

Valley Heights Unified School District #498

Mandatory Drug Testing Policy For Students Involved In Extracurricular Activities Or Students That Have Voluntarily Been Placed In The Pool At The Request Of Their Parents

Mission Statement

The Board of Education is responsible for maintaining discipline, health, and safety of our students. The Board recognizes that student substance abuse presents a continuing challenge and a danger to the student population as a whole. The Board is committed to maintaining school sponsored activity programs in a safe, healthy, and secure environment. The Board is further committed to being proactive in ensuring that students who participate in extracurricular activities represents the District in a positive manner. Participation in extracurricular activities is a privilege which can be taken away for failure to comply with this policy. The purpose of this policy is as follows:

1. To provide for the health and safety of students;
2. To undermine the effects of peer pressure by providing a legitimate reason for students to refuse use of illegal drugs and/or alcohol;
3. To identify students who use illegal drugs and/or alcohol

Definitions

DPA: A national certified Drug Program Administrator, which shall use a certified laboratory in testing of samples. The DPA shall determine the random selection of student(s)/participant(s) to be tested. This will be accomplished by the use of a "Student List" identifying the student by number only. The DPA, by use of a certified laboratory, shall also process sample results and maintain privacy with respect to test results and related matters.

Drugs: Any substance considered illegal by Kansas Statute, i.e., Uniform Controlled Substances Act, or which is controlled by the Food and Drug Administration unless prescribed to the student by any licensed medical practitioner authorized to prescribe controlled substances. For purposes of this policy, drugs shall include the use of alcohol and nicotine.

Drug Program Coordinator: The Drug Program Coordinator shall be the Valley Heights Jr./Sr. High School Principal or designee.

MRO: Medical Review Officer. Valley Heights will utilize an MRO to review all laboratory-reported positive tests. The role of the MRO is critical to protecting the interest of the students. The MRO serves a critical role in determining whether the use of a substance identified by the sample analysis is from illicit use or a legitimate medical use. The MRO will demonstrate his/her knowledge by being certified by an MRO

Accreditation body. The parent or the guardian will be contacted by the MRO or his/her assistant. The MRO will report results of verified positives and/or health and safety issues to the student and to the designated school representative through the DPA.

School Year: From the first day classes commence in the fall, unless the activity begins prior to the first day of classes, in which event it shall include the first day of practice through and including the last day of classes in the following spring.

Activity Programs: Any activity that meets the guidelines of competitive extracurricular activity at Valley Heights, which shall include: art, basketball, cheerleading, competition band, competition choir, cross country, drill team, FCCLA, FFA, football, forensics, golf, National Honor Society, play production, KAYS, scholars bowl, student council, track, volleyball, or any other KSHSAA or Valley Heights sponsored activity or club.

Participant: Students who participate in school sponsored competitive extracurricular activities at the junior high/high school (Grades 7-12) level are eligible for random testing. School sponsored competitive extracurricular activities are activities which are sponsored or approved by the Board, but are not offered for credit towards graduation, and which involve competition, comparison, or judging of the individual or groups with other individuals or groups as part of selection or participation. A participant shall remain in the selection pool for one calendar year from the date the consent form is turned in.

Eligibility For Random Testing

To participate in a school sponsored competitive extracurricular activity, students must submit a completed Consent to Test Form on or before the first practice or on or before the first event or meeting, whichever is applicable. The form must be signed by the student and the student's parent or guardian. Failure to submit a completed Consent to Test Form will result in ineligibility for participation in school sponsored competitive extracurricular activities until the form is submitted.

Students who are not participants in a school sponsored competitive extracurricular activity may volunteer for participation in the testing program by submitting a completed Consent To Test Form.

Students remain eligible for testing from the date the Consent to Test form is turned in until a Drop Form is completed, or until the student graduates or is otherwise no longer enrolled in the District. A student for whom a Drop Form has been submitted shall be ineligible for participation in school sponsored competitive extracurricular activities for one calendar year from the date the Drop Form is submitted. Students have a fifteen (15) day grace period for reconsideration of a Drop Form. The one exception to the Drop Form is after 3 negative test results without any positive results, a participant may be dropped from the testing list for the remainder of the current school year. The Drop Form must be filled out and turned into the principal.

Testing Procedures

Prohibitions: All student participating in extracurricular activities are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, improperly used medications, or any mind/mood altering or intoxicating substances present in their system.

Sample Collection: Student participants will be selected for testing on a random basis to be established by the Drug Program Administrator. Sample will be collected as directed by the Drug Program Administrator on the same day the student is selected for testing, or if the student is absent an alternate will be selected, in sequential order, from an alternate list provided by the Drug Program Administrator. If a urine sample is required, all students providing samples will do so alone in an individual bathroom or stall with the door closed. The testing collection process will be conducted in a manner that protects student privacy, while also guarding against tampered specimens and ensuring an accurate chain of custody of the specimen. The Board reserves the right to utilize breath, saliva, urinalysis, hair or any other current testing procedures generally accepted.

Scope of Tests: The drug screen tests for one or more illegal drugs and/or alcohol, nicotine, and steroids. The Drug Program Coordinator shall determine which illegal drugs shall be screened, but in no event shall that determination be made after selection of students for testing. Student samples will not be screened for the presence of any substances other than an illegal drug or alcohol or for the existence of any physical condition other than drug use. Tests are to be designed to detect only the use of illegal drugs, including but not limited to amphetamines, marijuana, cocaine, steroids, opiates, and barbiturates, along with alcohol and nicotine.

