



CANFIELD LOCAL SCHOOLS Drug Testing Policy

Adopted by the Canfield Local Schools Board of Education, July 17, 2019

CONTENTS:

- Page 3 - Statement of Need and Purpose
Drug Testing Requirement
- Page 4 - Guidelines For Drug Testing Of Student Athletes, Students In
Marching Band & Student Drivers
Definitions
- Page 6 - Drugs for Which Students May Be Tested
Confidentiality
Collection Process (Urine Screens)
- Page 8 - Medical Review Officer (MRO) Responsibilities
Policy Violation
Due Process
- Page 9 - Cost of Additional Testing
Results of a Positive Test
If a Positive Test Occurs for School-Sponsored Athletics and Marching Band
- Page 10 - If a Positive Test Occurs for Student Drivers
- Page 11 - If a Positive Test Occurs for Nicotine
Self-Referrals
Optional Opt-In Program

Statement of Need and Purpose

The Canfield Local School District Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole school community. The Board of Education takes its responsibilities regarding this problem seriously and is determined to be proactive regarding the use of drugs by District students.

This program shall apply to Canfield High School students or students attending other schools directly affiliated with Canfield Local Schools, who participate in school-sponsored athletics, marching band and/or students who wish to obtain a parking permit.

The Board acknowledges that participating in qualifying activities and taking responsibility for transportation to and from school are important markers in a student's educational experience and personal growth. Nevertheless, the Board recognizes that participation in qualifying activities are privileges that carry the responsibility of safety for the entire Canfield Local School community.

This drug testing program has been established to provide a means of deterrence to develop a truly drug-free school environment and to assist students in getting help when needed. The purpose of the program is:

- 1.) Provide for the health and safety of all students;
- 2.) Undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs;
- 3.) Encourage students who use illegal drugs to participate in a treatment program; and
- 4.) Prevent the impact drug and alcohol use has on the learning centers of the brain, allowing the student to achieve their full academic potential while a student within Canfield Local Schools.

The Superintendent shall establish procedures and guidelines regarding the implementation of this policy that are consistent with its stated purpose, which is included herein.

The included guidelines provide a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and description of those sanctions; the sanctions may include mandatory referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

The guidelines also require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs by students as well as a copy of the Policy and included guidelines mandatory for those students to which this policy and the guidelines apply.

Parent(s) and students shall receive notification that clearly advises them that compliance with the standards of conduct and drug testing are mandatory for those students to which this policy and the guidelines apply.

Moreover, the Board shall institute a biennial review of the Drug Testing program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced.

Drug Testing Requirement

Upon request to participate in high school sponsored athletics, marching band or to obtain a parking permit, parents(s) and students will be required to provide written consent for testing prior to participation in the athletic activity, marching band or parking at school, and to submit to random testing on a periodic basis throughout - the participating athletic season, marching band and/or during the time the student parks at school. The below guidelines establish a process for random testing of all student-athletes, marching band students and students who wish to obtain a parking permit, and the process for students that may be tested based on reasonable suspicion. Random drug testing continues throughout the above-referenced period.

The results of the tests shall **not** become part of the student's permanent record, but any documentation supporting a test based on reasonable suspicion shall be maintained in the student's record. Test results will not be reported to law enforcement authorities, and test information will not be released to law enforcement or other parties except in response to a lawfully executed subpoena. In the latter case, parents will be notified within forty-eight (48) hours of the receipt of the subpoena. Likewise, this information shall only be released to persons designated in Board regulation and procedures.

The testing program does not affect current policies of the Board regarding student drug, tobacco, or alcohol possession, or us where reasonable suspicion is established by means other than testing as outlined in this policy.

Guidelines For Drug Testing Of Student Athletes, Students In Marching Band & Student Drivers

The testing program is designed to create a safe and healthy environment for students and assist them in getting help when needed so that students may meet their full academic potential. To that end, the program is academically non-punitive.

Eligible students are expected to hold themselves to good standards of conduct. Students participating in athletics, marching band and/or driving/parking at school carry a responsibility to themselves, their fellow students, their parents and their school to set the positive examples of conduct, which includes avoidance of the use of controlled substances.

Eligible students and their parent/guardian are required to consent to participation in the District's drug testing program. The consent shall include permission for random testing during the athletic activity, marching band season and/or while driving and parking at school, and for reasonable suspicion testing as warranted. Any refusal to consent to the program results in ineligibility for all athletics, marching band and/or obtaining a parking permit for one school year.

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 the 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 proportions 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 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 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.

Athlete - Any student participating in athletic programs and/or contests sponsored by the school and/or under the control and jurisdiction of the Ohio High School Athletic Association (OHSAA). Athletes include cheerleaders for the teams.

