

River Valley Local Schools – Drug Testing Policy for Grades 9-12, Including Students with Driving Privileges And Participants in Athletic/Extracurricular Activities

1. Purpose of Policy

Participation by students in athletics and non-athletic extracurricular activities offered by River Valley Schools is a privilege, not a right. Likewise, permission for students to drive to school is a privilege, not a right. **High school students** who choose to partake in these privileges will be expected to refrain from using alcohol, tobacco, and illicit substances and will be subject to random drug and alcohol testing as set forth in this policy.

The River Valley Local School District Board of Education is concerned that high school students of the District are or may be using alcohol and illicit substances. Such usage threatens the health and safety of the student using the alcohol or illicit substances, other students, and the community at large. The Policy institutes a program of deterrence for high school athletes, extracurricular participants, and students given privileges to drive to school, reflecting the Board of Education and community's strong commitment to establishing a drug-free and alcohol-free school program.

- The purpose of this program is fourfold
- Provide for the safety of all students.
- Undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use alcohol, tobacco or other illicit substances.
- Encourage students who use alcohol and/or illicit substances to participate in an appropriate treatment program.
- Prevent the impact drug and alcohol use has on the learning centers of the brain, allowing students to work towards their full academic potential while enrolled in River Valley Local Schools.

2. Applicability of Policy

This testing policy applies to all high school students who choose to obtain privileges to drive to school and/or participate in any extracurricular activities during the school year at River Valley Local Schools. Consequences for violation of the policy will be cumulative during grades 9-12.

3. Relevant Definitions:

Participant: Any student participating in a River Valley School District athletic program or extracurricular activity and any student choosing to obtain privileges to drive to school. This includes student cheerleaders as well as students participating on club teams.

Extracurricular: Any optional pupil activity program operated by River Valley School that includes performances or competitions and does not involve a grade.

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 each sport's final state tournament contest. There are three athletic seasons: Fall, winter, spring.

Non-Athletic Extracurricular "Seasons": An extracurricular "season" begins with the first tryout session (or mandatory activity, if no tryout session) of that program for a given school year and ends on the date announced by the program's adviser or the building principal for a given school year.

Illicit Substance: Any controlled substance or other drug as referenced and included within the scope of Title 21, United States Code Sections 802 and 812, the possession, use, distribution or purchase of which is prohibited by federal and/or state 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. Anabolic steroids, “medical” marijuana, and CBD products that are prohibited under state and/or federal law are included in the prohibition regarding illicit 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.

Tobacco: Any product made or derived from tobacco or containing any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means including but not limited to: any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, alternative nicotine products, electronic smoking devices, vapor products, any other smoking product, and spit tobacco, also known as smokeless, dip, chew and snuff, vape pods or devices, in any form, including look-alike products.

Vendor: The medical office or company selected by the Board of Education to carry out this Drug Testing Program, including its agents, employees, and any other individuals or entities who assist the Vendor in processing samples and performing urinalysis.

Designated Official: The individual designated by the District to oversee the Drug Testing Program.

4. Substances for Which Participants May Be Tested

LSD, alcohol, tobacco & vaping-related substances, Marijuana, Cannabinoids, Amphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, 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 purpose in accordance with the directions for use provided for in the prescription or by the manufacturer.

5. Procedures For Participants

a. Informed Consent for Testing

At the beginning of each year/season or when a student moves into the District, Participants and parents/guardians/custodians will complete and sign the appropriate **River Valley Local Schools Informed Consent Agreement for Student Athletes/Extracurricular Participants and Students With Driving Privileges.**

No student may participate in any athletic/extracurricular activity and/or receive driving privileges until these forms are properly executed and on file with the School. The Head Coaches, Advisors and Administrators are responsible for distributing the Informed Consent Agreement to participants and parents/guardians/custodians and checking to see that that all participating students and their parents/guardian/custodian properly sign the Informed Consent Agreement prior to the time the participant joins the extracurricular activity, club, organization or begins to drive to/park at school.

