

Purpose Statement:

The Board recognizes that participation in school athletic, extracurricular activities and driving to school is an integral part of the entire educational experience. To that end, the Board has adopted a mandatory drug testing policy for high school students participating in athletics, extracurricular/co-curricular activities and, and/or drive to school and park on school property.

The purpose of the drug testing program is as follows:

1. Provide for the health, safety and general well-being of students;
2. Encourage students to remain drug free and provide a legitimate reason for students to refuse drugs;
3. Encourage students who use drugs to participate in drug treatment programs.

The drug testing program does not affect the current policies, practices or rights of the District regarding student drug possession or use where reasonable suspicion is established by means other than drug testing through this policy. The drug testing policy is non-disciplinary; thus, no student shall be suspended or expelled from school as a result of any certified "positive" test conducted by his/her school under this program.

Additionally, no student will be penalized academically for testing positive for banned substances. The results of a drug test will not be documented in any student's academic record. 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 Jackson-Milton Local Board of Education will not solicit. All students and parents/guardians/custodians must sign an "Informed Consent Agreement" for drug testing in order to be eligible to participate in athletics, extracurricular/co-curricular activities, and/or drive to school and park on school property. Any refusal to consent to the program results in ineligibility to participate in athletics, extracurricular/co-curricular activities, and/or drive to school and park on school property. The following terms, conditions, expectations and consequences are in full effect beginning the 2019-2020 school year.

The principal/designee will make all final decisions regarding any drug testing issues within his/her building.

* Note: For the purpose of this policy, the word "drug" is defined as any illegal/illicit drug and/or alcohol.

1. DEFINITIONS

- A. **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, including purposely over-hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.
- B. **ATHLETICS**
Any student participating in a Jackson-Milton Local Schools athletic program which includes, but is not limited to: Baseball, Basketball, Cheerleading, Cross Country, Football, Golf, Soccer, Track & Field, Softball, Volleyball and Wrestling.
- C. **EXTRACURRICULAR/CO-CURRICULAR ACTIVITIES**
Any student participating in a Jackson-Milton Schools extracurricular activity, which includes, but is not limited to: Class Officers , Drama Club, Key Club, , Pep Band, National Honor Society, Quiz Bowl, SADD (Students Against Destructive Decisions), Spanish Club, Speech & Debate Team, and Student Council.
- D. **STUDENT DRIVER**
Any Student who drives to school and parks on Jackson-Milton school property is subject to testing.
- E. **RANDOM SELECTION**
A system of selecting students for drug and alcohol testing in which each student shall have a fair and equitable chance of being selected each time selections are required.
- F. **ILLEGAL/ILLCIT DRUGS**
Any substance included in 21 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 steroids, 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.

G. ALCOHOL

Alcoholic beverages means intoxicating liquor, alcohol, wine, beer, mixed beverages, malt liquor and malt beverages as defined in Ohio Revised Code § 4301.01 The term “alcoholic beverages” also means any liquid substance (such as “near beer”) which contains alcohol in any proportion or percentage.

H. DRUG ASSESSMENT AND COUNSELING

A program designed to assess the degree of dependence of a student on mood-altering chemicals or other illegal substances. Such a program shall include an education component designed to teach the harmful nature of the mood-altering chemicals and any follow-up counseling and/or treatment deemed necessary by the assessing agency. The costs of any such chemical assessment, educational component, counseling and/or treatment shall

2. TYPES OF TESTING

A. RANDOM TESTING

At the beginning of each season and/or school year, all student-athletes, students participating in extracurricular/co-curricular activities and student drivers parking on school property will be eligible for the random urine drug testing. The collection process will take place on school property or at the Board of Education approved testing facility. The head coach or advisor/instructor for each extracurricular/co-curricular activity and principal/designee are responsible for ensuring that all student athletes, students participating in extracurricular/co-curricular activities, student drivers parking on school property and their parents/guardians/custodians properly sign the “Informed Consent Agreement” for drug testing. Random testing may be done throughout the season (including summer months) and/or school year. In the event of a non-negative result, the specimen will be sent to a laboratory and a certified Medical Review Officer will verify the results.

1. Random selection of students: The drug testing company will utilize a random number generator to select students for testing. Students may be tested more than once per season and/or school year.
2. Scheduling random testing: Random testing will be unannounced. The drug testing date and times will be selected by the principal/designee. The frequency and percentage of students tested each time will be determined by the principal/designee.

