

# **Neelyville R-IV School**

## **Student Extracurricular Activity**

### **Drug Testing Policy**

*(Adopted 1-20-04)*

#### **Mission Statement:**

The Neelyville R-IV School District recognizes that drug abuse is a significant health problem for students, detrimentally affecting overall health, behavior, learning ability, safety, reflexes, and the total development of each individual. This is particularly true with students participating in extracurricular activities. The Neelyville R-IV Board of Education is determined to help students by providing another reason for them to say "No." Drug abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of legal drugs and medications.

#### **Statement of Purpose and Intent:**

It is the desire of the Neelyville R-IV school administration and staff that every student in the Neelyville R-IV School District refrain from using, possessing or distributing illegal drugs. The focus of this policy relates solely to ensuring the safety of students by limiting the opportunity of any student in violation of this policy to participate in extracurricular activities, or to drive a vehicle on school premises while under the influence of illegal substances. This policy is intended to supplement and complement all other policies, rules and regulations of the Neelyville R-IV School District regarding possession or use of illegal drugs.

Participation in school sponsored extracurricular activities at Neelyville R-IV School District is a privilege. Accordingly, students in extracurricular activities carry a responsibility to themselves, their fellow students, their parents and/or guardians and their school to set the highest possible examples of conduct, which includes avoiding the use of illegal drugs.

Illegal drug use of any kind is incompatible with participation in extracurricular activities of the Neelyville R-IV School District. For the safety, health and well being of the students of the Neelyville R-IV School District, the district has adopted this policy for use by all students participating in extracurricular activities in grades 7 through 12.

The provisions of this policy apply to all students in the Neelyville R-IV Junior and Senior High School who sign and whose parent/guardian signs a consent form. All students who wish to participate in extracurricular activities, be an officer in any club or organization and/or those who wish to drive and park a motor vehicle on the campus will be required to participate in the drug-testing program.

Once adopted, this policy will not be enforced until at least 4 weeks has passed. That will give the Neelyville R-4 school time to make all students and their families aware of the policy and its' intent and if any student has drug residue in their system, it will have had time to exit their bodies. After 4 weeks, the district will enact the policy at their discretion.

## Definitions:

**Extracurricular Activities:** activities that take place outside the regular course of study in school.

**Drug Use Test:** scientifically substantiated method to test for the presence of illegal drugs in a person's urine.

**Illegal Drugs:** the use, possession, distribution, sale or solicitation of alcohol, drugs (their imitators), unauthorized prescription or nonprescription drugs, drug-related paraphernalia, narcotic substances, marijuana or other intoxicants and any other substances, which an individual may not sell, possess, use, distribute or purchase under either Federal or Missouri Law.

**Positive Test Result:** when referring to a drug test administered under this policy, a toxicological test result which is considered to demonstrate the presence of an illegal drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

**Reasonable Suspicion:** a suspicion based on specific personal observations concerning the appearance, speech or behavior of a participating student and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In such instances a student will be asked to participate in a drug test immediately. Refusal to cooperate will constitute the same consequences as a positive test result. **Examples of reasonable suspicion include but are not limited to: Observed speech impairment, lack of focus, suspicious aroma, eyewitness or reputable report from student(s) or adult.**

Activities include but are not limited to the following:

<b>Baseball</b>	<b>Basketball</b>	<b>Softball</b>	<b>Beta Club</b>
<b>Student Council</b>	<b>FBLA</b>	<b>FTA</b>	<b>Drama</b>
<b>FCA</b>	<b>Yearbook</b>	<b>Cheerleading</b>	<b>FFA</b>
<b>Band</b>	<b>Choir</b>		

**Students who drive on school property will also be tested.**

## **Student Drug Testing**

All students participating in an activity will be tested at the beginning of that activity. In addition, random testing will be conducted throughout the academic year. For the random testing, each student will be assigned a number that will be maintained in the central office. Such random testing may occur up to once per month and may encompass up to 1/3 of the students participating in each activity. Students not participating in continuous activities must be re-tested when entering another activity later in the year. A student may elect to remain in the random group for the academic year, after initial testing, and not have to take another mandatory test to participate. (An example would be a student who participated in a fall activity who does not participate in a winter activity and then elects to participate in a spring activity. The student decides to continue to be part of the random test group during the winter and would not have to take another mandatory test to participate in the spring activity.)

## **Privacy and Confidentiality**

The testing method to be administered will be urinalysis. Appropriate steps will be taken to respect the privacy of students while, at the same time, prevent the possible falsification or contamination of the sample. Upon receiving a notice from the administration that the student has been selected for testing, the student will go to the administrator's office or appointed site. The student will then be directed to the appropriate site to produce the urine sample. The student will not be under visual observation while producing the sample. After the student produces the sample, the appointed supervisor will conduct a temperature check of the sample to ensure it is genuine. After producing a sample, the student and the administrator shall date and initial the cross-referenced list, establishing that the sample container has the proper assigned number written on it.

