

REGULATION

Middletown Township

School District

Section: Pupils

5536. STUDENT RANDOM DRUG AND ALCOHOL TESTING

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Procedures for student testing:

A. Consent Form

In order to apply for or participate in on campus parking, the voluntary drug and alcohol testing program, any extracurricular and/or athletic program the student and the student's custodial parent/guardian shall consent in writing to drug and alcohol testing pursuant to the Middletown Township School District Random Alcohol and Drug Testing Policy. Written consent shall be in the form attached to this regulation. Any student who does not sign the consent form and have the form signed by his/her parent/guardian will be dropped from the activity. If the student is under the age of 18, the parent/guardian must sign the form. The consent form is valid for 365 days.

Activity advisors, coaches and administrators will distribute consent forms that must be completed and returned at or before the student attends the next meeting, activity or before a parking space is issued. Athletes will turn in their consent forms a week prior to the start of practice or within a week of the availability of the consent forms. Removal from the pool by means of negating the consent form by parents/guardians, or students over the age of 18, invalidates participation in extracurricular and athletic program activities and on campus parking privileges for 365 days from the date of withdrawal.

B. Testing Procedure

On a periodic basis during the course of the school year, the ID numbers of all students who have submitted their consent forms will be placed in a pool from which the Substance Awareness Coordinator (hereafter SAC) will randomly draw the numbers of a minimum of 10 percent from each high school annually for alcohol and drug testing. The SAC will match the ID number with the names of those students who will be tested and will make a courtesy call to the parents/guardians informing them of the random

selection. If the parents/guardians are not available, a courtesy message will be left, if possible. The SAC will ensure the presence of a consent form which is secured in the nurse's office file prior to any testing. Those students selected for testing shall be immediately notified and tested the same day. Any student who refuses to be tested, deliberately avoids testing, or has a confirmed positive test result, will be in violation of the Middletown Township School District (MTSD) Random Drug and Alcohol Testing Policy.

C. Collection of Testing Samples

The student selected for testing shall complete a specimen control form, which bears an assigned identification number. This identification number shall be the means for identifying the specimens by all laboratory personnel. Only the SAC and school nurse shall know the assigned number for each student selected for testing. If the student selected appears to be under the influence of drugs or alcohol, those behavioral symptoms will be documented by the nurse prior to the collection of the sample.

The student shall submit a urine sample according to the MTSD Random Drug and Alcohol Testing Written Consent Form.

The testing site will have a secure bathroom, which will maximize the privacy of the participant. The screening procedures are to be similar to the mandatory guidelines for Federal Workplace Drug Testing Programs. The nurse will ask the donor to remove any unnecessary outer garments that might conceal items or substances that could be used with or adulterate the donor's urine specimen and leave them outside the testing area. The student will go to the secure bathroom where there is no access to water, other than the toilet bowl which has a blue dye staining the water a blue color. The door to the bathroom will be closed.

Upon exiting the bathroom the student will hand the specimen cup to the nurse. The nurse will inspect the specimen to determine if there is any sign indicating the specimen may not be a valid urine specimen. The nurse has full authority to conduct a temperature check of the urine sample. Any unusual finding shall be noted on the testing request - Specimen ID/Chain of custody form. The school nurse will conduct an on-sight initial test on the specimen. If the initial

test result is non-negative, the parents/guardians of the student will be contacted by the school nurse. If the student appeared to be under the influence of drugs or alcohol, procedures will revert to the MTSD Board of Education Substance Abuse Policy with the exception of the suspension from school and police notification provisions. If there were no observable signs of drug or alcohol use as set forth in the first paragraph of Section C, the SAC will provide appropriate counseling and assess whether the student is able to return to his or her assigned class.

If the result of the initial test is negative, the SAC will make a second call to the parents and leave a message if they are unavailable.

The nurse will transfer a portion of the specimen into a specimen bottle supplied to the school by a federal certified laboratory, viewed by the student. The nurse will cap the bottle and place a tamper-evident seal on the top. The student will place his/her ID number on the tamper - evident label/seal, certifying that the specimen was collected from him/her. The federally approved laboratory will consult with and guide the school nurse in the collection of specimens in accordance with Federal Substance Abuse and Mental Health Services (SAMHSA) standards. Any information transmitted to a federally approved laboratory for testing or processing will not contain any personally identifiable information.

The federally approved laboratory will contact the Medical Review Officer (MRO) in the event of a non-negative result who in turn will contact the school nurse to obtain the telephone number of the parents/guardians to determine if the student was taking medications which could have affected non-negative findings. Once a final determination is made by the MRO, communication of the findings will be made to the school nurse. The nurse will contact the parents if the finding is negative. The SAC will contact the parents if the finding is confirmed positive.

