

**\*\*\*\*\* This is a draft policy provided by: \*\*\*\*\***  
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**Please contact us for help in creating your program.**

**This policy should be reviewed by your solicitor prior to implementation.**  
**SPORT SAFE assumes no responsibility for the use of this sample policy.**

### **Policy for Random Urine Drug Testing of \*Your School\* District Students**

#### **OVERVIEW**

The procedure for initial and random drug testing of students in athletics and extracurricular activities is accomplished in conjunction with an independent drug testing Vendor selected by the Board of Education. Following the initial testing, the Vendor is provided by the Designated Official a list of eligible students and in turn randomly selects up to 20% of these students for drug testing at regular intervals. 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 \*Your 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 \*Your School\*s.

The program is non-punitive. It 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 or an extracurricular activity as defined by the board.

**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 Spectroscopy; 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 or season, students and parent/guardian/custodian will complete and sign the **\*Your School\* Code of Conduct and Expectations Informed Consent Agreement** (Exhibit A). No student may participate 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 and/or extracurricular activities may be subject to urine testing for illicit or banned substances as specified in Paragraph 9 below. 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. A student whose season is over and does not plan on participating for the remainder of the school year may be removed from the program with a signed parental consent delivered to the designated official. Any student who refuses to submit to urine drug testing will not be allowed to participate within the **\*Your School\*** District.

##### **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. Arrangements may be made for special collections at a Vendor Collection site with prior approval of the Building Principal or Designated Official. Participant will acknowledge that there may be a fee associated with the use of an off-site collection point.

## 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 \*Your 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)** following the guidelines of the **Department of Health and Human Services (HHS)**. 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)** 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)	Nicotine	Opiates
Phencyclidine	Propoxyphene	

**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 \*Your 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 seven 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 Building Principal.

**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 \*Your 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.

**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. 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 a period up to one year.

- (2) The student will be notified and be required to submit to 5 periodical urine tests throughout the next calendar year.
- (3) 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.
- (4) 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 be given the option of participation in a drug assistance program and submission to five follow-up drug tests or ceasing to participate in athletics and/or extracurricular activities for the rest of the current or upcoming season.

c. Second Positive Result

A second positive result by MRO ruling or adulteration will result in the participant being barred from participation in any athletic activity and/or extra-curricular activity that occasions the drug testing policy for one calendar year. 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, the student participant will be barred from participation in any athletic activity and/or extracurricular activity for the remainder of their time within the \*Your School\* District.

## **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 \*Your 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 \*Your 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 \*Your School\* District Students:

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

END OF POLICY

## **Procedures for Random Urine Drug Testing of \*Your School\* 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.

### **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. INITIAL TESTING**

At the beginning of the year or season, 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 students and their parent/guardian/custodian properly sign the **Informed Consent Agreement** (*Policy Exhibit A*) prior to testing. Any student moving into the District shall be tested at the time they join.

### **5. TESTING YEAR**

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

### **6. 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 \*Your 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.

### **7. 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 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 30ml) 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.

## 8. 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 results 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 Prinicipal by phone.

## **9. 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.

## **10. 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. 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 a period up to one year.
  - (2) The student will be notified and be required to submit to 5 periodical urine tests throughout the next calendar year.
  - (3) 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.
  - (4) 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 be given the option of participation in a drug assistance program and submission to five follow-up drug tests or ceasing to participate in athletics and/or extracurricular activities for the rest of the current or upcoming season.

c. Second Positive Result

A second positive result by MRO ruling or adulteration will result in the participant being barred from participation in any athletic activity and/or extra-curricular activity that occasions the drug testing policy for one calendar year. 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, the student participant will be barred from participation in any athletic activity and/or extracurricular activity for the remainder of their time within the \*Your School\* District.

END OF PROCEDURE

**\*Your School\* CODE OF CONDUCT AND EXPECTATIONS  
INFORMED CONSENT AGREEMENT**

Student Name \_\_\_\_\_  
(Please Print)

Grade \_\_\_\_\_

**AS A STUDENT:**

- I understand and agree that participation in athletic and/or extracurricular activities is a privilege that may be withdrawn for violations of the **Code of Conduct and Expectations**, hereinafter **Code of Conduct**.
- I have read the **Code of Conduct** and thoroughly understand the consequences that I will face if I do not honor my commitment to the **Code of Conduct**.
- I understand and realize that there is risk of injury in participating in activities.
- I understand that when I participate in any athletic program and/or extracurricular activity, I will be subjected to initial and random urine drug testing, and if I refuse, I will not be allowed to practice or participate. I have read the consent on the reverse of this form and agree to its terms.
- I understand this is binding while a student within the \*Your School\* District.

Date \_\_\_\_\_

\_\_\_\_\_  
Student Signature

**AS A PARENT/GUARDIAN/CUSTODIAN:**

- I have read the **Code of Conduct** and understand the responsibilities of my son/daughter/ward as a participant in athletics and/or extracurricular activities in the \*Your School\* District.
- I understand and realize that there is an assumed risk of injury involved for my son/daughter/ward as a participant in activities.
- I understand that my son/daughter/ward, when participating in athletics and/or extracurricular activities, may be subjected to initial and random urine drug testing, and if they refuse, will not be allowed to practice or participate. I have read the consent on the reverse of this form and agree to its terms.
- I also understand that if my son/daughter/ward has completed their season and does not intend on participating in other activities for the remainder of the year, I may remove them from the random program with a signed consent to Designated Official. Failure to do so is my consent to offer the deterrence of random drug testing for my son/daughter/ward until the end of the testing year.
- I understand this is binding while my son/daughter/ward is a student within the \*Your School\* District.

Date \_\_\_\_\_

\_\_\_\_\_  
Parent/Guardian/Custodian Signature

\_\_\_\_\_  
Parent/Guardian/Custodian Name (print)      Home Phone      Work Phone

## **Consent to Perform Urinalysis for Drug Testing**

We hereby consent to allow the student named on the front of this form to undergo urinalysis testing for the presence of illicit drugs or banned substances in accordance with the **Policy and Procedure for Random Urine Drug Testing of \*Your School\* District Students** as approved by the \*Your School\* District Board of Education.

We understand that the collection process will be overseen by a qualified vendor.

We understand that any urine samples will be sent only to a certified medical laboratory for actual testing, and that the samples will be coded to provide confidentiality.

We hereby give our consent to the medical vendor selected by the \*Your School\* Board, their laboratory, doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected medical vendor to perform urinalysis testing for the detection of illicit drugs or banned substances.

We further give permission to the medical vendor selected by the \*Your School\* Board, its doctors, employees, or agents, to release all results of these tests to the Medical Review Officer (MRO) working for the medical vendor. We understand these results will be forwarded to the Building Principal and will also be made available to us.

We understand that consent pursuant to this **Informed Consent Agreement** will be effective for all activities in which this student might participate during the current school year.

We hereby release the \*Your School\* Board of Education, SPORT SAFE Testing Service, Inc. and it's employees from any legal responsibility or liability for the release of such information and records.

**READ CODE OF CONDUCT AND EXPECTATIONS ON REVERSE SIDE AND SIGN!**

DRAFT Policy EXHIBIT B (Back side)

DRAFT Policy EXHIBIT B

**\*Your School\***

### **Confidentiality Statement for Random Urine Drug Testing Program**

I, \_\_\_\_\_, acknowledge that I will be privileged to hear and see sensitive information related to results of random urine drug testing performed on students of \*Your School\*s. I pledge to keep any information given to me in strict confidence, and will only release this information to others as dictated by Board policy or with properly obtained permission of the student and parent/guardian/custodian.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date