The samples will then be tested on site initially; positive results will be referred to a certified testing lab. The testing labs will not be given any names or personal identification of any students. The student will only be identified by the assigned reference number. The test results will remain confidential and will only be released to the student, his/her parent or guardian, and the designated school officials. In addition, the test results will not be used for student discipline or restrictions and will not become part of the permanent school record or communicated to any other party. All files regarding the participants in the program, as well as the test results, shall be kept strictly confidential and will be kept separate from the mandatory official school files required for each student. Any negligent or intentional disclosure by any school-designated official of the test results may be grounds for disciplinary action. Furthermore, if the

student tests positive, the administration will not use or reveal a positive 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 the administration will not disclose test results without court order, for purposes of a criminal investigation.

Onsite testing procedures shall be conducted according to procedures designed to ensure integrity of specimens. The initial urine sample may be used to provide two (2) tests. If the first test is negative, no further action is necessary. If the first test is positive, upon parent request, the sample will be sent to a certified lab to verify the first results. If that test proves negative, no further action will be necessary.

To ensure proper testing procedures, the United States Department of Health Services Standards as defined by the National Institute of Drug Abuse certified laboratories would be followed.

1. All initial urine specimens will be taken at a location designated by the Administration.
2. The nurse and administrator will positively identify the student.
3. The nurse and administrator will ask the student to remove any unnecessary outer garments the might conceal items that could be used to tamper with or adulterate the urine specimen. **Examples of unnecessary clothing items would include hats, coats and gloves.**
4. The student will wash and dry his/her hands prior to the collection area.
5. Only one student at a time will be allowed in the collection area.
6. Students will be assured individual privacy in the collection area.
7. After the specimen has been collected, the nurse will continue with the chain of custody procedures and will determine if the specimen contains at least 45 milliliters of urine.
8. The agent, administrator, and student being tested will keep the specimen in view at all times prior to its being sealed and labeled.
9. The student will observe the tamper-proof seal. The nurse will place the identification label securely on the container. It will contain the date and the ID number. The student's name will not appear on the specimen label, but the student will be required to initial the seal.
10. The student and the nurse will sign the chain of custody form.

Any student new to our school who has a signed consent form on file will be tested on the first testing date after enrollment. Any student who has signed the consent form and is selected for testing, but then refuses to submit to a random test will remain at the testing site until school officials have contacted the parent. If the parents are able to persuade the student to submit to the test, then the testing will be done. If the student persists, the refusal will be treated as a positive result, and the consequences will be the same as for a positive result. If a student whose number is drawn claims he/she cannot give a specimen at the designated time, the student will remain at the testing site for up to a maximum of

two hours or until a specimen is given. If after two hours the student does not produce a specimen, it will be treated as a positive result and the consequences will be the same as for a positive result.

### Positive Test Result:

When positive results are received from the testing agency, the superintendent or designee will notify the student's parent/legal guardian as soon as possible and schedule a conference to explain the results. The student or parent may request that the sample be tested at his/her expense. Such request must be made within 24 hours of notification of the positive results. The specimen used for the additional test will be from the original sample taken during the random sampling.

Initial counseling (including referrals, resources, and information on chemical abuse) will be made available to the parent by the district. Further outside counseling and rehabilitation will be at the expense of the parent. The student will be removed from all extra-curricular activities immediately, and will remain removed until a follow-up test (30-45 days after) is administered at the student's expense and passed or 90 school days pass, whichever comes first.

If the follow-up test produces a negative result, the student is reinstated. If the follow-up test produces positive results, the parents will be notified at once, and the student will not be allowed to continue in extracurricular activities or have vehicle driving/parking privileges on the campus for 90 school days. To regain eligibility for participation in extracurricular activities and regain driving/parking privileges for the next school year, a student must have a negative result on a test administered by the Neelyville R-IV School District. Repeat offenders will lose extra-curricular privileges for 365 calendar days.

### Records:

All records concerning the chemical abuse will be maintained by the superintendent or designee in a separate file. The records will not be kept in a student's regular file. Only the superintendent or designee will have access to the files. The files on each student tested will be destroyed upon graduation or twelve (12) months after termination of enrollment. The student and his/her parent/legal guardian may obtain a copy of the student's chemical abuse testing records upon written request. Information in these files will not be released to local authorities unless required through a court order.

**Neelyville R-IV School District  
Student Substance Testing**

**Consent Form**

Student Participant: \_\_\_\_\_

I understand and agree that participation in extra-curricular activity after school hours and driving on campus is a privilege that may be withdrawn for violations of the Neelyville R-IV School Substance Policy

I have read the student substance-testing policy and understand the consequences that I face if I refuse participate or fail to comply with the policy.

I understand that I am subject to initial and random substance screens for the presence of illegal drugs.

I hereby agree to participate and comply with the school's substance testing program.

Student \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)

**As A Custodian/Parent/Legal Guardian**

I have read and understand the student substance testing policy.

I understand that participation in this substance testing program is required, if the student participates in any extra-curricular activity after school hours or drives on campus, with the understanding that he/she is subject to a random substance screen.

I understand the consequences for violations of the Neelyville R- IV School District Substance Policy.

I understand the increased risk of injury, accident or death if allowed to drive or participate in extracurricular activities, and I support the intent of the Neelyville R-4 School District in its' effort to discourage the use of drugs and alcohol.

I hereby consent to allow my son/daughter/ward to participate in the school's substance testing program.

Custodial Parent/Legal Guardian \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)