

## POLICY 5530.02

### RANDOM TESTING & EDUCATION FOR ALCOHOL, TOBACCO, AND OTHER DRUGS STATEMENT OF NEED AND PURPOSE

#### PURPOSES OF THE PROGRAM

A. All MSD of Martinsville students in grades 9-12 may participate in the random drug, tobacco and alcohol testing program. Specifically, students who park vehicles at school or drive on school property, those who plan to be involved in any co-curricular activities, as defined in the student handbook, and those involved in clubs or other student groups recognized by the school administration are required to participate in the random drug testing program in order to be eligible to participate in these activities.

B. A student drives to school or who is a member of a Martinsville co-curricular group or team, in any capacity must be willing to assume the responsibilities that go along with being a member of a team or group. Co-curricular students are highly visible to a large segment of the school and the community. Thus, to participate in co-curricular groups or teams as representatives of the school, students should be held to high standards of conduct. It is with this reasoning in mind that Martinsville High School will adhere to the policies outlined below. Co-curricular students are role models and therefore are expected to be positive examples in school citizenship, scholastic effort, leadership, and personal appearance.

Participation in co-curricular activities requires a student to commit time and effort to excel, to learn cooperation and team effort, and to exemplify good behavior both at school and away from school.

C. It is a privilege for students who meet both the scholastic and physical conditions of eligibility to participate in any of these activities. All of these activities require that students be at their best and chemical-free in order to provide a safe environment for themselves and other students who potentially could be affected.

D. MSD of Martinsville administrators have designed this program to promote education, safety, and prevention, in addition to:

1. Direct students away from substance abuse,
2. Protect students who park their vehicles at school or drive on school property, and those who participate in any co-curricular activities,
3. Educate participants and parents about the serious physical, mental, and emotional

harm caused by substance abuse,

4. Assist participants, who might be tempted to use illegal substances,

5. Prevent injury, illness, and harm as a result of substance abuse,

6. Maintain co-curricular program environment free of drug, tobacco,  
alcohol, and intoxicants,

7. Expose and educate participants about a procedure frequently and increasingly used in  
society.

E. Serious attention is being given to substance-abuse problems in private business and industry, government, school, and colleges throughout the country. Results of studies throughout the United States reveal an increasing substance-abuse problem, and indicate that more than education alone is necessary to encourage students to choose a lifestyle free of substance abuse. This policy is consistent with MSD of Martinsville rules and regulations concerning the use and abuse of drugs, alcohol, and intoxicants. The MSD of Martinsville has a strong commitment to the health, safety, and welfare of its students.

## INTRODUCTION

The effective date of the random drug testing policy will begin with the 2015-16 school year. This program does not affect the current policies, practices, or rights of MSD of Martinsville with drug and/or alcohol possession or use, where reasonable suspicion is obtained by means other than drug testing through this policy. MSD of Martinsville reserves the right to test any student who at any time exhibits cause for reasonable suspicion of drug and/or alcohol usage which additionally will result in no refund of fees.

## CONSENT

Each student who participates in co-curricular activities or drives to or from school designate, by signing off on receipt of the student handbook, that they are aware they are bound by this policy that is located in our student handbook. Failure to comply will result in non-participation from co-curricular activities and/or denial of a student driving permit to school and furthermore counts as an offense toward the co-curricular policy.

At the beginning of each selection date, school year, sport season, or when a student moves into the district and/or joins a co-curricular activity, all students wishing to participate in that school year's activities will be subject to random testing for illicit or banned substances. Any student who refuses to submit to random drug testing will not be allowed to practice or participate in designated MSD of Martinsville activities or drive to and from school activities for 365 days from the date of the refusal.

Students who do not participate in co-curricular activities or drive to school can still be voluntarily enrolled in the random drug testing group by their legal guardian. These students and parents shall be provided with a consent form, a copy of which is attached hereto, which shall be dated and signed by the participant and by the parent/guardian. In so doing, the student is agreeing to participate in the random drug testing program at Martinsville High School.

Students who participate in this program voluntarily agree to be subject to its terms for their entire school career. Students who wish to be removed from the random drug testing pool can complete the appropriate form, also signed by the parent or legal guardian, to be removed. A student removed from the random drug testing pool will not be permitted to participate in any co-curricular activity, or drive on any school campus for 365 days from the date the removal form is submitted in its entirety. The form is to be submitted to the principal's office. A participant in the random drug testing pool can only be removed from the pool one (1) time during their high school career and will be automatically reinstated following their absence from the pool.

#### NON-PUNITIVE NATURE OF POLICY

No student, who is randomly drug tested, will be penalized academically for testing positive for illegal drugs or banned substances under this policy. The results of drug tests pursuant to this policy will not be placed in a student's permanent record. Information regarding the results of drug tests may be disclosed to legal authorities based upon their request.

#### COLLECTION OF SPECIMEN, CHAIN OF CUSTODY

The principal/designee will establish guidelines to set up the collection environment, guarantee the validity of samples, and supervise the chain of custody.