Confidentiality: All activities related to the testing policy will be carried out in accordance with the requirement of the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment (PPRA), and any other applicable confidentiality laws. Test results will be shared only with staff who have a legitimate educational interest in having access to the information, on a “need to know” basis. Test results will not be turned over to any law enforcement authority in the absence of a court order, subpoena, or other legal process requiring such. The test results will be destroyed when no longer needed for individual student situations or for the overall testing program.

Positive Results of Tests

Positive Results: Any of the following will be considered to be a positive test result:

1. A confirmed positive alcohol or drug test;
2. Refusal to participate in testing when selected, including quitting the activity upon being requested to be tested;

3. Tampering with the specimen collection process.

Return of Results: The DPA will transmit by a secure method the results of all tests to the DPA's MRO. The MRO will be responsible for reviewing test results of students. Prior to making a final decision, the MRO shall give the individual an opportunity to discuss the result over the telephone. The DPA shall then promptly tell the principal of the high school which student(s) tested positive. Following confirmation of a positive test with the principal, the principal or appointee will notify the custodial parent or legal guardian to set up a meeting with the DPC, student, and parents.

Request for Retest: A split specimen will be collected for all testing methods. Students involved in the program may, upon a non-negative test result, request that the split sample be tested (within 72 hours of being notified of the final testing result) at a second nationally certified laboratory from a list provided by the MRO. The request for the test must be submitted in writing to the MRO. Student participants are required to pay the associated costs for an additional test in advance.

Results From Positive Test:

- First Positive Test:
 - DPC Meeting with parent(s) and student;
 - Student notified of a requirement to miss a minimum of 5 days of practice for any extracurricular activity involved. The student will also be ineligible to publically perform in any competition for 14 calendar days. If the end of the activity precedes the end of the 14 days the remaining days will carry over to the next activity till the student completes the required number of days;
 - Prior to engaging in practice or competition, a student that has tested positive on a drug test, must submit a clean/negative drug test (at their expense) from a reputable and approved program.
 - Written proof of alcohol/drug use assessment by a drug counselor is required. Follow through of the recommended drug assistance program sessions with the counselor is strongly encouraged.
 - Follow-up drug testing, up to but no more than once a month, may commence after the first parent meeting for the next calendar year or upon graduation.
- Second Positive Test:
 - DPC Meeting with parent(s) and student;
 - Student notified of a requirement to miss practice and extracurricular activities for a minimum of 30 calendar days. If the end of the activity precedes the end of the 30 days, the remaining days will carry over to the next activity so that the student completes the required number of days.

- Prior to engaging in practice or competition, a student that has tested positive on a drug test, must submit a clean/negative drug test (at their expense) from a reputable and approved program.
- An additional five sessions of drug counseling must be completed before the student may petition to return to activities.
- Follow-up drug testing, up to but no more than once a month, may commence after the first parent meeting for the next calendar year or upon graduation.
- Third Positive Test:
 - DPC meeting with parent(s) and student;
 - Suspension of eligibility to participate in practice and extracurricular activities for one calendar year from the date of the third positive test meeting, or end upon graduation.
 - Prior to engaging in practice or competition, a student that has tested positive on a drug test, must submit a clean/negative drug test (at their expense) from a reputable and approved program.
- Fourth Positive Test:
 - DPC meeting with parent(s) and student;
 - Suspension of eligibility to participate in activities for the remainder of the student's time as a student at Valley Heights.

Appeal Process: A student participating in extracurricular activities who has been determined by the principal or DPC to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Superintendent's decision will be provided, and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgement and discretion of the Superintendent which shall be final and non-appealable. An appealed decision from the Superintendent must be decided and communicated with the parent(s) within five (5) school days. During the appeals process, the participant that is appealing will not be eligible for participation.

Valley Heights Jr./Sr. High School

**MANDATORY DRUG TESTING POLICY FOR STUDENTS INVOLVED IN
EXTRACURRICULAR ACTIVITIES**

Consent to Test Form

I understand fully that my performance as a student and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules, and regulations set forth by the Board of Education, administration, and the coaches and sponsors for the activities in which I participate.

I consent to and authorize Valley Heights USD#498 to conduct a drug and alcohol test if my number is drawn from the random pool. I also authorize the release of information concerning the results of such tests to designated District personnel.

I understand that this form remains in effect until the submission of an Activity Drop Form or graduation and/or withdrawal from the District.

Student Name Printed

Date

Student Signature

Parent or Guardian Name Printed

Date

Parent or Guardian Signature

REQUIRED FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

Valley Heights Jr./Sr. High School

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Activity Drop Form

(Form to drop out of random drug testing and **not** participate in extracurricular activities.)

I, _____ wish to withdraw from all school sponsored competitive extra-curricular activities.

I will submit this form to the Principal. My name will be withdrawn from the testing pool on the date this is received by the Principal.

Completing this form will pertain to all school sponsored competitive extracurricular activities. I understand, by withdrawing, I can no longer participate in any school sponsored competitive extracurricular activities (other than the exception outlined in the policy) and I may not receive recognition as a member of these activities or athletic programs. I may re-enter the testing pool after a period of one (1) calendar year by filling out a new Consent to Test Form.

I UNDERSTAND THAT I HAVE 15 DAYS TO RECONSIDER THE DECISION AND RE-ENTER THE TESTING POOL.

Student Name Printed

Date

Student Signature

Parent or Guardian Name Printed

Date

Parent or Guardian Signature