for a retest must be made to the high school principal and/or athletic director in writing within 5 days from the parent's first notification of the positive test result.

Any student whose test is certified positive by the MRO will be subject to penalties in accordance with the Extracurricular Code of Conduct. If a student and his/her parents contests the results of the first test, the penalty will be held in abeyance provided the District receives confirmation from the testing company that the parents and/or student has committed to the financial payment for the second test.

If a student contests the initial positive result and the second test result is negative, then the District will treat the student as if the first positive result did not occur, and no penalty will be imposed under the Code of Conduct. The district will be responsible for the payment of a second test that results in a negative result.

#### **First Offense**

- The student-athlete will miss 20% of that activities regular season scheduled contests/activities/driving. If the full 20% loss of participation is not possible for that particular season/activity, the total and/or remaining percentage will carry over to the student-athlete's next sport/activity in which he/she becomes a team/individual participant. (The student-athlete must complete the entire season/activity or the penalty will be assessed on the next sports/activity season in which the student-athlete participates.)
- The student will still practice with the team/group.
- The student can travel and be with the team/group and sit on the team bench.
- The student will be able to dress for contests.
- The student will be required to enter "Insight" program or obtain appropriate services of an agreed upon professional assistance agency. This will be at the expense of the student-athlete.
- Insight is generally an eight hour educational and self-awareness program to assist students in determining the role alcohol, and/or drugs play in their life. Insight must be done through an approved agency.

- The student-athlete must follow any of the recommendations from the insight program.
- The student-athlete will allow the agency to forward to the administration the letter of completion and any related recommendations.

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### **Second Offense**

- The student-athlete will miss 50% of that activities regular season/activities/ scheduled contests/points/driving. If the full 50% loss of participation is not possible for that particular season/activities, the total and/or remaining percentage will carry over to the student-athlete's next sport/activities in which he/she becomes a team/individual participant. (The student-athlete must complete the entire season/activity or the penalty will be assessed on the next sports season/activity in which the student-athlete participates.)
- The student will still practice with the team/group.
- The student can travel and be with the team/group and sit on the team bench.
- The student will be able to dress for contests.
- The student will be required to complete a "Full Assessment" program or obtain appropriate services of an agreed upon professional assistance agency. This will be at the cost of the athlete.
- Full Assessment is a more in depth procedure involving an interview by a certified drug and alcohol counselor. This may include the gathering information from family members, school personnel, law enforcement agencies to determine the role that alcohol, tobacco, and/or drugs is playing in that person's life.
- The student-athlete must follow any of the recommendations from the full assessment.
- The student-athlete will allow the agency to forward to the administration the letter of completion and any related recommendations.

### **Third Offense**

- A third-offense will result in denial of extra-curricular participation/driving for the duration of the student-athlete's school career.
- After 1 calendar year from the date of a third violation, the student may appeal to the superintendent and board of education representative. Their decision on this matter is final.

### **Use Or Possession Of Tobacco And/Or Tobacco-Related Products**

A student-athlete shall not use or possess any form of tobacco, tobacco-related products, or tobacco paraphernalia.

The penalty for tobacco violations will be the same as those with alcohol and/or drugs as shown above.

Tobacco violations are cumulative with the drug and/or alcohol violations.

The only difference between the tobacco violations and drug and/or alcohol violations is that there will not be the Insight or Full Assessment programs. (Those programs are not geared toward tobacco violations.)

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-In place of Insight (first violation) the student will have approximately eight hours of tobacco research, reports, and education as outlined by the administration.

-In place of Full Assessment (second violation) the student will have approximately sixteen hours of tobacco research, reports, and education as outlined by the district athletic director.

\*Nothing in this Extra-Curricular Code of Conduct shall prevent a coach, activity advisor or administrator from removing a student on an emergency basis, for a specific period, if the student's conduct threatens the health and safety of any individual, or disrupts the good order and discipline of the environment of the extra-curricular activity.

Violations are accumulative throughout the student's career. (Grades 7-12)

STUDENT NAME \_\_\_\_\_ GRADE \_\_\_\_\_

**AS A STUDENT:**

- I understand and agree that participation in extracurricular activities and driving and parking on school property is a privilege that may be withdrawn for violations of the NORWAYNE LOCAL SCHOOLS Drug Testing Policy.
- I have read the Drug Testing Policy and thoroughly understand the consequences that I will face if I do not honor my commitment to the Drug Testing Policy.
- I understand that when I participate in any extracurricular activities and/or drive and park on school property I will be subject to random urine drug & alcohol testing, and if I refuse, I will not be allowed to practice or participate in any extracurricular activities or drive and park on school property. I have read the informed consent agreement and agree to its terms.
- I understand this agreement is binding while I am a student in the NORWAYNE LOCAL SCHOOLS system.

\_\_\_\_\_  
STUDENT SIGNATURE

\_\_\_\_\_  
DATE

**AS A PARENT/GUARDIAN/CUSTODIAN:**

- I have read the NORWAYNE LOCAL SCHOOLS district drug testing policy and understand the responsibilities of my son/daughter/ward as a participant in extracurricular activities or drives and parks on school property in the NORWAYNE LOCAL SCHOOLS district.
- I pledge to promote healthy lifestyles for all students in the NORWAYNE LOCAL SCHOOLS system.
- I understand that my son/daughter/ward, when participating in any extracurricular activities and/or drives to and from school, will be subject to random urine drug and alcohol testing, and if he/she refuses, they will not be allowed to practice or participate in any extracurricular activities or drive and park on school property. I have read the informed Consent Agreement and agree to its terms.
- I understand this agreement is binding while my son/daughter/ward is a student in the NORWAYNE LOCAL SCHOOLS district.

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Work Phone

Norwayne Local School District, Creston, Ohio