#### TESTING PROCEDURES

1. Names will be drawn from one large pool of those designated to be tested. Testing may occur on a different day, Monday through Friday. This variable schedule will keep students conscious of the possibility of being tested at any time during the year. The principal/designee will use an independent laboratory/agency 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.
2. No student will be given advance notice or early warning of the testing. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences. The collection of samples will be done in a non-offensive manner, which ensures the integrity of the sample.
3. Upon being selected for a drug screen under this policy, a student will be required to provide a fresh sample according to the quality control standards and policy of the laboratory conducting the analysis.

4. All students will remain under school supervision until they have produced an adequate sample. If the student is unable to produce a sample by the end of the school day, the student will be suspended from activities included in this policy.

5. All samples will meet the requirements set forth by the testing company. If the sample does not meet the required specifications the student will be required to produce another sample. If it is determined, by reasonable suspicion, that tampering or cheating has occurred during the collection, any students involved will become ineligible for all activities included in this policy for 365 days. This will be reported to the parent/guardian. Any attempt or effort by any student to alter a sample that has been submitted for drug testing, or that is being submitted for drug testing, will be considered a severe disruption. This includes possession of chemicals identified as agents known to invalidate such tests. The student who produces the sample and/or the person(s) who attempted to alter the sample will be subject to suspension and/or a recommendation for expulsion.

6. Immediately after the sample is taken, the student may return to class with an admittance slip or pass with the time he/she left the collection site. The principal/designee must time and sign the pass.

7. The specimens will then be turned over to the testing laboratory, and each specimen will be tested for alcohol, nicotine, and street drugs (which may include all drugs listed as controlled substances under the laws of the state of Indiana). Also performance enhancing drugs such as steroids may be tested. If the test is determined invalid, after leaving the student's possession, the student will be tested again as soon as possible and will also remain eligible until further testing is completed.

#### REFUSING TO TAKE A DRUG SCREEN

If a student is randomly selected and refuses to take a drug screen, he/she will be ineligible for all co-curricular activities and/or a parking permit for 365 days. The refusal of test also counts as an offense towards the co-curricular policy.

#### TEST RESULTS

1. This program seeks to provide needed help for students who have a verified positive test. The student's health, welfare, and safety will be the reason for preventing students from participation in co-curricular activities and restrict him/her from driving to or from school.

2. The principal/designee will be notified of a student testing positive (that is, if the test shows that drug residues are in the student's system a confirmation test will be utilized to verify a positive test). The principal/designee will notify the student and his/her parent/guardian. The student or his/her parent/guardian may submit any documented prescription, explanation, or

information which will be considered in determining whether a positive test has been satisfactorily explained.

3. If the test is verified positive, the principal/designee will contact the student and his/her parent/guardian. The student and parent/guardian will be given the names of counseling and assistance agencies that the family may want to contact for help. The student will also complete an in-house drug education program.

A student involved in co-curricular activities who tests positive will be subject to the disciplinary consequences outlined in the Student Handbook. A student driver who tests positive will be subject to the disciplinary consequences outlined in the Student Handbook.

Students who are only drivers will not have their driving privileges suspended if testing positive for tobacco if they are of legal age to consume tobacco products. However the student will still be suspended from all other extra-curricular activities.

MSD of Martinsville reserves the right to continue testing at any time during the remaining school year any participating student who tested positive.

4. Drug testing results sheets will be returned to the principal/designee. Result sheets will be secured in a location determined by the principal/designee.

#### STATISTICAL REPORTING AND CONFIDENTIALITY OF DRUG TEST RESULTS

The testing laboratory 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 MSD of Martinsville Board of School Trustees. However, the lab will provide the building principal with a report showing the number of tests performed, the rate of positive and negative tests, and what substances were found in the positive random specimens.

Under this drug testing program, any staff coach or sponsor of MSD of Martinsville who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved, other than in the case as required by legal authorities. Once again, this will underscore MSD of Martinsville commitment to confidentiality with regards to this program.

#### FINANCIAL RESPONSIBILITY

1. Under this policy, MSD of Martinsville will pay for all initial random drug tests and all initial reasonable suspicion drug tests.

2. A mandatory drug test for a student who initially indicated they would not participate in any co-curricular activity for the remainder of the school year is the financial responsibility of the student or his/her parent/guardian.

3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student or his/her parent/guardian.
4. The parent/guardian will be responsible for the cost of any drug test given as the result of a parent/guardian request that a student be tested outside of the random testing pool.

#### OTHER RULES

Apart from this drug testing program, MSD of Martinsville coaching staff/sponsor of each sport/activity may have their own rules and requirements. Coaches/sponsors have the necessary authority to enforce those rules but it must be communicated near the beginning of the school year/season. Any student who violates a rule or requirement as a member of a team or activity will be subject to the consequences as defined in those rules and requirements.