B. GROUP TESTING At the beginning of a season and/or school year, all eligible students in a particular group (groups include athletics, extracurricular/co-curricular and drivers) may be required to take a drug test. The collection process will take place on school property or at the Board offices of the Jackson-Milton Local Schools or at a Board of Education approved testing facility. The head coach or advisor/instructor for each extracurricular/co-curricular activity and principal/designee are responsible for ensuring that all student athletes, students participating in extracurricular/co-curricular activities, student drivers parking on school property, and their parents/guardians/custodians properly sign the “Informed Consent Agreement” for drug testing. In the event of a non-negative result, the specimen will be sent to a laboratory and a certified Medical Review Officer will verify the results.

C. REASONABLE SUSPICION TESTING

School officials will have the right to have a student tested for use of drugs when there is “reasonable suspicion”. This applies to all student athletes, all students participating in extracurricular/co-curricular activities and all students driving to school and parking on school property in grades 9-12.

D. “OPT IN” STUDENT DRUG TESTING PROGRAM

Parents/Guardians/Custodians that have students not involved in athletics, extracurricular/co-curricular activities and/or parking privileges may have their students participate in the drug testing program at the expense of the District. Interested parents/guardians/custodians should contact the principal/designee for additional information.

3. DRUGS FOR WHICH STUDENTS MAY BE TESTED:

Amphetamines (speed, uppers)	Phencyclidine (PCP, “angel dust”)	Cocaine (including crack cocaine)
Marijuana	Opiates	MDMA
Heroin	Barbiturates	Benzodiazepines
Methadone	Propoxyphene	Oxycodone
Hydrocodone	Hydromorphone	Nicotine

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.

4. REFUSAL TO TEST

Refusal to submit to a random or reasonable suspicion test will constitute a violation of the drug testing policy and will be treated as a positive test result.

5. COLLECTION PROCESS

A. Collection Site For Urine Testing

The primary method of testing will be through the use of urine samples. Collection sites will be chosen based on adequate bathroom facilities and the ability to limit access to all persons except authorized monitors and students being testing during collection times. Facilities for female students being tested should have private stalls with closures. All testing areas will be secured during testing.

There should also be sufficient room to hold waiting students who must remain supervised at the collection site until collection is complete. Upon initially entering the collection site, the student being tested must remain until collection is complete.

B. Collection Procedures

1. Upon reporting to the collection site, the student being tested will remove all outer garments (coats, jackets, hats, scarves, sweaters, etc.), select a sealed sterile container, verify the assigned identification number by signing the collection site master list and disclose in writing all medications, both prescription and non-prescription taken in the past five (5) days. That information will be placed in a sealed envelope, which will be provided to the monitor. District employees shall not view lists of authorized medications. The envelope will be opened only in the event of a positive test result. In the event of a positive test for a prescription drug, the parent and student will be afforded twenty-four (24) hours to provide either a current copy of the prescription, or the label from a current prescription container identifying that the said prescription drug has indeed been prescribed for the participant and in what dosage.
2. One student shall enter a secure bathroom facility accompanied by a monitor of the same sex, wash his/her hands, empty pockets of pants, and proceed to the urinal or toilet stall and open the sealed specimen container.
 - a. Each male student produces a sample at a urinal. The student remains fully clothed with his back to the monitor. The monitor stands 6-10 feet behind the student and listens for normal sounds of urination.
 - b. Each female student produces a sample in an enclosed stall. The monitor stands outside the stall where she can hear but not observe the student and listens for normal sounds of urination.
3. If unable to provide a sample, the student being tested must take the empty specimen container to the monitor pending a later attempt. The monitor maintains control of the specimen container until given to the student for the next attempt. The student being tested must remain in the secured area until able to produce a specimen or until excused by the testing vendor representative or Principal. If the student leaves this area, it will be treated as a positive result and the student will be unable to participate in athletics or extracurricular activities until the student is able to submit a test with a negative result or until the next testing cycle. Students will be given a reasonable amount of time to produce a sample.
4. Students who are absent when scheduled or are otherwise unable to provide an acceptable sample when scheduled are not eligible to participate in athletics, extracurricular activities or park at school until a retest can be scheduled or an acceptable sample can be obtained. The parent or guardian must ensure that the student test is scheduled and the student is tested at the testing facility within 48 hours of being notified.
5. If a partial but insufficient sample is collected, the original container is held by the monitor who checks the temperature of the sample. The student being tested must remain in the secured holding area until able to produce an additional specimen in a second container. The monitor tests the temperature of the second sample. If the temperature of both samples is within the established testing parameters, the samples may be combined in the presence of the student being tested.
6. Because temperature of a freshly voided sample may be used as criteria for suspected tampering and dilution, it is imperative that the student being tested delivers the sample to the