Specimens will be kept by the testing facility for at least ninety (90) calendar days pending a request for retesting of a specimen if an appeal occurs.

Any participant unable to produce an adequate specimen during the collection process will be recalled for testing later that day. If the student is still unable to produce a specimen on the initial day, he/she will

be called to produce the specimen on the next day on which testing is available. In the event that the student can not produce a urine specimen on the next testing day, the school nurse and/or SAC will determine with the input of the parent/guardian whether the student is physically incapable of producing a urine specimen or if the student is refusing through non-compliance. Refusal to produce a urine specimen through non-compliance will be considered a withdrawal of consent which is equivalent to removal from all extracurricular activities, athletics and parking privileges for 365 days

Any attempt by a participant to tamper or interfere with the specimen collection process will be deemed and constitute the specimen as confirmed positive.

D. Confidentiality

The District respects the privacy of its students and shall maintain confidentiality regarding any alcohol and drug testing. The results will only be released to designated district personnel. All records and subsequent actions shall be kept in a file secured in the nurse's office, separate from the student's regular file and be handled in a confidential manner, to be destroyed upon the student's graduation or removal from the rolls. The District personnel will not release records of drug and alcohol tests or any resulting action to anyone other than the student and/or his/her parent/guardian without written authorization from the student and/or his/her parent/guardian.

E. Impact and Appeal

All efforts will be made to minimize the impact of testing on the instructional day and maintain the confidentiality and privacy rights of participants.

A participant or his/her parent (s) or guardians(s) may request a retest of his/her specimen at his/her own expense at a laboratory approved by the MTSD and which follows federal Substance Abuse and Mental Health Services Administration standards concerning drug testing protocols and procedures. Requests must be made within twenty-four (24) hours of receiving the results of the participant's drug test. Specimen previously submitted will be forwarded to the federally approved laboratory in cooperation with the District approved laboratory responsible for confirmatory testing.

If use of drugs or alcohol is confirmed:

1. FIRST CONFIRMED POSITIVE FINDING

The SAC shall contact the parents and shall recommend that a medical examination be conducted. The student shall have a minimum of 2 sessions with the SAC, one of which must occur during the first week following the confirmed positive test results.

The need for further intervention will be determined by the SAC with the student, parent and any other health professionals deemed necessary to determine treatment. The student may be required to attend prevention/education programs or sign into and complete a drug/alcohol out-patient rehabilitation program and continue an aftercare program with the high school SAC. Attendance in the rehabilitation program must begin within one week of parent notification of a confirmed positive test result. An information release form must be available to the SAC. The parent(s) is/are responsible for the cost of the rehabilitation program.

The student will lose the privilege of an athletic or co-curricular activity for 30 calendar days and from parking for 30 calendar days. At least one week before the conclusion of the removal period, the student will be retested following the same procedures as outlined above and upon submission of a drug and alcohol specimen below specified levels, as confirmed by the laboratory in a timely manner, may be reinstated in athletics, co-curricular activities or parking privileges. In no case shall the student be re-instated prior to the 30-day removal period.

2. SECOND CONFIRMED POSITIVE FINDING

The SAC will contact the parents and recommend that a medical examination be conducted. The student must participate in a minimum of 10 counseling sessions with the SAC.

The need for further intervention will be determined by the SAC with the student, parent and any other health professionals deemed necessary to determine treatment. The student may

be required to attend prevention/education programs or sign into and complete a drug/alcohol out-patient rehabilitation program and continue an aftercare program with the high school SAC. Attendance in the rehabilitation program must begin within one week of parent notification of a confirmed positive test result. An information release form must be available to the SAC. The parent(s) is/are responsible for the cost of the rehabilitation program.

The student will lose the privilege of participating in athletics and co-curricular activities for an additional 30-calendar day period. The student will lose the privilege of parking on campus for an additional 335 calendar days, resulting in a loss of privilege for a total of 365 days.

The student must submit to an additional testing a week prior to the conclusion of the removal period. All conditions and requirements set forth for these procedures as previously stated will remain in effect. Upon submission of a drug and alcohol specimen below specified levels and the receipt of a confirmatory report in a timely manner from the laboratory, the student will be reinstated in athletics, co-curricular activities or parking privileges.

F. Consistency of administrative practice

Any student identified through the "Substance Abuse Policy and Procedures" will have sanctions as stated above for students identified through the Random Alcohol and Drug Testing procedures, with the exception of the suspension and police notification requirements for the Substance Abuse Policy.

(Attached: Student Random Drug & Alcohol Forms)