

STUDENTS

Regulation 2650.1

Student Discipline

Student Drug Testing

(MSHSAA-Regulated Activities and Parking Permits)

For the safety, health, and well-being of the students of the Worth County R-III School District, the Board has adopted a random drug testing policy for students who wish to participate in MSHSAA-regulated activities in grades seven (7) through twelve (12), as well as Worth County R-III students who seek to receive a parking pass allowing them to park on School property.

It is the belief of the Board of Education that this policy will assist in the district's efforts to reduce the use of drugs. This policy is intended to complement and supplement all other policies, rules, and regulations of the district regarding possession or use of drugs. The actions of this program relate solely to limiting the opportunity of any student in violation of this policy to participate in MSHSAA-regulated activities and to park on school property. There will be no suspension from school for violation of this policy, except when the district's discipline policy is also violated. Students will be subject to the penalties of the discipline policy and this policy as applicable.

Definitions

Consent Form—Parent/Guardian Drug Testing Consent Form adopted by the District's administration.

Drug Use Test – Scientifically substantiated method to test for the presence of drugs in a person's urine.

Drugs – The synthetic or generic equivalent or derivative drugs under federal, state or local laws including, but not limited to, marijuana, alcohol, heroin, hashish, cocaine, hallucinogens, depressants, and stimulants not prescribed for the user. This includes performance-enhancing and performance-enhancing derivatives or related substances that are not prescribed by a physician or are prescribed by a physician for uses not authorized by the manufacturer of the drug. This term shall include, but not be limited to, all drugs listed in the Narcotic Drug Act, § 195.101, RSMo., and Section 202 of the Controlled Substances Act, 21 U.S.C. § 812. The school reserves the right to test for as many of these drugs as deemed necessary to meet the stated goal of deterrence.

Medical Review Officer – A third-party healthcare professional who reviews student medications and makes a final determination on non-negative test results.

MSHSAA-Regulated Activities – MSHSAA-regulated activities, as defined within the confines of this policy, includes interscholastic athletics, cheerleading, dance team, high school vocal music, high school instrumental music, academic competitions, speech and debate. The list is subject to change on a yearly basis. The list of extracurricular activities subject to testing will be published at the annual drug testing program informational session at the start of school.

Negative Test Results – A toxicological test result that is considered to demonstrate the absence of a drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

Non-negative Test Result – An initial, unconfirmed toxicological test result that is considered to demonstrate the presence of a drug or the metabolite thereof using the standards customarily established by the testing laboratory administering the drug use test. After further testing of the sample and consideration of legally prescribed medication that might influence the test result, a final determination will be made by a Medical Review Officer.

Positive Test Result – When referring to a drug test administered under this policy, a toxicological test result that is considered to demonstrate the presence of a drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

Random Testing – Students covered by the policy will be subject to random selection for drug testing. In implementing the procedure, each participating student will be assigned a number. On testing days, a predetermined number of said students will be selected using a table of random numbers. If a student selected in this manner is absent, the next preceding number will be selected.

Drug Awareness Session/Consent Form

At the beginning of each school year, participating students and their parent/guardian will be invited to attend a drug awareness session. At the session, each student and parent/guardian will be given information about the problems of drug use and will be informed of where to review the Worth County R-III School District drug testing policy, procedures, and consent form. These documents explain that the student and parent/guardian must sign the consent form to be eligible to participate in MSHSAA-regulated activities at Worth County R-III High School and Worth County R-III Junior High School. A signed consent form is similarly required for students who park on school property. During each session, students and parents/guardian will have the opportunity to ask questions regarding the program.

At the conclusion of the session, the student will take home the drug testing information and have the consent form signed by both the student and a parent/guardian. If the student is 18 years of age and has established a residence on his/her own, the student's signature is all that is required. This consent form must be turned in prior to participation in covered activities, or the student will not be eligible to participate in MSHSAA-regulated activities or park on school property.

