

THE RANDOM DRUG TESTING PROGRAM – RDT

VISION STATEMENT

The Drug, Alcohol, and Tobacco Procedures at North Harrison High School are focused upon the welfare of students. The policy and procedures support students and parents as they make healthy choices. In the case of violations, it holds students responsible for their actions and consistently confronts all situations with clear-cut consequences, compassion, and an understanding of the nature of our students and the importance of the educational process. The policy is written and administered in accordance with all applicable legal requirements, policies and statutes. The policy seeks to keep students involved in the programs and school and to provide learning experiences that lead students to responsible, healthy choices.

INTRODUCTION

The effective date of this program is March 30, 2010. During the implementation year, enrollment dates will be as follows:

- Spring sports participants by March 30, 2010
- Students expecting to drive, park on school grounds, or participate in any extracurricular or co-curricular activities throughout the school year must enroll by August 15, 2013

Any student not meeting these deadlines may be subject to an initial drug screening or refusal to participate based at the discretion of the administration. This program does not affect the current policies, practices, or rights of North Harrison Community School Corporation with drug and/or alcohol possession or use, where reasonable suspicion is obtained by means other than drug testing through this policy. North Harrison Community School Corporation reserves the right to test any student who at times exhibit cause for reasonable suspicion of drug and/or alcohol usage.

RATIONALE FOR THE PROGRAM

North Harrison Community School Corporation has a strong commitment to the health, safety and welfare of its students. Results of studies throughout the United States, and an increased substance abuse problem in Harrison County, Indiana and among our students specifically, indicate that education alone as a preventive measure is not effective in combating substance abuse. Statistics show that the mission of North Harrison Community School Corporation has not been realized. Our commitment to maintain North Harrison High School as a safe and secure educational environment as it relates to extracurricular, co-curricular, as well as to permit driving to school and parking on school grounds requires a clear policy and supportive programs relating to detection, treatment and prevention of substance abuse by students involved in these activities.

PURPOSE

The purpose of this program is two-fold:

1. To deter the use of illegal substances at North Harrison High School and,
2. To enhance the health and safety of all students participating in extracurricular and co-curricular activities as well as those who enjoy the privilege of driving to school and parking on school grounds.

It is also the aim of this program to educate, help, and direct students away from drug and alcohol use and toward a healthy and drug free participation. Students involved in extracurricular and co-curricular activities need to be exemplary in the eyes of the community and other students. No student will be expelled or suspended by a school official as a result of any verified "positive" test conducted by his/her school under this program other than stated herein.

SCOPE

Participation in extracurricular activities, as well as in driving to school and parking on school grounds is a privilege. This policy applies to all North Harrison Community School Corporation students in grades 9-12 who wish to participate in extracurricular and co-curricular activities that are listed in the current student handbook and any other school sponsored extracurricular activities not listed. It also includes any student who wishes to drive to and from school, to and from Prosser Vocational School or park on school grounds. Any student not driving or participating in an extra-curricular or co-curricular activity who would like to enroll in the program, or any custodial parent/guardian wishing to enroll their student for the random testing program is welcome to do so by completing the consent form.

LEGAL OBLIGATION

- The extensive congressional findings in the Safe and Drug-Free School and Communities Act of 1994 [20 United States Code ss7101 et seq. and specifically ss7102.]
- Indiana Code 20-10.1-4-9.2 that directs this School District to plan and maintain drug free schools.
- Indiana Code 20-10-4-9.1 directs that this School District provide instruction concerning the harmful effects of illegal drugs.

CONSENT FORM

It is MANDATORY that each student who participates in extracurricular or co-curricular activities, as well as those who drive to or from school activities or park on school grounds, sign and return the "Consent Form" prior to participation in any extracurricular or co-curricular activity, or driving to or from school. Failure to comply will result in non-participation. Each extracurricular and co-curricular participant as well as drivers shall be provided with a "Consent Form," a copy of which is attached hereto, which shall be dated and signed by the participant and the parent/guardian. In so doing, the student agrees to participate in the random drug-testing program at North Harrison High School. This form will be kept on file for the length of the student's high school career. To

withdraw from the program, the parent/guardian must sign a withdrawal form and have a personal interview with an administrator or designee.

STUDENTS AGE EIGHTEEN AND OVER

Rights and notices to parent/guardian described in the policy will be provided only to the student after age eighteen (18) if the student does not live with and is not supported by a parent/guardian.