b. Urine Drug Testing Frequency

- i. At the beginning of each year/season or when a student moves into the District, all students wishing to participate in athletic/extracurricular activities or drive to school will be subject to urine testing for alcohol and illicit substances at the expense of the participant, which will be completed on a specified date and time coordinated between the District and the Vendor. The collection process will take place on school property or at a Board of Education approved testing facility.
- ii. Random testing of students who participate in athletic/extracurricular activities shall be conducted during the defined season for the activity. Random testing of students with driving privileges shall be conducted throughout the school year, as long as the participant continues to wish to exercise the privilege. The District will collaborate with a board-approved vendor to use a system that ensures participants are selected in a random fashion from a pool of those who are subject to random testing. Each team, club or organization may have up to 20% of its participants tested per random selection. Students join the testing pool for an athletic season by participating in the first tryout session/practice on or after the OHSAA start date. Students join the testing pool for a non-athletic extracurricular activity's "season" by participating in the first tryout session/mandatory activity of that program for a given school year. Participants may be tested more than once per season and/or year. Random testing will be unannounced, and the date(s) will be selected by the district and/or vendor and shall not follow any recognizable pattern. A participant refusal to submit to urine drug testing will be considered a positive test result.
- iii. Participants who leave an athletic team for any reason during a season remain in the random drug testing pool until the end of that sport's varsity season (final OHSAA tournament contest).

c. Collection Process

Participants who are selected for random testing must have a picture ID or be identified by the Athletic Director or Principal. No exceptions will be allowed.

The Athletic Director will be responsible for ensuring that all of the testing forms are completed and signed by both parent/guardian/custodian and student prior to testing. No student is to enter the collection site until forms, money and proper ID (or identification by AD or Principal) are presented.

Any Participant 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, or during a makeup time which is also unannounced. Participants who cannot produce a specimen 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. Participants who still are not able to provide an adequate urine specimen at the testing time will be unable to participate or drive to school 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. There may be an additional fee associated with the use of an off-site collection point.

The testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of the Participant. The test specimen shall be obtained in a manner designed

to minimize the intrusiveness of the procedure. In particular, the specimen must be collected in a restroom or other facility behind a closed stall or other divider. The lab technician will stand near the restroom or stall and monitor the tests. Participants are required to follow the directives of the Vendor or the test may be invalidated and/or treated as Adulterated. Specimens are collected as split specimens. No purses, backpacks, bags, cups, drinks, or containers may be taken into the collection area with the Participant. All coats, vests, jackets, sweaters, hats, scarves, baggy clothing, etc. must be removed before the students enter the collection area. Only shoes, 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.

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.

If the Participant tests positive for one or more illicit substances that are not otherwise illegal, such as prescription medication, the parent/guardian/custodian may be contacted for appropriate documentation to demonstrate that the illicit substance was prescribed for the student or was used according to the over-the-counter drug manufacturer's instructions. If requested, such documentation shall be provided within five (5) working days. Failure to provide requested documentation within the timeline will be considered a positive result.

The following actions of the Participant will be treated as a positive test result:

- Failure to report to the collection site after notification, unless excused by the Building Principal or Designated Official
- Refusal to submit a urine sample when required under the Policy
- Refusal to follow the directives of employees at the testing site with regard to the testing procedures
- Tampering with the sample for testing or attempting to subvert the collection/identification process
- Adulterated samples
- Confirmed positive test results for alcohol or illicit substance
- Aiding and/or abetting another Participant in violating this Policy
- Refusal to submit to a re-test when required following an inconclusive, adulterated, or suspect result

6. Procedures In The Event Of A Positive Result

All drug test results are considered confidential information and will be handled accordingly. Positive drug test results will be reported to a Building Administrator, who will be responsible for notifying the parent/guardian/custodian, Participant, and Designated Official. 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.

The Vendor's Medical Review Officer may, in his or her discretion, use quantitative results to determine if positive results on repeat testing indicate recent use of alcohol or illicit substances or the natural decline of levels of the alcohol or illicit substances from the body that would suggest usage prior to the student's participation in the Drug Testing Program under this Policy. If the Medical Review Officer believes, in his or her discretion, that the quantitative levels determined to be above the established cutoffs do not reflect current use, then a negative result may be reported.

