

# LaBrae Local Schools Drug Testing Policy



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**DRUG TESTING POLICY  
LABRAE LOCAL SCHOOL DISTRICT**

**STATEMENT OF NEED AND PURPOSE:**

The LABRAE LOCAL SCHOOL DISTRICT Board of Education Drug Testing Policy was formed because of a concern that alcohol and illicit drugs may be used by LABRAE LOCAL SCHOOL DISTRICT students. The LABRAE LOCAL SCHOOL DISTRICT Board of Education desires to implement a policy which will attempt to provide this district with a safe and healthful student program. This policy reflects the LABRAE LOCAL SCHOOL DISTRICT Board of Education and the community's strong commitment to establish a truly drug and alcohol free school program. Because of the pervasive nature of drug use in our local schools, LABRAE LOCAL SCHOOL DISTRICT have selected student athletes, students who participate in competitive extra-curricular activities and students who, along with consent from their parents, volunteer to be tested, for inclusion in the testing pool. This policy applies to all athletes, volunteers and extracurricular activities from grades 7-12.

**PURPOSE OF THIS POLICY SHALL BE:**

1. To provide a healthy and safe environment to all students participating in the athletic and extracurricular program.
2. To discourage all students from using drugs and alcohol.
  - a. Students will assume all responsibility for regulating their personal lives in ways that will result in their becoming healthful members of a team and worthy representatives of the school and community.
3. To provide students with the opportunity to become leaders in the student body for a drug free school.
4. To provide solutions for the student who does use drugs and alcohol.
5. To provide the school with positive guidelines and disciplinary policies for violations of the drug free policy.
6. To encourage those students who participate in athletic and extracurricular programs to remain drug free and alcohol free.

The program does not affect the current policies, practices, or rights of the District regarding student drug and/or alcohol possession or use, where reasonable suspicion by means other than drug testing through this policy. The drug testing policy is non punitive.

Students involved in extra-curricular activities need to be exemplary in the eyes of the community and other students. The drug testing and education policy is designed to create a safe, drug free environment for students and assist them in getting help when needed. Although students risk the loss of continued participation in extra-curricular activities, no student shall be suspended or expelled from school as a result of a certified "positive" test conducted by his/her school under this program.

No student will be penalized academically for testing positive for banned substances. The results of drug tests will not be documented in any student's academic records.



## **DEFINITIONS**

**ADULTERATION** - Any attempt to alter the outcome of a 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, hair or saliva including purposely over-hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

**ALCOHOL** - Any intoxicating liquor, beer, wine, mixed beverage, or malt liquor beverage as defined in the Ohio Revised Code Section 4301.01. The term “alcoholic beverage” includes any liquid or substance, such as “near beer” which contains alcohol in any proportion or percentage. The term “alcoholic beverage” does not include a substance used for medical purposes in accordance with directions for use provided in a prescription or by the manufacturer and in accordance with school district policy and rules related to the use of prescription and non-prescription drugs, provided the substance is a) authorized by a medical prescription from a licensed physician and kept in the original container, which shall state the student's name and directions for use or b) an over-the-counter medicine.

**ASSESSMENT AND FOLLOW-UP PROGRAM** - A program operated by a certified chemical dependency counselor or any agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency.

**ATHLETIC SEASON** - In-season start dates will begin as published by the Ohio High School Athletic Association or sanctioning organization and continue until the completion of awards program for that sport for the LABRAE LOCAL SCHOOL DISTRICT. There are three athletic seasons: Fall, Winter, Spring.

**CHAIN OF CUSTODY** - The methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to the final disposition for all such materials and providing for accountability at each stage of handling, testing, and storing specimens and reporting test results.

**CONFIRMATION TEST, CONFIRMED TEST, OR CONFIRMED DRUG TEST** - A second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

**DESIGNATED OFFICIAL** – The individual designated by the District to oversee the drug testing program on behalf of the District.

**EXTRA-CURRICULAR ACTIVITY** - Any activity of a competitive nature that does not involve a grade. Parking privileges will also be defined as an extra-curricular activity for purposes of these guidelines.



**FOCUSED SELECTION** - A mechanism for selecting students for drug/alcohol testing in which each student in a particular group shall be selected for testing when selections are made. Examples may include males, females, freshmen, sophomores, juniors, and/or seniors.