Once a student enters the pool, he/she must remain in the pool for the remainder of their academic career to be eligible to participate in MSHSAA-regulated activities or park on school property. If a student drops out of the pool, he or she will be ineligible to participate in covered activities or park on school property for 365 days. Students who wish to drop out of the drug pool must have their parent/guardian come to the school and meet with the program administrator. The student and parent/guardian must sign a release form stating that they no longer wish to participate in the random drug testing pool. If the student is 18 years of age and

living on his/her own, he/she will meet with the program administrator to drop out of the testing pool.

Confidentiality

All records related to the random student drug testing shall be kept in the confidential files separate from a student's permanent educational records. Those files will be destroyed upon the student's graduation from school or transfer to another district. Test results will only be released to the student, his/her parents/guardians, and approved school officials. If the student has a non-negative test, the administration will not use non-negative test result as a reason to search the student's locker, purse, backpack, or other area in which the student keeps his or her personal effects. Test results will not be turned over to the police or authorities without a court order and administration will not disclose test results without a court order for purposes of a criminal investigation.

Procedure

- After the student and parent/guardian have signed the consent form, the student will be assigned a number that will be maintained by the program administrator. This number will be the student's identification number for testing and will not change. Only the program administrator and the district staff designated by the superintendent to assist in administering the drug-testing program will have access to student numbers.
- Random testing will be scheduled periodically by school administration and will be conducted only during the school year.
- The school administration will determine the number of participants for each testing session based on the number deemed necessary to meet the District's stated goal of deterrence. Numbers will be drawn at random to select participants to provide a urine sample. A designated school official will match the selected number to the master list of participants.
- Any drug test required by the district under the terms of the policy will be administered by or at the direction of a drug-testing company chosen by the district. The third-party testing firm will use scientifically validated toxicological methods and will document to the district detailed written specification to assure chain of custody of the specimens, proper laboratory control and scientific testing.
- All aspects of the drug-testing program, including the collection of specimens, will be conducted to safeguard the personal and privacy right of participants. The test specimen shall be obtained in a manner designed to minimize the intrusiveness of the procedure. In particular, the specimen must be collected in a private restroom behind a closed door. The drug-testing company technician will supervise the participant and will wait outside the door until the specimen has been produced. The technician will verify the normal warmth and appearance of the specimen. If at any time during the testing procedure the technician has reason to suspect that a student is tampering with the specimen, the technician may stop the procedure to determine whether a new sample should be obtained.
- If the screening sample is non-negative, the result will be subject to confirmation by a second and different test of the same specimen. In order to keep the results of the initial

testing confidential, the district may choose a certain number of samples for a confirmation test.

- Samples may be tested for adulterants. If an adulteration substance is found, the test will be considered positive.
- If the secondary test for confirmation of any participant has a positive result, the testing firm will contact the designated school official with the results. The designated school official will then notify the parent/guardian and request a meeting. At the meeting, the designated school official will inform the parent/guardian of the positive result and ask for permission to forward the result to a medical review officer. If permission is granted, the designated school official will obtain the parent/guardian's name, ID number and contact phone number and forward that information to the third-party testing firm, who will then forward the information to the medical review officer. If permission is not granted, or the parent/guardian will not meet with the designated school official, the lab results will be accepted as the final results.
- When the medical review officer receives the above information, he will contact the parent/guardian, verify identification and then discuss medications the student is taking. If any of the medications being taken by the student could explain the positive result, the medical review officer will verify with the pharmacy filling the prescription or the prescribing physician (in some cases, both) that there is a legitimate prescription in the student's name. Once all pertinent information has been obtained, the medical review officer will make a final determination of the test results. Those results will be forwarded to the third-party testing firm, who will then forward them to the designated school official.
- If a student does not produce a urine sample within three (3) hours, the student will have five (5) days to make an appointment with a physician to see if a medical reason exists to explain the inability to produce a urine sample. Documentation from the physician must be provided to the school district. If the student does not see a physician or if there is not a valid medical reason, then the test would be deemed positive. The medical review officer will make this determination.
- Upon confirmation of the positive test result, a designated school official will provide notice to the parent and the student of the restrictions resulting from the positive test.