7. Consequences for a Positive Test

First Violation

- An athlete or extracurricular participant will be suspended for the equivalent of 40% of the contests and/or performances of a multi performance extracurricular activity or season.

- The participant will not be permitted to try out or be involved in any single performance activities for a period of 45 school days.
- A participant who had driving privileges will not be permitted to drive/park a car on school property during the normal school day for a period of 20 school days. Students without a parking permit will not be issued a permit during this time period.
- A participant in multiple activities, i.e., athletics and driving, will have privileges suspended or limited as set forth above in each activity in which he/she participates.
- The participant will be included in the next three random drug tests. **The participant, parents, guardian, or custodian will be responsible for the costs associated with these tests.**
- The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. **The parent/guardian/custodian is responsible for all expenses and for providing the school with documentation that the student completed all recommendations of the counselor.**
- Failure to comply will result in indefinite loss of privilege to participate in/suspension from activities and/or driving privileges until compliance is achieved.

Second Violation

- An athlete or extracurricular participant will be suspended for the equivalent of 100% of the contests and/or performances of a multi performance extra curricular activity or season.
- The participant will not be permitted to try out or be involved in any single performance activity for a period of 45 school days.
- A participant who had driving privileges will not be permitted to drive/park a car on school property during the normal school day for a period of 50 school days. Students without a parking permit will not be issued a permit during this time period.
- A participant in multiple activities, i.e., athletics and driving, will have privileges suspended or limited as set forth above in each activity in which he/she participates.
- The participant will be included in the next three random drug tests. **The participant, parents, guardian, or custodian will be responsible for the costs associated with these tests.**
- The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. **The parent/guardian/custodian is responsible for all expenses and for providing the school with documentation that the student completed all recommendations of the counselor.**
- Failure to comply will result in indefinite suspension from activities and/or driving privileges until compliance is achieved.

Third Violation

- An athlete or extracurricular participant will be suspended for a calendar year from participation in contests and/or performances of a multi performance extra curricular activity or season.
- The participant will not be permitted to try out or be involved in any single performance activity for a calendar year.
- A participant who had driving privileges will not be permitted to drive/park a car on school property during the normal school day for a period of 180 school days. Students without a parking permit will not be issued a permit during this time period.

- A participant in multiple activities, i.e., athletics and driving, will have privileges suspended or limited as set forth above in each activity in which he/she participates.
- The participant will be included in the next six random drug tests. **The participant, parents, guardian, or custodian will be responsible for the costs associated with these tests.**
- The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. **The parent/guardian/custodian is responsible for all expenses and for providing the school with documentation that the student completed all recommendations of the counselor.**
- Failure to comply will result in indefinite suspension from activities and/or driving privileges until compliance is achieved.

Fourth Violation

- The participant will be permanently suspended from participation in all extracurricular activities.
- The participant will permanently lose privileges to drive/park at school during the normal school day.

8 Self-Referrals

Participants who have never previously had a positive result may self-refer for assistance one time, and only if they have not had a previous violation of this policy. However, such a referral must be made prior to the announcement/notification to the participant of a positive test. A self-referral participant will comply with the consequences of a first-violation within this policy, except that the suspension from activity and/or driving privileges will be reduced to the equivalent of 10% of the contests and/or performances of a multi-performance extracurricular activity or season and there will be no forfeiture of tryouts and driving privileges. The participant will still be entered into the next three random tests, and must complete the counseling requirements for a first violation.

If there is a violation following self-referral, it will be treated as a second positive result. A Participant may only self-refer one time while a student at River Valley Local Schools.

9. Non-Punitive Nature Of Policy

No participant will be penalized academically for testing positive for alcohol or illicit 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 River Valley Local 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 as permitted by law.

10. Assessment of River Valley's Drug Testing Program

This program will be evaluated at the end of each year to determine whether changes need to be made.