**ILLEGAL/ILLCIT DRUGS** - Any substance included in U.S.C. 802 (6), which an individual may not sell, offer to sell, possess, give, exchange, use, distribute, or purchase under State or Federal Law. This definition also includes all prescribed and over-the-counter drugs being used in any way other than for medical purposes in accordance with the directions for use provided for in the prescription or by the manufacturer. We may also test for Nicotine and Steroids.

**MOOD-ALTERING CHEMICALS** - Includes without limitation, narcotics, depressants, stimulants, hallucinogens, counterfeit drugs, marijuana, alcohol, and any common substance such as "white out", glue, gasoline, etc., used for a mood altering effect. Prescription drugs are also included, unless authorized by a medical prescription from a licensed physician and kept in the original container, which states the student's name and directions for proper use.

**PARKING PERMIT** – A permit given to students seeking permission to drive and park their personal vehicle on school property during the school day.

**POSITIVE RESULT** - The presence of alcohol, illegal drugs, or their metabolites.

**RANDOM SELECTION** - A system of selecting students for drug and alcohol testing in which each athlete shall have a fair and equitable chance of being selected each time selections are required.

**SELF-REFERRAL** – The decision by a student to seek assistance or counseling for suspected substance abuse. A self-referral is not to be used as a means of avoiding consequences of a violation of this policy. Policy violations already reported or pending violations with law enforcement cannot be “self-referred.”

**SPECIMEN** - Any urine, saliva, or hair sample provided by a student for testing pursuant to this policy.

**STUDENT ATHLETE**-Any person participating in the LABRAE LOCAL SCHOOL DISTRICT athletic program and/or contests under the control and jurisdiction of the LABRAE LOCAL SCHOOL DISTRICT and/or the Ohio High School Athletic Association (OHSAA). This policy also includes cheerleaders.

**STUDENT DRIVER** – Any student who drives or parks his/her personal vehicle on school property during the school day. All students who drive or park on school property must register their vehicle with the high school office, and have appropriate identification posted in their vehicle.

**TEAM SELECTION** - A mechanism for selecting students for drug/alcohol testing in which each athlete of a particular team shall be selected for testing when selections are made.



**TESTING YEAR** – Twelve (12) month period.

**TESTING METHOD**

A. **Baseline/Team Testing:** At the beginning of each season, all eligible students will submit to urine drug and alcohol testing. This testing will be completed within the first few weeks of the season on a specified date and time. The collection process will take place on school property or at a Board of Education approved testing facility. The Head Coach is responsible for ensuring that all student athletes and their parent/guardian/custodian properly sign the INFORMED CONSENT AGREEMENT prior to testing. Any student moving into the District shall be tested prior to the time he/she joins the team.

B. **Random Testing:** In-session random testing shall be done throughout the season. Each team may have up to 20% of its eligible students tested per random selection. A student may be tested more than once per season. In the event of a positive result, the specimen will be sent to a laboratory for confirmation of results and a certified Medical Review Officer will determine the results.

The Athletic Director, under the Principal's supervision, will use a system to ensure that students are selected in a random fashion. This system may include computer generated random numbers or names or by pulling numbers from a pool of numbers equal to the number of eligible students.

C. **Scheduling of random testing:** Random testing will be unannounced. The day and date will be selected by the Athletic Director and confirmed with the building administrator. Random testing may be done weekly.

D. **Reasonable Suspicion Testing Guidelines:** Reasonable suspicion testing occurs when the District has reason to suspect a student athlete or an extra-curricular participant may be in violation of this policy. A reasonable suspicion test may occur based on:

- I. Observed behavior, such as direct observation of drug, alcohol use, or possession, or physical symptoms of drug or alcohol abuse
- II. A pattern of abnormal conduct or erratic behavior
- III. Arrest or conviction for drug related offense
- IV. Information provided either by a credible source or independently corroborated regarding a student's substance or alcohol use; or
- V. Evidence that the student being tested has tampered with a previous drug or alcohol test.

Any observation used to support reasonable suspicion testing is documented in writing by the Principal/designee and maintained in the student's record.



## **DRUGS FOR WHICH STUDENTS MAY BE TESTED**

LSD, Alcohol, Marijuana, Amphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, Nicotine (Tobacco), Benzodiazepines, Opiates, Cocaine, Propoxyphene (Darvon), or Any substance included in U.S.C. 802 (6), which an individual may not sell, offer to sell, possess, give, exchange, use, distribute, or purchase under State or Federal Law. This definition also includes all prescribed and over-the-counter drugs being used in any way other than for medical purposes in accordance with the directions for use provided for in the prescription or by the manufacturer.