Banned Substance – A substance defined by school policy as being banned from use by students.

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 state 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.

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/Illicit 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, and any harmful intoxicant as defined in Ohio Revised Code Section 2925.01, and anabolic steroids. This definition also includes nicotine and all prescription drugs obtained without authorization, and 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.

Definitions *continued*

Marching Band – Students who participate in the Canfield Local School District marching band.

Mood-Altering Chemicals – Includes without limitation, narcotics, depressants, stimulants, hallucinogens, counterfeit drugs, marijuana, alcohol, and any common substance such as “white out”, glue, gasoline, 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.

Qualifying Activities – School sponsored athletics, Marching Band, and/or students who wish to obtain a parking permit.

Random Selection – A system of selecting a student for drug and alcohol testing in which each qualifying participant shall have a fair and equitable chance of being selected each time selections are required.

Season – A period of time defined by start dates as published by the District or school, the Ohio High School Athletic Association or sanctioning organization and continue until the completion of the awards program for that sport or banquet for the activity for the Canfield Local School District. There are three athletic seasons: Fall, Winter, Spring. The season for cheerleaders shall be the same as the season for the sport for which they cheer.

Self-Referral – The decision by a student to seek assistance or counseling for suspected substance abuse. Policy violations already reported or pending violation 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 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 a student for drug/alcohol testing in which each participant of a particular qualifying activity shall be selected for testing when selections are made.

Testing Year – Twelve (12) month period.

Testing Method -

A. Baseline Testing: At the beginning of each season all qualifying students will submit to urine drug and alcohol testing.

This testing will be completed prior to the start 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/Director is responsible for ensuring that all students 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/band. Any eligible student who refuses to submit to drug testing will be treated as if student tested positive.

B. Random Testing: Random testing shall be done throughout the year. All students obtaining a parking permit will be added to the random testing system. A student may be tested more than once. 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.

A designated official 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 Designated Official and confirmed with the building administrator. Random testing may be done weekly. Every effort will be made to conduct testing during students’ non-academic time.

Definitions continued

D. Reasonable Suspicion Testing: A suspicion based on specific personal observations, including, but not limited to, appearance, speech, body odors, behavior, or other physical or observable traits of a student that creates a belief by the observer that a student is using or has been using drugs. Among other things, such facts and inferences may be based upon one or more of the following criteria:

1. Observable phenomena, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug, including but not limited to appearance, speech, body odors, behavior, or other physical or observable traits of the students; In the context of performance-enhancing drugs, reasonable suspicion includes an unusual increase in size, strength, weight, or other athletic abilities.
2. Evidence that a student used, possessed sold, solicited, or transferred drugs while at school or while participating in an interscholastic athletic program/extracurricular activity;
3. Evidence that the student being tested has tampered with a previous drug or alcohol test.
4. Inconclusive, adulterated, or suspect test results or drug tests that report test acceptability criteria have not been met.

Drugs for Which Students May be Tested

THC, Cocaine, Alcohol, Amphetamines/ Methamphetamines, Opiates, PCP, Ecstasy, 6 AM (Heroin), Barbiturates, Benzodiazepines, Methadone, Propoxyphene, Oxycodone, and Nicotine, or 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 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. A 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, 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 Designated Official coordinates the scheduling of students for the collection of urine samples or saliva samples.

The 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 Designated Official to notify 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. 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 tested during collection times. Facilities for female students being tested should have private stalls with closures. All testing areas will be secured during testing.

Collection Process (Urine Screens) continued

There will 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. A specimen from the student will be collected as follows and all students must follow this process:

The Designated Official is responsible for ensuring that all of the forms are completed and signed by both the parent/guardian/custodian and student. No student is to enter the collection site until forms, money, if applicable, 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, shorts 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 hand 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).

Students who are absent when scheduled or are otherwise unable to provide an acceptable sample when scheduled are not eligible to participate in athletics or park at school until a retest can be scheduled and an acceptable sample is obtained.

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 Office will verify the positive test.

Medical Review Officer (MRO) Responsibilities

The MRO will review all results of urine drug testing. Any urine specimen testing positive for illicit drugs, banned substances, or adulteration will be handled in the following manner:

