

Student Drug and Alcohol Testing Procedures

TESTING ADMINISTRATION AND MEDICAL REVIEW

The Drug Testing Coordinator (DTC) appointed by the Superintendent shall be responsible for the following:

- Directing the drug testing program; and
- Receiving, reviewing, and communicating results of drug tests consistent with requirements of the program and in keeping with standards of strict confidentiality.

MEDICAL REVIEW OFFICER

A Medical Review Officer (MRO) is a licensed physician who is also an expert in drug and alcohol testing and the federal regulations governing such testing. The MRO will ensure the integrity of the drug test. If a test is positive, the MRO will consult the student and/or parent/guardian and give them an opportunity to supply evidence that there was a justifiable reason for the positive test. If the MRO determines that the positive test was not the result of illegal drug use, the test is reported as negative.

ELIGIBILITY FOR TESTING

The names of all students in grades six through twelve (6-12) in the following categories will be placed in the Testing Pool and be subject to random drug testing:

1. Students participating in any extracurricular activity, including athletics
2. Students who drive to school or park on school property, and
3. Additional students who, with parental consent, volunteer to participate.

Students become eligible once they and their parent/guardian complete a *Consent to Test* form, which must be submitted to the appropriate coach, advisor, Principal in charge of parking permits, or Drug Testing Coordinator.

PROCESS

1. Student athletes must submit a completed *Consent to Test* form on or before the first day they participate in practice. Failure to do so will result in their being ineligible for participation in the activity until the form is submitted and then at the discretion of the Athletics' Direction.
2. Students involved in extracurricular activities or school clubs, must submit a completed *Consent to Test* form no later than the first meeting of the activity. Failure to do so will result in their being ineligible for participation in the activity until the form is submitted.
3. Students granted a parking permit for on campus parking must submit a completed *Consent to Test* form prior to the first day of parking. Failure to do so will result in ineligibility to park on campus.
4. The names of students volunteering for the drug testing program shall be entered into the Testing Pool once they submit the completed *Consent to Test* form.

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PROCESS (CONTINUED)

5. Students remain eligible for random drug testing from the date the *Consent to Test* form is submitted through the entire current school year, whether or not they have been tested previously or at currently participation in an activity covered by the testing program.

TESTING PROCEDURE

A confidentiality testing schedule will be created by the Drug Testing Coordinator (DTC) prior to implementation of the program to ensure that testing of eligible students is conducted in a manner that is truly random.

Random tests will be performed at times to be determined by the DTC and the testing agency. Testing shall take place only on pupil attendance days during the academic year and will be conducted on campus.

If at any time during the testing procedure the DTC or monitor has reasons to believe the student is tampering with a specimen, the procedure will be stopped and the designated authority will be notified.

Selection of eligible students for testing will be conducted on an entirely random basis, which shall be implemented as follows:

1. Students eligible for testing will be identified by their student ID number, not by name, in order to maintain confidentiality and the integrity of the randomness of the program.
2. Periodically, DTC will receive from the testing agency student ID numbers to be tested.
3. The DTC will notify the individual selected and escort them to the testing site.
4. The testing site will have a secured rest room that will maximize participant privacy.
5. Alternate student selection will be made in the event of a chosen student being absent.
6. The names and/or any other personally identifiable information of the participant will remain confidential.
7. Immediately prior to entering the private restroom utilized for the collection process, the student shall be required to leave all personal belongings in the custody of the DTC.
8. The receptacle utilized for the collection process will be treated with a coloring substance to prevent attempts to dilute or otherwise adulterate the specimen.

Scientific analyses of the collected specimen shall be conducted by the professional testing laboratory. Each specimen initially shall be tested by using a highly accurate immunoassay technique (EMIT). Initial positive results must be confirmed by gas chromatography/mass spectrometry (GC/MS). If the initial presumptive positive result is not confirmed by the GC/MS techniques, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive.

A portion of each urine specimen given by each student participant shall be preserved by testing laboratory for at least six (6) months.

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TESTING PROCEDURES (CONTINUED)

The testing laboratory shall forward written notice of all test results to the MRO, who shall be responsible for reviewing and interpreting each confirmed positive test to determine if there is an alternative medical explanation, before results are reported to the DTC.

Activities of the MRO may include, but not be limited to, the following:

- Conducting an interview with the parent and/or student after positive test results;
- Reviewing the student's medical history and medical records made available to determine if the positive result was caused by legally prescribed medications;
- Requiring a retest of the original specimen if the MRO deems it necessary; and
- Verifying that the laboratory report and the specimen are correct.

If the MRO determines that there is a legitimate medical explanation for the positive test other than the use of a prohibited drug, the MRO will conclude that the test is negative. If the MRO concludes that a particular test is scientifically insufficient, the MRO will conclude that the test is negative for that student. If the MRO determines that there is no legitimate explanation for the positive test other than use of a prohibited drug, the MRO will communicate the test results as a positive to the DTC. The MRO also will communicate results of negative tests to the DTC.

The DTC shall provide written notice of the results to the student and parent/guardian of the students (if the student is younger than 18 years of age).

CHALLENGES AND APPEALS

The parent/guardian (if the student is younger than 18) or the student (if 18 or older) may contest a positive test result by informing the DTC within 72 hours of receipt of the positive test result. The student and parent/guardian shall be entitled to present any relevant evidence they desire to defend the charge of violation of the policy prior to the implementation of sanctions. The DTC may require written documentation (such as a doctor's statement) of any evidence the student may wish to present that the student feels may have affected the test results. Failure to present written documentation to support the student's defense of the case may result in the student being subject to sanctions established by the Board. A final decision of the DTC shall be made within five (5) working days of receiving notice to contest the test results.

If the student chooses to appeal the decision of the DTC, he/she may file a written notice of appeal with the Superintendent within three (3) working days of the DTC's decision. The Superintendent will render a final decision within five (5) working days of the filing of the notice of appeal.

DURING TESTING RECORDS

One (1) year after the student turns 18 years of age or one (1) year after the student's graduation, whichever is later, all records of the student related to the drug testing program shall be destroyed, and at no time shall any drug testing results or records be placed in the student's academic file or be voluntarily turned over to any law enforcement agency, or used for any purpose other than those stated herein.

Drug Testing Consent

I hereby acknowledge that I have read policy 09.423 (Use of Alcohol, Drugs and other Controlled Substances and procedure 09.423 AP.1 (Student Drug and Alcohol Testing Procedures), that I understand the policy and procedures, and that I agree to be bound by the terms and conditions contained in said policy and procedures.

Parent/Guardian Signature

Date

Printed Student Name

Student Signature

Date

Student And Parent/ Guardian Consent To Perform Urinalysis For Drug Testing Student Driver/Extracurricular/Athletic Participant

Student Name (Printed) _____

Activity _____

School **Estill County High School**

We have read and understand the Estill County School Board Policy 09.423 dealing with *Use of Alcohol, Drug, and other Controlled Substances* for Students and corresponding procedures 09.423 AP.1. We understand by signing this consent form that we agree to be bound by the terms and conditions contained in Estill County Board Policy.

Student Signature

Date

Parent/Guardian Signature

Date

*This document is not valid unless signed by the student **AND** parent/guardian.