central processing area within four (4) minutes of collection. If delayed for any reason, the student must verify the temperature on the indicator strip on the container with the monitor. If upon initial testing the urine temperature is outside the testing parameters, the sample is deemed invalid and the student being tested is required to provide another sample. If no sample can be provided that day, the student is not eligible for participation in athletics or park at school until a rescheduled test is completed by the student.

7. The labeled samples will be maintained under strict security by the collection monitors to maintain proper chain-of-custody and safeguard the rights of the student. Any and all adulterations of the specimen will be detected and considered the same as a test refusal or first time infraction. (The lab checks every sample for adulteration, such as additives drunk or added to urine to change the sample.)
8. Adulterations and diluted samples are treated as first time offenses. They are not called positive, but have the same consequences. A retest will be required within 24 hours.
9. Any suspicion of tampering with the sample will be brought to the tester's attention. The sample will be screened or sent to the lab for immediate confirmation of tampering.
10. This collection procedure is subject to change because of procedural requirements by the testing agency. The 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 form to a certified laboratory for confirmation.
11. Testing will be done by On Demand Drug Testing and Work Solutions, only so long as this is the company the District selects.

C. Notification Chain For Inconclusive, Adulterated Or Suspect Result

Any and all adulterations of the specimen will be detected and considered the same as a test refusal or first time infraction. Adulterations are treated as first time offenses. They are not called positive, but have the same consequences. A retest will be required within twenty-four (24) hours.

Anyone who suspects tampering with the sample shall notify the Principal or designated school official. The sample will be screened or sent to the lab for immediate confirmation of tampering.

When the Principal or designated school official receives notice of a result that is inconclusive, adulterated, or suspect, the Principal or designated school official will contact the parent/guardian of the student within twenty-four (24) hours of notification that a re-test is required. The Principal and testing vendor will collaborate regarding a re-test and the Principal will contact the student to schedule the re-test.

6. PROCEDURES IN THE EVENT OF A POSITIVE TEST

- A. The Medical Review Officer will review all "non-negatives" or suspected adulterations.
- B. Depending upon the substances found in the urine specimen, the parent/guardian/ custodian will be contacted to determine if the student is taking any prescribed medication from a physician.

C. If the student is taking medication, the parent/guardian/custodian will be asked to obtain a letter within five (5) school days from the prescribing physician verifying the medication. Failure to provide such requested information will be considered a positive result.

D. The Medical Review Officer will then determine if any of the prescribed medications resulted in a positive drug screen.

E. The Medical Review Officer may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of illicit or banned substances from the body. If the Medical Review Officer believes the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

F. Finally, the Medical Review Officer, based upon the information given, will certify the drug test results as positive or negative. Positive results will be reported to the principal/designee by telephone.

G. The principal/designee, within one (1) school day of receiving the test results from the drug testing company, will attempt to notify the parent/guardian/custodian (first and preferably by telephone) of the positive results. Once the parent/guardian/custodian is notified, the student will then be informed of the positive results. The principal/designee will then provide a written notification to the parent/guardian/custodian via U.S. mail.

H. If the parent/guardian/custodian or student wishes to contest the results, the drug testing company will arrange for a retest of the specimen to be submitted to either the same laboratory or a different laboratory (if requested by the parent/guardian/custodian) approved by the principal/designee. The parent/guardian/custodian or student must pay for this expense. Such a request must be made to the principal/designee in writing within five (5) school days from the first notification of the positive test results.

Note: Consequences for violations of the Drug Testing Policy are immediate, unless specified otherwise in this policy, and cannot be delayed due to the contesting of drug testing results.

7. SELF-REFERRAL

A self-referral occurs when a student asks a coach, advisor, director, counselor, administrator or other school personnel for help and an assessment prior to any known violations of this policy. A second method of self-referral occurs when a coach, advisor, director, counselor, administrator or other school personnel confronts a student about a possible drug violation (i.e., the student has not been reported to a coach, advisor, director, counselor, administrator or other school personnel by an eye witness) and the student admits to the violation. A self-referral will not be subject to any disciplinary action provided that:

A. The student completes a drug assessment and counseling program and verification is provided to the principal/designee. The counselor and/or agency must be certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services. Parents/Guardians/Custodians must pay for this expense.

