

Policy for Random Urine Drug/Alcohol Testing of Margaretta Local School District Students

A STATEMENT OF NEED AND PURPOSE

Recognizing that observed and suspected use of alcohol and illicit drugs by Margaretta Local School District students is a serious concern, a program of deterrence will be instituted as a proactive 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 Margaretta Local Schools.

DEFINITIONS

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.

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

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 MOR for final certification.

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

Eligible Student – A qualified student participating on a sanctioned athletic team governed by the Ohio High School Athletic Association, a cheerleader, ~~or~~ a student wishing to receive or who has received a parking permit, *a National Honor Society member, Peer Leadership class student, and/or S.A.D.D. member.*

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

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.

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

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

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.

Testing Year – The testing year begins the date the first activity for the eligible student commences and continues for 365 days thereafter.

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

PROCEDURES FOR STUDENTS

a. Informed Consent for Testing

At the beginning of each year or season, eligible students and parent/guardian/custodian will complete and sign the Margareta Local Code of Conduct and Expectations Informed Consent Agreement (Exhibit A). No eligible student may participate in those athletics covered by this Policy ~~and/or~~ receive a parking permit, *participate in National Honor Society, Peer Leadership class and/or S.A.D.D.* 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 eligible students may be subject to urine testing for illicit or banned substances as specified in this Policy. Following initial testing, up to 20% of eligible students will be randomly tested on up to a bi-weekly basis anytime during the school year. Any eligible student who refuses to submit to urine drug testing will not be allowed to participate in the athletics governed by this Policy, ~~or~~ park within the Margareta Local School District, *participate in National Honor Society, Peer Leadership class and/or S.A.D.D.*

c. **Sample Collection**

Samples will be collected as outlined in this Policy. 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 in covered athletics ~~or~~ park, *participate in National Honor Society, Peer Leadership class and/or S.A.D.D.* until the proper specimen is provided. Arrangements may be made for special collections at a Vendor Collection site with prior approval of the building Principal or Designated Official. The eligible student will acknowledge that there may be a fee associated with the use of an off-site collection point.

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).

VENDOR REQUIREMENTS

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

a. **Initial Testing**

At the beginning of the year, for parking permits and the beginning of the season for students participating in covered athletics *or when an activity begins*, all eligible students may be subject to urine drug testing. This testing will be accomplished on a date and time coordinated with the testing Vendor. The Designated Official is responsible for seeing that all eligible students and their parent/guardian/custodian properly sign the Informed Consent Agreement (Policy Exhibit A) prior to testing. Any eligible student moving into the District may be tested at the time they join *a team, National Honor Society, Peer Leadership, S.A.D.D.* or request a parking permit. An eligible student is only required to take one initial test per year to participate in the covered athletics ~~and/or~~ receive a parking permit, *participate in National Honor Society, Peer Leadership class and/or S.A.D.D.*

b. **Random Selection of Eligible Students and Scheduling of Testing**

The designated official will prepare a list of eligible students. This list will be forwarded to the Vendor for the random selection of students for testing. Once provided a list of eligible students, the Vendor must select the required number of students in a random and confidential manner. This system will utilize a computer-based system designed specifically for the purpose of randomly

selecting individuals for drug testing. Up to bi-weekly, the Vendor will arrange with the Designated Official a day and time to do the collection of specimens. However, testing will not be conducted during holidays or spring break. The schedule will not follow any recognizable pattern. The selected student names will be given to the Designated Official, who will arrange for these eligible students to report to the collection area.

c. **Collection of Urine Specimens**

The Vendor will oversee the collection of urine specimens as outlined in this Policy. Chain of Custody forms will be provided by The Vendor that meet the criteria of this Policy and that of the testing laboratory. Eligible students will be given as much privacy as possible in obtaining the specimen.

d. **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) following the guidelines of the Department of Health and Human Services (HHS). Although not required, it is recommended that the testing laboratory 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) confirmatory test (understanding that no current GC/MS test is available for LSD).

The following drug classes, substances, or their metabolites are considered illicit or banned for Margareta Local School District students. Therefore, 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	
Phencyclidine	Propoxyphene	

e. **Medical Review Office (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 this Policy 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 seven years.

f. **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 Building Principal.

g. **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 Margareta Local School District Board of Education. However, the Vendor will provide the Building Principal 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.

h. **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.

i. **Form Completion**

The Vendor is responsible for seeing that proper drug testing custody and control forms are used that satisfy the needs of this Policy 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.

COLLECTION PROCESS

Selected eligible 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 bluing 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 completed 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 30 ml) in one attempt. The student is also told they are to hand the container of urine to the collector.
- 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 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 properly signed and initialed bottle seals and places them over the caps and sides of the bottles.
- j. The sealed bottles are placed inside the transport bag.
- k. The top lab copies of the drug testing custody and control form are 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 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.

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 one (1) school day, will attempt to notify the parent/guardian/custodian first by telephone, then the student and Designated Official of any positive results. A written notification from the Building Principal, by form letter, will be sent to the parent/guardian/custodian by certified mail. The Building Principal may keep all test results for the duration of the student's attendance in the District.
 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 testing. 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. A first positive with submission to the testing will result in the student sitting out 20% of the season if an athlete, or not being permitted to park for 20% of the school year if a parking permit holder. If less than 20% of the season remains, the remaining percentage to sit out will be carried over to the next season in which the student participates and/or the next school year if it involves a parking permit. The student participant will be given the option of participation in a drug assistance program and submission to five follow-up drug tests instead of being prohibited from participating in athletics or prohibited from parking.

Students punished for alcohol, drug or tobacco offences will be dismissed from further participation in National Honor Society, Peer Leadership and/or S.A.D.D..

c. **Second Positive Result**

A second positive result by MRO ruling or adulteration will result in the participant being barred from participation in any covered activity, and/or parking

on campus for one calendar year from the date the results of a positive test are received by the school. However, prior to reinstatement the student must show results from a program recommended by a certified substance abuse professional. The student will continue or repeat the five necessary follow-up drug screens.

d. **Third Positive Result**

A third positive result in any two consecutive calendar years will result in the student participant being barred from participation in any covered activity, and/or parking on campus for the remainder of their time within the Margareta Local School District. Reinstatement can only be made at the recommendation of the athletic council.

- e. If the student athlete also holds a parking permit, the student will be prohibited from participating in athletics and parking during the period of time set forth in this Policy.

MEDICAL REVIEW OFFICER (MRO) RESPONSIBILITIES

The MRO 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.

NON-PUNITIVE NATURE OF POLICY

No student will be penalized academically for testing positive for illegal drugs or banned substances. The results of drug/alcohol tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug/alcohol tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the Margareta Local School District Board of Education will not solicit. In the event of service of ~~any~~ *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 Margareta Local School Board of Education, to the extent permitted by such subpoena or legal process.

END OF POLICY

5/25/07