## **CONFIDENTIALITY**

Because the selection and reporting process for the student tested is confidential, the selection, collection, chain-of-custody documentation and reporting of results are accomplished using identification number codes. The Program Administrator or Designated Official establishes a master list of student's names and unique code numbers. The list is maintained in a secure and locked location. The Superintendent, high school principal, Program Administrator and/or Designated Official are the only school personnel with access to the list. These code numbers are used to select the pool to be tested for random testing.

The Program Administrator or Designated Official coordinates the scheduling of students for the collection of urine samples or saliva samples.

The Program Administrator or Designated Official shall be present at the collection site for the purpose of coordinating the identification of the student to be tested and the assignment of the code number master list. From that point on, the code number is utilized for specimen identification and reporting. The collection site master list is used to record prescription and over-the-counter medications that the student has identified as used in the five (5) days prior to the collection.

The collection site master list is then used by the Program Administrator or Designated Official to identify the test student's parents when positive, confirmed results or when inconclusive adulterated or suspect results are reported by identification number by the testing laboratory in accordance with this policy.

## **COLLECTION PROCESS (Urine Screens)**

The student will be notified to report to the collection site. A specimen from the student will be collected as follows and all students must follow this process:

1. All students must have a picture ID or be identified by the Athletic Director or Principal. No exceptions will be allowed.
2. Drug testing area must be secured during the testing.
3. Only lab technicians and students will be witness to the test.
4. Privacy must be kept for all students.



The Athletic Director is responsible for ensuring that all of the forms are completed and signed by both parent/guardian/custodian and student. No student is to enter the collection site until forms, money and proper ID are completed.

When students arrive and cannot give a sample, they will need to start drinking water, pop or juice. After 36 oz. the human body will need to urinate.

No bags, backpacks, purses, cups, containers or drinks will be allowed to enter the collection area. All coats, vests, jackets, sweaters, hats, scarves or baggy clothing must be removed before entering the collection site. Only pants and t-shirts or dresses may be worn in the collection area. Any infringement of the rules will result in the student taking the test over.

Students processed by the lab technician who cannot produce a sample will be kept in a secured area to wait until they can test. If they leave this area they will not be allowed to test. They are not to have contact with anyone until after the sample is given.

Students will be asked to hold out their hands and a sanitizer will be put on their hands or will wash hands with water. The bathroom personnel will add a dye to the toilet.

Students will be asked to urinate directly into the collection cup given to them by the lab personnel. The lab technician will stand outside the stall and listen for normal sounds of urination.

Any and all adulteration of the specimen will be detected and considered the same as a test refusal or 1st time infraction. (The lab checks every sample for adulteration, such as additives you drink or add to urine to change the sample.)

Adulterations: We will treat adulterations and diluted samples as first time offenses. They are not called positives but have the same consequences. A retest will be required within 24 hours.

Any suspicion of tampering with the sample will be brought to the tester's attention. The sample will be sent to the lab for immediate confirmation of tampering.

The sample must be taken in one attempt and be at least 30 ml in size. The student must hand the cup to the lab technician.

Students are not to flush the toilets or urinals. In the event that a student flushes the toilet he or she will be required to give a new sample immediately or the sample will be invalid.

With student watching, the lab technician will recap the sample and hand it to the student who must then return it to the intake technician. In the event that the student does not hand the cup directly to the intake technician, the sample is invalid and a new sample must be taken. If the student leaves the collection area or has contact with anyone, the sample will be invalid and the student will have to give another sample.





This collection procedure is subject to change because of procedural requirements by the testing agency. The School Board reserves the right to change the collection procedure to coincide with the testing guidelines set forth by the testing agency.

When using rapid screens, all non-negative screens will be sent out with a chain of custody to a certified laboratory for confirmation. A Certified Medical Review Officer will verify the positive test.

Any student that tests positive will have to be tested weekly for the term of a 5 week program with drug counseling at the expense of the student and or parent. Testing will be done by a vendor approved by the LaBrae Board of Education.