Consequences

- A student who has initially consented to be tested may refuse to be tested, but if he/she chooses to do so, he/she will immediately be suspended from participating in MSHSAA-regulated activities and/or the privilege of parking on school property for 365 days.
- After a student tests positive for illegal substances, he/she will be subject to non-random testing at the request of the administration for the remainder of the student's participation in MSHSAA-regulated activities and/or parking on school property for a period of 365 days.

- First Offense
 - Consequences for the first offense is suspension from participation in all MSHSAA-regulated activities for a period of 45 calendar days from when the test administrator finalized the results of the test, if the student's activity is in season.
 - If the student's MSHSAA-regulated activity is not in season, then the start date will be the day the student begins participation in a MSHSAA-regulated activity. The student will be expected to attend all practice sessions, all meetings, and team competitions during the suspension.
 - The student will not be allowed to park on school property for 45 calendar days.
- Second Offense
 - Consequences for the second offense is suspension from participation in all MSHSAA-regulated activities for a period of 90 calendar day from when the test administrator finalized the results of the test, if the student's activity is in season.
 - If the student's MSHSAA-regulated activity is not in season, then the start date will be the day the student begins participation in a MSHSAA-regulated activity. The student will be expected to attend all practice sessions, all meetings and team competitions during the suspension.
 - The student will not be allowed to park on school property for 90 calendar days.
 - **To be reinstated to MSHSAA-regulated activities eligibility and/or permitted to park on school property the student must submit proof of completion of an approved education drug/alcohol program that is offered outside of school and submit a negative drug test result. The laboratory testing facility must be pre-approved by the school district and the test must include the substances tested for in the school testing program. The student and/or parent/guardian is responsible for expenses associated with the program and testing.**
- Third Offense
 - Consequences for the third offense is suspension from participation in all MSHSAA-regulated activities for a period of 365 calendar days from when the test administrator finalized the results of the test, if the student's activity is in season.
 - If the student's MSHSAA-regulated activity is not in season, then the start date will be the day the student begins participation in a MSHSAA-regulated activity. The student will be expected to attend all practice sessions, all meetings and team competitions during the suspension.
 - The student will not be allowed to park on school property for 365 calendar days.
 - **To be reinstated to MSHSAA-regulated activities eligibility and/or permitted to park on school property the student must submit proof of completion of an approved education drug/alcohol program that is offered outside of school and submit a negative drug test result. The laboratory testing facility must be pre-approved by the school district and the test must include the substances tested for in the school testing program. The student and/or parent/guardian is responsible for expenses associated with the program and testing.**

- Fourth Offense
 - Permanent suspension from participation in MSHSAA sanctioned activities.
 - Permanent loss of parking privileges on school property.

Parent-Requested Participation

Parents/guardians of students who wish for their student to participate in the drug-testing program may voluntarily enroll the student in the district's program even if the student is not involved in MSHSAA-regulated activities and does not park on school property. The student will be placed in the drug pool and noted as a voluntary participant. If selected and the test is positive, the parent will be notified of the positive test, but the student will not be penalized through this policy or the Student Discipline Policy of the Worth County R-III School District.

Drug Counseling and Assistance

The main goal of this program is to reduce/deter the use of drugs. As such, drug counseling and assistance programs may be sought by the parent of any student who has a positive drug test under this policy. If requested by the parents, assistance in obtaining additional help for the student will be provided by the school counselors. Any costs for assistance or enrollment into any drug counseling sessions will be exclusively the responsibility of the student or parent/guardian

Student Discipline Policy

The Student Drug-Testing Policy does not limit or otherwise affect board policy, regulation, or procedure regarding discipline for the sale, possession, use, distribution or purchase of drugs (or alcohol) when reasonable suspicion of such conduct arises out of circumstances other than the random testing conducted pursuant to the policy.

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