

Policy for Random Urine Drug Testing of Northmor Local School District Students

OVERVIEW

The procedure for initial and random drug testing of students in grades 7-12 athletics, extracurricular activities, and students wishing to obtain a parking permit is accomplished in conjunction with an independent drug testing Vendor selected by the Board of Education. The Vendor is provided by the Designated Official a list of eligible students and in turn randomly selects these students for drug testing at regular intervals. Once a student is in the pool of eligible students to be tested they will remain in the pool until the end of the school year. The Vendor will send qualified collectors to the school who will oversee the collection of all specimens as outlined in this document. The Vendor will provide Medical Review Officer (MRO) services for interpretation and verification of results. Results are reported to the Building Principal or Designated Official by the MRO. Specimens are collected as split specimens.

1. A STATEMENT OF NEED AND PURPOSE

Recognizing that observed and suspected use of alcohol and illicit drugs by Northmor Local School District students is a serious concern, a program of deterrence will be instituted as a pro-active approach to a truly drug free school. Likewise, students using illegal drugs pose a threat to their own safety, as well as to that of other students. The purpose of this program is fourfold:

- (1) to provide for the safety of all Students;
- (2) to undermine the effects of peer pressure by providing a legitimate reason for Students to refuse to use illegal drugs;
- (3) to encourage Students who use drugs to participate in drug treatment programs; and
- (4) prevent the impact drug and alcohol use has on the learning centers of the brain allowing students to achieve their full academic potential while a student within Northmor Local School District Schools.

The program is designed to create a safe, drug free, environment for Students and assist them in getting help when needed.

2. SUPPORTING DATA

a. Random urine drug testing of a public school is legal as determined by the United States Supreme Court in the case of **Vernonia School District 47J (Oregon) v. Wayne and Judy Acton** and **Pottawatomie v. Earls**.

3. DEFINITIONS

Vendor - The medical office or company selected by the Board of Education to carry out the policy and procedure.

Designated Official - The individual hired by the school or district to oversee the drug testing program of the school or district.

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

Illicit substance - A drug classified by the Drug Enforcement Administration (DEA) as being available only by prescription from a physician or classified as being controlled and having no therapeutic use.

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

Student Participant - A qualified student participating on a sanctioned athletic team as defined by the State Athletic Association, an extracurricular activity as defined by the board, or a student wishing to receive a parking permit.

SAMHSA - The Substance Abuse and Mental Health Services Administration; a governmental agency that certifies toxicology laboratories that perform drug testing following strict guidelines and constant quality assurance programs.

GC/MS - Gas Chromatography/Mass Spectrometry; a scientific process to identify specific chemical compounds. A molecular fingerprint is obtained that identifies a chemical compound with 100% accuracy.

Quantitative Levels - The measurement levels of a specific chemicals in the urine reported usually in nanograms per milliliter (ng/ml).

Chain-of-custody Form - A preprinted form provided by the testing laboratory that records all contact with the provided specimen. The form is initiated by the collector and donor then follows with the specimen until the results are certified by the testing scientist and forwarded to the MRO for final certification.

Adulterant/Adulteration - Any attempt to alter the outcome of a urine drug test by adding a substance to the sample, attempting to switch the sample, or otherwise interfere with the detection of illicit or banned substances in the urine, or purposefully over hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

4. PROCEDURES FOR STUDENTS

a. Informed Consent for Testing

At the beginning of each year/season or when a student moves into the District, students and parent/guardian/custodian will complete and sign the **Northmor Local School District Code of Conduct and Expectations Informed Consent Agreement** (Exhibit A). No student may participate and/or receive a parking permit until this form is properly executed and on file with the School.

b. Urine Drug Testing Frequency

At the beginning of each year/season or when a student moves into the District, all students wishing to participate in athletics, extracurricular activities, or park on campus may be subject to urine testing for illicit or banned substances as specified in Paragraph 9 below. Following enrollment, students will be randomly tested on up to a bi-weekly basis anytime during the school year. Any student who refuses to submit to urine drug testing will be considered a positive test under article 7b.

c. Sample Collection

Samples will be collected as outlined under Vendor Requirements, Paragraph 6 below. 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 time. Students not able to provide an adequate urine specimen at the testing time will be unable to participate or park until the proper specimen is provided.