TESTING PROCEDURES

1. A table of random numbers will be used to assign numbers to the participants. The selection of numbers chosen to be tested will be done using a random mathematical formula determined by the testing company, and selections will be made from time to time throughout the school year. Numbers will be drawn from one large pool of those agreeing to be tested. Testing may occur on a different day, Monday through Friday. This variable schedule will keep students conscious of the possibility of being tested at any time during the school year. Each student will be assigned a number that will be placed in the drawing.
2. A custodial parent/guardian may request testing of his/her student at the school's cost one time per year. Any other requests must be paid for by the parent/guardian.
3. No student will be given advanced notice or early warning of the testing. If a student is absent and their name is drawn on the initial testing day, they will be tested on the next available day. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.
4. Upon being selected for a urine collection test under this policy, either by random draw, reasonable suspicion, request of a parent/guardian, or a "follow up" test, a student will be required to provide a sample of "fresh" urine according to the quality control standards and policy of the laboratory conducting the testing.
5. All students will remain under school supervision until they have produced an adequate urine specimen. If unable to produce a specimen, the student will be given up to 12 ounces of fluid. If still unable to produce a specimen within one hour, the student will be taken to the principal's office and told he/she is no longer eligible for any extracurricular or co-curricular activity, or be allowed to drive to or from school. The failure or refusal to provide a sample will be treated as a "positive" test result. In addition, the parent/guardian will be telephoned and informed the student is unable to produce a sample for the testing procedure and that he/she may be tested at a later date to be reinstated for eligibility as specified in the ECA guidelines.
6. If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for all the extracurricular activities, co-curricular activities, or to drive to and from school for the remainder of the school year. This will be reported to the parent/guardian.
7. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he/she left the collection site. The principal or designee must time and sign the pass.
8. The specimens will then be turned over to the testing laboratory, and each specimen will be tested for alcohol and "street drugs" (which may include all

drugs listed as controlled substances under the laws of the State of Indiana). Also, "performance enhancing" drugs such as steroids may be tested.

9. The nicotine laboratory selected must follow the standards set by the Department of Health and Human Services. It must be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA) and the Joint Commission of Accreditation of Healthcare Organizations (JCAHO).

CHAIN OF CUSTODY

1. The certified laboratory will provide training and direction to those who supervise the testing program, set up the collection environment, and guarantee specimens and supervise the chain of custody. Only certified test administrators will handle the testing process. To maintain anonymity, the student's number, not name, will be used.
2. The principal or designee will be responsible for escorting students to the collection site. The student should bring all materials with him/her to the collection site and should not be allowed to go to his/her locker.
3. Before the student's urine is tested by the laboratory, the student will agree to fill out, sign and date any form which may be required by the testing laboratory. If a student chooses, he/she may notify the administrator that he/she is taking a prescription medication.
4. A sanitized kit in a sealed package will be given to each student. The urine collection kit will remain in the student's possession until sealed. The student will initial that the specimen has been sealed. Only the lab testing the specimen may break the seal.
5. If the seal is tampered with or broken, after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible. The student will remain eligible for all activities subsequent to a retest.
6. After it has been sealed, lab personnel will transport the specimen to the testing laboratory. The testing laboratory will report the results back to the principal or designee.
7. In order to maintain confidentiality, the container that contains the urine specimen to be tested will not have the name of the student on the container. Instead, the student's random identification number will appear on the container. Also, the result sheet for the collection will be mailed back to the principal and designee with no name attached; only the student's random identification number will appear on the result sheet.

TEST RESULTS

1. The program seeks to provide needed help for students who have a verified "positive" test. The student's health, welfare, and safety will be the reason for preventing students from participating in extracurricular and co-curricular activities.
2. The principal or designee will be notified of a student testing "positive" (that is, if the test shows that drug residues are in the student's system after using a least two different types of analyses). The principal or designee will notify the student and his/her parent/guardian. The student or his/her parent/guardian may submit

a documented prescription, explanation, or information which will be considered in determining whether a “positive” test has been satisfactorily explained. In addition, the student or parent/guardian may appeal by requesting that the urine specimen be tested again by the certified laboratory at a cost to the student or his/her parent/guardian. Refusal by **any** student enrolled in the program to submit to a drug screen when directed will be considered a violation under the terms of this program.

