

# Dakota CUSD #201

## Student Drug-Testing Procedures

These procedures apply to all high school students that choose to participate in athletics or another extracurricular activity, or to students who drive or park on school property (including students in the driver education class & student drivers), or to students whose parents requested they be drug tested .

### **DRUG TESTING PROCEDURES**

1 Prior to trying out or joining an extracurricular activity or team, or prior to being authorized to drive on school property, a student participant and his/her parents must sign a “Consent Form” acknowledging that they have read, understand & agree to be bound by the terms & conditions of the Dakota Board of Education Drug Policy and Procedures. A student whose parents have requested he/she be drug tested must also complete the “Consent Form”.

2 All extracurricular student participants will be subject to drug testing anytime between the student’s selection to the team/activity and the end of the semester in which the activity occurs. Students whose parents request drug testing will either be tested in a random drug test pool with other parent requested drug test students, and also be eligible for instant drug testing any time there is reasonable cause to do so, which would make them eligible for drug testing any time during the current school year. Students asked to take a drug test and refusing to do so shall be treated as if he/she had received a positive test result. The urine specimen collection process will be administered by an outside professional group that is certified to gather these type specimens. This same group will administer the random selection process that determines which student participants will be tested on a particular date. The selection process will include a random computer drawing from a pool that includes all of the participants in the particular extracurricular activity, or all of the students whose parents requested their children be random drug tested. The random selection process may result in a student being selected more than once for testing for a given activity. In addition, if a student is participating in more than one activity or category, he/she might be selected for testing in each activity/category.

3 The collection of the urine specimen will take place on the school campus during the normal school hours, or during the normal hours of the activity. The procedure for collection & testing will adhere to federal procedures for drug testing and more specifically as provided in policy and this procedure, which includes using a certified lab for validation, to ensure the integrity of the process. The anonymity of the tested student will be maintained. The specific drugs covered by the testing are listed in the Board of Education’s Alcohol & Drug Policy.

4 Collection procedures shall be developed, maintained & administered by the collection company to minimize any intrusion or embarrassment of each tested student, to ensure the proper identification of each student and the student’s specimen, to minimize the likelihood of any adulteration of the specimen, & to maintain complete confidentiality of the test results. To that end the procedure will require:

- A. The presence of a sponsor (coach and/or building administrator) at the beginning of the collection process to ensure proper student identification.

## Student Drug-Testing Procedures

### DRUG TESTING PROCEDURES (CONTINUED)

- B. The presence of one of the collection company's professional staff to ensure all of the Drug & Alcohol Testing Association's collection standards are followed.
- C. The collection company shall provide an uncontaminated, collection receptacle to each student being tested. Each student shall be provided absolute privacy during the collection process.
- D. Prior to entering the private bathroom facility utilized for the collection process, each student shall be required to empty his/her pockets and to leave all personal belongings (purses, billfolds, jackets, book bags, etc.) in the custody of the collection professional.
- E. Water in the bathroom will be treated with a bluing color agent to prevent a student from attempting to use the facility water to dilute or otherwise adulterate the urine specimen.
- F. At the time of the collection of the urine specimen, a "Chain of Custody Form" shall be completed. This form, which ensures that the student participant and his/her specimen are properly identified with a confidential number, will be placed in a sealed package with the urine specimen for forwarding to the testing laboratory.

1 The point of collection test kit consists of a one step test receptacle that has FDA 510 (K) pre-market clearance, which ensures the safety and effectiveness of the testing device. It also provides an instant read for any of the tested drugs that are negative. Any test result that reads non-negative must be forwarded and further tested by a SAMSHA certified testing laboratory to determine if they are positive or negative. The confirming lab will use a highly accurate immunoassay technique (EMIT) to analyze each specimen. Initial positive results will be confirmed by gas chromatography/mass spectrometry (GC/MS). If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative and reported as such.

2 A portion of each urine specimen given by a student participant or driver shall be preserved by the testing laboratory for at least six months.

3 Written confirmation of all positive test results shall be forwarded by the testing laboratory to the School District Activities Director (AD), and a designated Medical Review Officer (MRO), who will assist the School District AD in determining if the test result might be due to a legal prescription, or over-the-counter drug (OTC). At no time is the MRO to know the student's identity, or have any direct contact with the student or the student's parent. To ensure student confidentiality and anonymity is maintained, the School District AD will handle all communications with the student's parent/legal guardian to determine if the student were taking any legal prescription or OTC drugs either before or at the time of the drug test. The District AD will request the parent to provide a copy of the actual drug prescriptions/OTC drugs, or a doctor/health facility statement. The parent may chose not to provide a list of prescriptions/OTC drugs, but this would most likely result in the MRO declaring the test results positive due to an illegal drug. If the parent provides a list of prescriptions/OTC drugs, the District DC will report the name(s) of the drug(s) and the dosage(s) to the MRO, who advises if the reported prescription/OTC drugs caused the positive drug test results. Any test result attributed to a legal prescribed drug or OTC drug is considered and reported as negative. Only after a prescription drug has been ruled out as the cause is the drug test reported as positive by the District DC to the school principal, and the extracurricular activity sponsor/coach/staff member.

## **Student Drug-Testing Procedures**

### **DRUG TESTING PROCEDURES (CONTINUED)**

1 For each confirmed positive drug test, the school principal then meets with the tested student, his/her parents/guardians (if student is under 18 years old), to disclose and discuss the positive test results. At this meeting, the student is advised of his/her procedural rights to request a hearing within 72 hours for the student and/or his/her parents to present any relevant evidence they desire to defend the charge of violation of the alcohol/drug policy prior to the implementation of sanctions/penalties. The Principal may require written documentation of any evidence that student feels may have impacted the test result (such as a doctor's statement). Failure to provide the written documentation to support the student's defense position may result in the student being subject to the sanctions provided in this policy for the violation. If necessary, additional laboratory analysis shall be conducted by the testing lab using the student's remaining urine specimen. A final decision of the Principal shall come within five days of receiving notice to contest the test results.

2 The final determination of the student's eligibility for continued participation in the extracurricular activity shall be made by the Principal.

3 If the student chooses to appeal the Principal's decision, the student may appeal it to the District Drug Coordinator within three days of the Principal's decision, by filing a written notice of appeal with the District Drug Coordinator who will render a final decision within five days of filing of the notice of appeal.

4 Within one year after a student graduates or turns 18 years old, whichever is later, all records in regard to this policy concerning each student shall be destroyed. At no time shall drug test results or records be placed in a student's academic file or be voluntarily turned over to any law-enforcement agency, or used for any purpose other than those stated herein.

SIGN AND RETURN THIS PAGE TO THE OFFICE

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*I hereby acknowledge that I have read Student Drug Testing Procedures, that I understand the policy and procedures, and that I agree to be bound by the terms and conditions contained in the policy and procedures.*

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*Student's Signature*

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*Date*

\_\_\_\_\_  
*Parent Signature*

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*Date*