5. CONFIDENTIALITY OF RESULTS

All drug test results are considered confidential information and will be handled accordingly. Those persons having results reported to them as set forth by this Policy must sign a Confidentiality Statement (Exhibit B).

6. VENDOR REQUIREMENTS

At a minimum, the Vendor must be able to provide the following services:

a. Random Selection of Eligible Students

Once provided a list of eligible students, the Vendor must select the required number of students in a random and confidential manner. Up to bi-weekly, the Vendor will arrange with the Designated Official a day and time to do the collection of specimens. The schedule will not follow any recognizable pattern. The selected student names will be given to the Designated Official, who will arrange for these students to report to the collection area.

b. Collection of Urine Specimens

The Vendor will oversee the collection of urine specimens as outlined in the **Procedures for Random Urine Drug Testing of Northmor Local School District Students**. Chain of Custody forms will be provided by The Vendor that meet the criteria of this Policy and that of the testing laboratory. Students will be given as much privacy as possible in the obtaining of the specimen.

c. Testing of Urine Specimens

The Vendor will have all specimens tested for the specified illicit or banned substances by a qualified laboratory certified by the **Substance Abuse and Mental Health Services Administration (SAMHSA)**. The testing laboratory should have greater than 10 years experience in toxicology testing and chain-of-custody procedures. All specimens must be initially tested using a highly accurate immuno-assay technique, with all presumptive positive results then confirmed by a **Gas Chromatography/Mass Spectroscopy (GC/MS)** or similar confirmatory test (understanding that no current GC/MS test is available for LSD).

The testing laboratory must be able to test for the following drug classes, substances or their metabolites in collected urine specimens. The Building Principal may specify specific classes or substances to be tested.

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
MDMA (Ecstasy)	Opiates	Synthetic Cannabinoids
Phencyclidine	Propoxyphene	Tobacco

d. Medical Review Officer (MRO) Services

The Vendor will provide MRO services by a licensed physician who is certified by the **Medical Review Officer Certification Council (MROCC)** or the **American Association of Medical Review Officers** as having proven by examination to have had the appropriate medical training to interpret and evaluate drug test results and thus qualified for certification as a Medical Review Officer. Additionally, the MRO must demonstrate a willingness to abide by the **Procedure for Random Urine Drug Testing of Northmor Local School District Students** as to the evaluation of positive drug tests and reporting findings in a timely and confidential manner. All results will be kept on file for a period of five years.

e. Reporting of Random Urine Test Results by Vendor

The MRO will certify all urine drug screens as negative or positive. Positive findings will be reported by telephone in a confidential manner to the Parent and then the Designated Official.

f. Statistical Reporting and Confidentiality of Urine Drug Test Results

The Vendor, testing laboratory, or MRO may not release any statistics on the rate of positive drug tests to any person, organization, news publication or media without expressed written consent of the Northmor Local School District Board of Education. However, the Vendor will provide the Designated Official with an annual report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens.

7. PROCEDURES IN THE EVENT OF A POSITIVE RESULT

a. Whenever a student(s) test result indicates the presence of illegal drugs or banned substances or adulteration, the following will occur after notification of the parent:

(1) The Building Principal, within 24 hours, will notify the parent/guardian/custodian first, then the student and Designated Official of any positive results. The Building Principal may keep all test results for a period up to one year.

(2) If the parent/guardian/custodian or student wish to contest the results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory approved by the Board of Education for reconfirmation. This is done at parent/guardian/custodian or student expense. Such a request must be made to the Building Principal in writing within five working days from first notification of positive test results.

