

DRUG TESTING OF STUDENTS ADMINISTRATIVE GUIDELINE 5530.01

The WARREN CITY SCHOOL DISTRICT Board of Education Drug Testing Policy was formed because of a concern that alcohol and illicit drugs may be used by WARREN CITY SCHOOL DISTRICT Middle and High School students. The WARREN CITY SCHOOL DISTRICT Board of Education desires to implement a policy which will attempt to provide this district with a safe and healthful student program. This policy reflects the WARREN CITY SCHOOL DISTRICT Board of Education and the community's strong commitment to establish a truly drug and alcohol free school program. Because of the pervasive nature of drug use in our community, WARREN CITY SCHOOL DISTRICT has selected student athletes, students who participate in non-graded extra-curricular activities, students who obtain a parking permit and students who, along with consent from their parents, volunteer to be tested, for inclusion in the testing pool. This policy applies to all athletes, volunteers and extracurricular activities, from grades 7-12, and reasonable suspicion testing as warranted for all grades.

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 program as it relates to extracurricular activities and parking permits 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. However, consequences under the Student Code of Conduct may apply to simultaneous violations not covered by 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.

Any student in grades seven (7) through twelve (12) and his/her parent(s) or legal guardian(s) must first sign a drug testing registration/consent form in order to be eligible to participate in any one (1) or combination of the following:

- A. drive a motorized vehicle to school
- B. athletics
- C. extra-curricular activities other than athletics

DEFINITIONS

1. **STUDENT ATHLETE**
Any person participating in the WARREN CITY SCHOOL DISTRICT Middle or High School athletic program and/or contests under the control and jurisdiction of the WARREN CITY SCHOOL DISTRICT Schools and/or the Ohio High School Athletic Association (OHSAA). This policy also includes cheerleaders.
2. **EXTRACURRICULAR**
Any District-offered group activity that does not involve a grade.
3. **ATHLETIC SEASON**

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In-season start dates will begin as published by the Ohio High School Athletic Association or sanctioning organization and continue until the completion of awards program for that sport for the WARREN CITY SCHOOL DISTRICT Schools. There are three athletic seasons: Fall, Winter, Spring. Once entered, the student will participate in the drug testing program for 1 year from date of signing consent.

4. RANDOM SELECTION

A system of selecting students for drug and alcohol testing in which each eligible student shall have a fair and equitable chance of being selected each time selections are required.

5. ILLEGAL/ILLICIT DRUGS

Any substance included in 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. We may also test for Nicotine and Steroids.

6. ALCOHOL

Any intoxicating liquor, beer, wine, mixed beverage, or malt liquor beverage as defined in the Ohio Revised Code Section 4301.01. The term "alcoholic beverage" includes any liquid or substance, such as "near beer" which contains alcohol in any proportion or percentage. The term "alcoholic beverage" does not include a substance used for medical purposes in accordance with directions for use provided in a prescription or by the manufacturer and in accordance with school district policy and rules related to the use of prescription and non-prescription drugs, provided 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 directions for use or b) an over-the-counter medicine.

TYPES OF TESTING

1. TEAM TESTING

At the beginning of each season or activity, all eligible students will submit to urine drug and/or alcohol testing. This testing will be completed no later than the first two weeks of the season on a specified date and time. The collection process will take place on school property or at a Board of Education approved testing facility. The Head Coach or Advisor is responsible for ensuring that all eligible students and their parent/guardian/custodian properly sign the INFORMED CONSENT AGREEMENT prior to testing. Any student moving into the District may be tested prior to the time he/she joins the team/ activity.

2. RANDOM TESTING

In-session random testing shall be done throughout the season or activity. Each team or group may have up to 20% of its eligible students tested per random selection. A student may be tested more than once. 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 Athletic Director, under the Principal's supervision, 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 Athletic Director and confirmed with the building administrator. Random testing may be done weekly.

3. 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 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.

4. COLLECTION PROCESS (Urine Screens) Other testing types may apply.

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, Coach/Advisor 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 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 footwear, pants and shirts, and 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 hold out their hands and a sanitizer will be put on their hands or will wash hands with water. The bathroom personnel will add a dye to the toilet.

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.

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 for further activity participation.

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 to a certified laboratory for confirmation. A Certified Medical Review Officer will verify the positive test.

It is recommended that any student that tests positive should be tested weekly for the term of 5 weeks with drug counseling at the expense of the student and or parent.

5. RESULTS OF A POSITIVE TEST

Any positive urine drug test results will be made known to the building administrator, who in turn will notify the parents/guardians/custodians and student.

Any student or parent who wishes to challenge the results of the test may request a meeting with the Appeal Panel which includes the Athletic Director, Building Principal and the Superintendent's Designee.

6. CONSEQUENCES FOR ATHLETICS AND EXTRACURRICULAR ACTIVITIES:

The first violation

For the first positive/non-negative result, the student will be given the option of:

- A) The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the Athletic Director with documentation that the student completed all recommendations of the counselor. The student will be denied participation for a minimum of 14 days of the season or activity. The parent/guardian/custodian and student will meet with the Athletic Director, the coach/advisor, and a District Administrator to determine reinstatement. The student may be required, at parent/guardian/custodian expense, to submit to weekly or random testing for the remainder of the current athletic season or activity.

OR

- B) Denial of participation for the remainder of the activity, or the current season and for that school year.

The 2nd violation

For the second positive/non-negative result, the student will be given the option of:

- A) The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the Athletic Director with documentation that the student completed all recommendations of the counselor. The student will be denied participation for a minimum of 28 days of the season or activity. The parent/guardian/custodian and student will meet with the Athletic Director, the coach/advisor, and District Administrator to determine reinstatement. The student may be required, at parent/guardian/custodian expense, to submit to weekly or random testing for the remainder of the current athletic season or activity.

OR

- B) The student is denied participation for one calendar year from the date of notification of the violation.

The 3rd violation

The student is denied participation in the activity at the Warren City School District Schools for one calendar year.

7. CONSEQUENCES FOR PARKING PERMITS:

The first violation

For the first positive/non-negative result, the student will be given the option of:

- A) The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the Building Principal with documentation that the student completed all recommendations of the counselor. The student will be denied privileges for a minimum of 14 days from the date of notification. The parent/guardian/custodian and student will meet with the Building Principal, Athletic Director and District Administrator to determine reinstatement. The student may be required, at parent/guardian/custodian expense, to submit to weekly or random testing for the remainder of the activity.

OR

- B) Denial of parking privileges for 3 months from the date of notification of the violation, or the remainder of the school year, whichever is shortest.

The 2nd violation

- A) The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the Building Principal with documentation that the student completed all recommendations of the counselor. The student will be denied parking privileges for a minimum of 28 days from the date of notification. The parent/guardian/custodian and student will meet with the Building Principal, Athletic Director, and District Administrator to determine reinstatement. The student may be required, at parent/guardian/custodian expense, to submit to weekly or random testing for the remainder of the activity.

OR

- B) Denial of parking privileges for 6 months from the date of notification of the violation, or the remainder of the school year, whichever is shortest.

The 3rd violation

The student is denied parking privileges at the Warren City School District Schools for one calendar year.

Violations are accumulative throughout the student's secondary school career.

8. SELF REFERRALS

A student may give a once a year self-referral, which may be done only twice in 4 years. Self-referrals can only happen before the testing process is started. Counseling and additional testing are encouraged, however no punitive action is taken. Such students remain subject to the random testing process.