B. The student agrees to submit to five (5) follow-up drug tests within six (6) months at the District's expense. The testing dates will be determined by the principal/designee and testing will be completed by the District's drug testing company. If the student tests positive during the follow-up drug tests, the student will be subject to first-time offense consequences.

A self-referral will become a first offense and subject to consequences if:

A. A law enforcement agency is involved in the investigation of a potential violation or either formal or informal charges have been filed before the student attempted to self-refer.

B. Evidence of a violation is known by any staff member before the student attempted to self-refer. A self-referral may be used only once during the 9-12 academic career of a student and may not be used after the student becomes a first offender.

8. Consequences

1st Offense: The parent/guardian will be contacted immediately and a private conference will be scheduled to present the test results to the parent/guardian. A meeting will then be set up with the student, parent/guardian, and the principal or school appointed designee concerning the positive drug test. In order to continue participation in the activity the student and parent/guardian must, within five (5) days of the joint meeting, show proof that the student has received drug counseling from a qualified drug treatment program or counseling entity. Additionally, the student must voluntarily submit to a second drug test to be administered within two (2) weeks of the initial counseling session in accordance with the testing provisions of this policy.

If parent/guardian and student agree to these provisions, the student will continue to participate in the activity. Should the parent/student not agree to these provisions the consequences listed in this policy for the second offense will be imposed.

2nd Offense: (Formal Notification to the parent/guardian and principal). A formal letter will be sent by the Athletic Director to inform both parties of a level 1 offense and the consequences that will follow—denial of participation for 10% of consecutive scheduled events and/or state tournaments. The percentage of denial of privilege is calculated on the number of events within the sport/activity and may carry over into the next season of the same sport/activity or a different sport/activity. (Student may participate in all scheduled practices during this denial of participation period at the discretion of the coach/advisor). The athlete will also lose any leadership position that he or she holds, such as team captain.

3rd Offense: (Formal Notification to the parent/guardian and principal). A formal letter will be sent by the Athletic Director to inform both parties of a level 2 offense and the consequences that will follow— denial of participation in all athletics (including any weight-lifting or any off-season program) for one calendar year. The athlete will also be mandated to participate in a health assessment and educational program related to the infraction and to follow the recommendations of a health care professional. He/she must provide notice of completion of any screening/counseling program before they may return to athletic participation.

4th Offense: (Formal Notification to the parent and principal). A formal letter will be sent by the Athletic Director to inform both parties of a level 3 offense and the consequences that will follow— the athlete will be totally denied of all extra-curricular activities for the remainder of his/her school career at Jackson - Milton.

CONSEQUENCES OF POSITIVE RESULTS OR OTHER VIOLATION OF POLICY FOR STUDENT DRIVERS AND EXTRA/CO-CURRICULAR PARTICIPANTS.

Students who elect to secure a parking permit from the high school or participate in the aforementioned extra/co-curricular activities will be automatically entered into the random testing pool for the school year.

1st Offense: The parent/guardian will be contacted immediately and a private conference will be scheduled to present the test results to the parent/guardian. A meeting will then be set up with the student, parent/guardian and principal or school appointed designee concerning the positive drug test. In order to continue participation in these activities the student and parent/guardian must, within five (5) days of the joint meeting, show proof that the student has received drug counseling from a qualified drug treatment program or counseling entity. Additionally, the student must voluntarily submit to a second drug test to be administered within two (2) weeks of the initial counseling session in accordance with the testing provisions of this policy.

If parent/guardian and student agree to these provisions, the student will continue to participate in the activities. Should the parent/student not agree to these provisions the consequences listed in this policy for the second offense will be imposed.

A second offense will result in the student being banned from parking in the high school parking lot or participating in the activities for 3 months.

A third offense will result in the student being banned from parking in the high school parking lot or participating in the activities for the remainder of the school year.

A fourth offense will result in the student being banned from parking at the high school and participating in the activities for the remainder of his/her high school career.

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

*Assessment and program costs are the responsibility of the student and his/her parent(s). Failure to comply with this requirement shall result in immediate dismissal from all activities, including forfeiture of awards, until this obligation is met.