(3) The MRO may use quantitative results to determine if positive results on repeat testing 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.

b. First Positive Result

A positive result from the MRO or an altered sample will constitute a first positive. The student participant will forfeit 20% (10% for testing positive for tobacco) of their activity and/or driving, attend all practices, loss of varsity leadership position, participate in a drug assistance program with a certified chemical dependence counselor by contacting Maryhaven Drug and Alcohol Abuse Headquarters, 419-946-6873, complete 20 hours (10 hours for testing positive for tobacco) of community service arranged through the designated official and submit to three follow-up drug tests at the parent/guardian expense. The student or parent must reimburse the district for the cost of the positive test(s). Failure to reimburse the district will result in a failure of participation until completed by the family. Failure to comply will result in suspension from activities and/or driving privileges for one calendar year.

c. Second Positive Result

A second positive result by MRO ruling or adulteration will result in the forfeiture of 40% (20% for testing positive for tobacco) of their activity and/or driving, attend all practices, loss of varsity leadership position, participate in a drug assistance program with a certified

chemical dependence counselor by contacting Maryhaven Drug and Alcohol Abuse Headquarters, 419-946-6873, complete 40 hours (20 hours for testing positive for tobacco) of community service, contact Family and Children Services to arrange community service which must be approved by the designated official and submit to three follow-up drug tests at the parent/guardian expense. The student or parent must reimburse the district for the cost of the second positive test(s). Failure to reimburse the district will result in a failure of participation until completed by the family. Failure to comply will result in suspension from activities and/or driving privileges for one calendar year.

d. Third Positive Result

A third positive result by MRO ruling or adulteration will result in the student participant being barred from participation in any athletic activity, extracurricular activity and/ or parking on campus for one calendar year. The student or parent must reimburse the district for the cost of the third positive test. Prior to reinstatement the student must repeat the assessment and show significant progress toward rehabilitation from a certified chemical dependency program. The three follow-up drug tests will be repeated at the parent/guardian expense. Failure to reimburse the district will result in a failure of participation until completed by the family. The student will complete 80 hours of community service, contact Family and Children Services to arrange community service which must be approved by the designated official.

e. Self-Referral.

A student who refers themselves prior to being randomly chosen to provide a specimen for testing will comply with the requirements set in section 7b of this policy, except there will be no forfeiture of the activity and/or driving privileges. Self-referrals may be used as a first offense only, subsequent positives following a referral will continue to actions stated in 7c and 7d. A student may only self-refer one time while a student in the Northmor Local School District.

f. Prescription Drug Error Positive

A student that is determined to have used a prescription drug without a legal prescription in their name will be given a positive test result by the MRO. If in meeting with the Parent/Guardian it is determined that this is the result of a parent/guardian error and not an intended abuse of the substance, the following will occur: The parent will submit, in writing to the designated official, an explanation of the error and recognition of the law in regard to prescription drugs. Upon receipt of this document and recognition as a reasonable explanation by the Designated Official, the suspension from driving and activities will be lifted and no assessment or intervention will be required. The student will undergo a follow-up drug screen at the parent(s) expense to ensure the banned substance(s) are gone or in decay. Upon completion of these requirements, this positive test will be removed from the student(s) record. This rule may only be applied one time in a student(s) enrollment within the school district. Further errors ruled positive by the MRO will constitute the actions listed above.

8. NON-PUNITIVE NATURE OF POLICY

No student will be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy will not be documented in any

student(s) academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the Northmor Local School District Board of Education will not solicit. In the event of service of any such subpoena or legal process, the student and the student(s) custodial parent, legal guardian, or custodian will be notified at least 72 hours before response is made by the Northmor Local School District School Board of Education, to the extent permitted by such subpoena or legal process.

9. ILLICIT OR BANNED SUBSTANCES

For the purpose of this Policy, the following drug classes, substances or their metabolites that can be tested for are considered illicit or banned for Northmor Local School District Students:

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
MDMA (Ecstasy)	Opiates	Synthetic Cannabinoids
Phencyclidine	Propoxyphene	Tobacco

END OF POLICY

Procedures for Random Urine Drug Testing of Northmor Local School District School District Students

1. LIST OF ELIGIBLE STUDENTS

The Designated Official will prepare a list of eligible students. This list will be forwarded to the Vendor for the random selection of students who will submit urine specimens for testing. Parents or guardians may willingly enter their son, daughter or ward into the pool of eligible students to be tested if their son, daughter or ward does not participate in athletics, extracurricular activities or does not drive.