### **POLICY VIOLATION**

For the purpose of this policy, the following actions constitute a violation:

1. Failure to report to collection site after notification
2. Refusal to submit urine sample for testing
3. Tampering with the sample for testing or attempting to subvert the collection/identification process
4. Confirmed positive result for banned substance
5. Aiding and/or abetting another student in violating this policy
6. Refusal to submit to a re-test when required following an inconclusive, adulterated, or suspect result
7. Failure of the student and/or the student's parent/guardian to sign the testing consent form(s) and return them to the Program Administrator prior to testing

### **DUE PROCESS**

After notification of a positive test result, the Principal shall contact the parent/guardian by telephone and inform the parent/guardian of their right to a meeting with the Principal to explain the student's rights under this policy. Such notification shall also be sent via certified mail.

Consequences for a second or third offense are not based on whether the banned substance detected is the same as that identified in the previous test(s).

Students who in any way aid or abet another athlete violating this policy will be disciplined as if they were the principal offender.

### **COST OF ADDITIONAL TESTING**

Once a student athlete or extra-curricular participant has had a positive test confirmed, any and all additional test or resulted costs are the responsibility of the student and his/her parent/guardian.



## **RESULTS OF A POSITIVE TEST**

Parents will be notified of the results any positive urine drug test results directly from the drug testing company. The drug company will then, contact the district's building administrator.

## **IF A POSITIVE TEST OCCURS**

### **FIRST OFFENSE**

1. A first violation of the code of conduct will result in denial of privileges of athletic participation for a minimum of 20% of the next contests scheduled for the season (current season or, if the violation occurs at a time when the student is not participating in athletics, the next games in the next season in which the student has previously participated in). During the suspensions, the student-athlete will not be present at the team's regularly scheduled competitive contests/and or events, including all post-season tournaments and games. (Post season contests are an extension of the regular season).
2. The student shall be required to have a professional assessment and follow the recommendation of the assessment. Any cost of the program incurred is the responsibility of the athlete.
  - A. The student cannot participate in scheduled contests until the assessment is complete.
  - B. Failure to comply with recommendation of the assessment will result in dismissal from the team.
3. Students may participate in scheduled practice sessions during the denial of participation period at the discretion of the head coach.

### **SECOND OFFENSE**

1. The student-athlete will be denied participation for one calendar year from the infraction/suspension date. The student must participate in and complete a professional education program to correct the abuse problem before reinstatement to any athletic team. When the student-athlete completes the educational program he/she may then return to the team as a practice player only until his/her imposed suspension is complete. Any cost of such program incurred is the responsibility of the parent.

### **THIRD OFFENSE**

The student shall forfeit the remaining eligibility to participate in all LaBrae Schools athletic programs for the remainder of their high school career.

### **NOTES:**

1. **Any participant excluded for the remainder of any sport's season forfeits his/her right to any athletic award and awards' program.**
2. **With any suspension from athletic participation the student-athlete must maintain membership on the team through the last regular season contest or the penalty/suspension will be assessed during the next sport season.**
3. **The High School Principal will conduct an investigation and an informal hearing for the student prior to any disciplinary actions.**

Violations are accumulative throughout the student's secondary school career. (Grades 9-12)



### **SELF-REFERRALS**

Self referrals can only happen before a student is selected to be tested. A student may give a self-referral one time. Counseling and additional testing are required, but no other punitive action will be taken. Any student that tests positive after self-referral may be tested monthly for the remainder of his/her extracurricular involvement.

### **CONSEQUENCES OF POSITIVE RESULTS OR OTHER VIOLATION OF POLICY FOR STUDENTS PARTICIPATING IN NON-ATHLETIC EXTRA-CURRICULAR ACTIVITIES**

If the student is involved in a non-athletic extracurricular activity, the student testing positive for the first time will participate in an assessment and rehabilitation program and all participation will be suspended for two (2) weeks from the date of notification of a positive test. A second violation will result in suspension of participation in the extra-curricular activity for one (1) calendar year and the student must participate in an assessment and rehabilitation program. A third violation will automatically result in permanent exclusion from all extra-curricular activities offered by the District.

Students who elect to secure a parking permit from the high school will be automatically entered into the random testing pool for the school year. Students testing positive for the first time will have his/her parking permit suspended for 1 month of the school year and must participate in an assessment and follow-up program. A second offense will result in the student being banned from parking in the high school parking lot for six months; calendar year. The student must participate in an assessment and follow-up program. A third offense will result in the student being banned from parking at the high school for the remainder of his/her high school career.

In order to be reissued a parking permit after the first offense the student will submit a sample at the next random testing.

Violations are accumulative throughout the student's secondary school career at the high school. No student will be penalized academically for violating this policy.