3. If the test is verified “positive”, the principal or designee will meet with the student and his/her parent/guardian at a school corporation facility. The student and parent/guardian will be given the names of counseling and assistance agencies that the family may want to contact for help. The student must enroll in an approved counseling program and actively participate until successfully completing the program.
4. A “follow up” test will be requested by the principal or designee after such an interval of time that the substance previously found would normally have been eliminated from the body as determined by the Medical Review Officers of the laboratory. If this “follow-up” test is negative, and the student is in compliance with the counseling requirement the student will be allowed to resume co-curricular activities or driving to or from school. If a second “positive” result is obtained from the “follow up” test, or any later test of the participant, the same previous procedure shall be followed. In addition, the North Harrison Community School Corporation reserves the right to test for the next 365 days while enrolled in North Harrison High School any participating student who tested “positive” and did not make satisfactory explanation.
5. Information on a verified “positive” test will be shared on a “need to know” basis with the student’s coach or sponsor. The results of “negative” tests will be kept confidential to protect the identity of all students being tested.
6. Drug testing result sheets will be returned to the principal or designee identifying students by number and not name. Names of students tested will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the principal or designee will have access.
7. A positive result for nicotine will not be considered a violation in the case of a student who operates a motor vehicle on school property and does not participate in any extra-curricular activities. This shall not be interpreted to allow students to use or possess tobacco products on school property.

Consequences: Student athletes who test positive for tobacco and/or drugs; have been arrested or convicted of committing a crime; or violate athletic or school rules will be suspended for all athletic activities, including practice for 10 days. They will also be subjected to the policies outlined as follows:

1: Tobacco – involves the use or possession of any type of tobacco product

- 1st violation: Suspension from 10% of the contest season
- 2nd violation: Suspension from 25% of the contest season
- 3rd violation: Expulsion from participating in athletic events for the remainder of the athlete’s high school career.

Suspension shall be whole games with all fractions rounded to the next whole number. Penalties will be enforced on consecutive games played from the date

of the suspension. Contest season includes all contest original schedules and one (1) sectional game.

2: Controlled Substances – Possession or illegal use of a controlled substance, narcotic drug or alcohol.

1st violation: Suspended 50% of contest season(s)

Option: The suspension may be reduced to 25% of the contest season, contingent upon a professional drug assessment and recommendation for rehabilitation, which must be followed by the student. All concerned parties understand that any costs incurred will be at the expense of the parent/guardian. The student's re-admission to athletics is dependent on the student following the recommendations of the assessment agency.

2nd violation: Expulsion from participating in athletic events for 365 days

Option: The suspension may be reduced to 50% of the contest season, contingent upon a professional drug assessment and recommendations for rehabilitation, which must be followed by the student. All concerned parties understand that any costs incurred will be at the expense of the parent/guardian. The student's re-admission to athletics is dependent on the student following the recommendations of the assessment agency.

3rd violation: Expulsion from participating in athletic events for the remainder of the athlete's high school career.

If percentage of suspension is not able to be met during current contest season, it will then carry over into the next athletic contest season in order to fulfill the suspension.

All training violations and subsequent consequences hinge on information obtained from law enforcement officials, observation by administrator, faculty members or athletic staff, admission by the athlete, or discovery through the drug testing program.

Before regaining eligibility a student athlete will be required to take a follow-up test. That test will be conducted after such an interval of time that the substance previously detected would normally have been eliminated from the body if no intervening drug use has occurred. If a second "positive" result is obtained from the follow-up test or any later test, the student will be subject to the second offense level.

Coaches may be involved in the testing pool if they agree to volunteer. A coach participating in the program that tests positive for a substance other than tobacco or alcohol or a coach under the age of 21 who tests positive for alcohol or any other illegal substances shall be referred to the building principal. The principal, athletic director and coach will meet to discuss the test results and to establish a

plan of action. A second drug screen will be required after such an interval of time that the substance previously detected would have been eliminated from the body if no intervening drug use has occurred. Any follow-up tests required by the school or athletic department for student-drivers, student-athletes, or coaches will be at the expense of the school corporation.

FINANCIAL RESPONSIBILITY

1. Under the Policy, North Harrison Community School Corporation will pay for all initial random drug tests, all initial reasonable suspicion drug tests, and all initial "follow up" drug tests.
2. A request on appeal for another test of a "positive" urine specimen is the financial responsibility of the student or his/her parent/guardian.
3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student or his/her parent/guardian.

CONFIDENTIALITY

Under this drug testing program, any staff, coach, or sponsor of North Harrison Community School Corporation who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or disposition of the student involved, other than in the case of a legal subpoena being made upon that person in the course of a legal investigation. Once again this will underscore the North Harrison Community School Corporation's commitment to confidentiality with regards to the program.