2. RANDOM SELECTION OF STUDENTS FOR TESTING

The Vendor will use a system to assure that students are selected in a random fashion. This system will utilize a computer based system designed specifically for the purpose of randomly selecting individuals for drug testing.

3. SCHEDULING OF URINE DRUG TESTING

Urine drug testing is unannounced. The day and date are selected by the Designated Official and confirmed with the Vendor. Random testing may be done up to bi-weekly, but not during holidays and spring break.

4. TESTING YEAR

The testing year begins the date of the first activity for the upcoming school year commences and continues for 365 days thereafter.

5. FORM COMPLETION

The Vendor is responsible for seeing that proper drug testing custody and control forms are used that satisfy the needs of the **Policy for Random Urine Drug Testing of Northmor Local School District Students** and the testing laboratory. A student number will be used for identification with the student(s) name only appearing on the copies that go to the donor, MRO, and School Official.

6. COLLECTION PROCESS

Selected Students are escorted from class to the collection site. A specimen of urine is collected following this process:

- a. No purses, bags or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
- b. The collector adds a blueing agent (food coloring) to the water in the urinal or toilet.
- c. Student is asked to rinse their hands and dry them. If no water is easily accessible, a non-alcoholic wipe may be used instead.
- d. The drug testing custody and control form is initiated by the Student and collector.
- e. The student is told to urinate directly into the provided container and should provide a sufficient amount of urine (at least 45ml) in one attempt. The student is also told they are to hand the container of urine to the collector upon completion.
- f. The student enters a closed stall to collect the specimen, then hands the container to the collector.
- g. The collector checks the volume, reads and records the temperature within four minutes of collection, and looks for evidence of tampering.
If tampering is suspected, a second specimen will be requested. A second suspected tampered specimen will be considered *a refusal to test* and the Designated Official notified.
- h. With the student watching, the collector will pour the specimen into the two bottles and recap the specimen bottles tightly.
- i. The collector takes the bottle seals and places them over the caps and sides of the bottles and request they be properly dated and initialed by the student.

- j. The sealed bottles are placed inside the transport bag.
- k. The top lab copy of the drug testing custody and control form is folded with the top portion visible to the outside and placed in the Requisition Pouch. The transport bag and pouch are sealed as indicated. The student completes the COC and is given the donor copy of the form.
- l. The Student may wash their hands and is then sent back to class.
- m. The collector distributes the remaining copies of the form as required, being responsible for getting the appropriate copy of the form to the MRO in a timely manner.
- n. The Designated Official will be notified immediately of any student who refuses to give a urine sample or is suspected of adulteration.

7. MEDICAL REVIEW OFFICER (MRO) RESPONSIBILITIES

The MRO team will review all results of urine drug testing. Any urine specimen testing positive for illicit drugs, banned substances, or adulteration 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 parent/guardian/custodian will be contacted to determine if the student is on any prescribed medication from a physician.
- c. If the student is on medication, the parent/guardian/custodian will be asked to obtain a letter from the prescribing physician, 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.
 - (1) For example, a drug screen positive for codeine may be ruled negative by the MRO when he receives a letter from the treating physician that the student has been prescribed Tylenol[®] with codeine as a pain medication following tooth extraction.
 - (2) Or, if the student has a positive drug screen for codeine and has no documented physician order for the medication (maybe a parent gave the student one of their pills), this would likely be ruled a positive drug test by the MRO.
 - (3) Drug screens positive for illicit drugs (marijuana, heroin, cocaine or alcohol, etc.) would automatically be considered positive by the MRO.
- e. 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.
- f. Finally, the MRO, based on the information given, will certify the drug test results as positive or negative. Positives will be reported to the Building Principal by phone.

8. PICK-UP PROCESS

The Vendor is responsible for seeing that specimens are delivered to or picked up by the testing laboratory and the Chain of Custody form properly annotated.