- (a) The MRO determines if any discrepancies have occurred in the Chain-of-Custody.
- (b) Depending on the substances found in the urine, if necessary the parent/guardian/custodian will be contacted to determine if the student is on any prescribed medication from a physician.
- (c) If the student is on medication, the parent/guardian/custodian will be asked to provide a copy of the prescription or a letter from the prescribing physician, to document what medications the student is currently taking. Failure to provide such requested information will be considered a positive result.
- (d) The MRO will then determine if any of the prescribed medications resulted in the positive drug screen.
 - (1) For example, a drug screen positive for codeine may be ruled negative by the MRO when he receives a letter from the treating physician that the student has been prescribed Tylenol[®] with codeine as a pain medication following tooth extraction.
 - (2) Or, if the student has a positive drug screen for codeine and has no documented physician order for the medication (maybe a parent gave the student one of their pills), this would likely be ruled a positive drug test by the MRO.
- (e) Drug screens positive for illicit drugs (marijuana, heroin, cocaine or alcohol, etc.) would automatically be considered positive by the MRO. The MRO may use quantitative results to determine if positive results on repeat tests indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the MRO feels 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 MRO, based on the information given, will certify the drug test results as positive or negative. Positives will be reported to the Principal by phone.

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 a urine sample for testing
3. Tampering with the sample for testing or attempting to subvert the collection/identification process
4. Confirmed positive result for a 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 Designated Official 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 meeting with the Principal to explain the student's rights under this policy. Such notification shall also be sent via certified mail.

After notification of a positive test result, the student and his/her parent/guardian may, at their own expense, elect to have a portion of the original sample re-tested by an independent certified laboratory of their choice. The District will forward the sample in response to a written request.

Due Process continued

If the parent/guardian fails to contact the Principal within forty-eight (48) hours (excluding weekends) following receipt of said notice by telephone or certified mail to schedule a meeting to review the test results, the results are deemed conclusive for purpose of further action under this policy and the parent/guardian and the student are deemed to have waived their right to challenge the test result as it applies to challenges under this policy.

Any penalties authorized under this policy are in effect during the pendency of an appeal. The Principal issues a decision within forty-eight (48) hours (excluding weekends) of receipt of the appeal. Notice of the decision is given by phone if possible and then by 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 qualifying participant violating this policy will be disciplined as if they were the principal offender.

Cost of Additional Testing

Once a qualifying 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 of 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 for School Sponsored Athletics and Marching Band

First Offense

1. The student will be denied privileges of qualifying activity 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 will not be present at the team/band'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 conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency. Within seven (7) days of notification of the violation, the student must set an appointment with a chemical dependency counselor and must participate in an assessment and rehabilitation program. Once that student has provided proof of a scheduled appointment, the student may petition for reinstatement of the privilege to participate. The parent/guardian and the student will meet with the Principal to determine reinstatement. The Principal may require that the student provide periodic status updates regarding his or her progress in the rehabilitation program. The student and/or parent/guardian are responsible for all expenses associated with the assessment and rehabilitation program and for providing the Principal or designated school official with requested documentation. The qualifying student must participate in the assessment process and rehabilitation program through its completion. A student-athlete or a student participating

If a Positive Test Occurs for School Sponsored Athletics and Marching Band continued

2. (*continued*) in marching band that is disciplined under this policy will follow additional guidelines established in the Athletic Handbook and/or Student Code of Conduct. The student will automatically be included in the next random testing sequence.
3. Students may participate in scheduled practice sessions during the denial of participation period with a medical release.

Second Offense

The student-athlete or a student participating in marching band 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 or marching band. When the student-athlete, or a student participating in marching band, complete the educational program he/she may then return to the team or marching band as a practice player/band member 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 Canfield Schools' athletic programs or marching band for the remainder of their high school career.

Notes:

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

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

No student will be penalized academically for violating this policy. Moreover, information regarding test results will not be disclosed to criminal or juvenile authorities absent legal compulsion by a valid and binding subpoena or other legal process, which the District will not solicit. In the event of service of any such subpoena or legal process, the student and his/her parents/guardian will be notified at least forty-eight (48) hours before a response is made by the District, to the extent legally permitted. However, if the student is caught in the possession of or use of a banned substance, he/she will be subject to discipline in accordance with the Student Code of Conduct.

If a Positive Test Occurs for Student Drivers

Students who elect to secure a parking permit from the high school will be automatically entered into the testing pool for the school year.

First Offense

Students must participate in an assessment and follow-up program as described above. In order to be reissued a parking permit after the first offense the student will submit a sample at the next random testing.

If a Positive Test Occurs for Student Drivers continued

Second Offense

The student will be banned from parking in the high school parking lot for the remainder of the school year. The student must participate in an assessment and follow-up program.

Third Offense

The student will be banned from parking at the high school for the remainder of his/her high school career.

Violations are accumulative throughout the student's secondary school career at the high school (Grades 9-12). No student will be penalized academically for violating this policy.

If a Positive Test Occurs for Nicotine

- Consequences focused solely on notifying of parents, education and treatment options
- The consequences could be instituted all at once, or in steps, based on the number of offenses
- No denied parking privileges
- No removal from qualifying activities

Self-Referrals

Self-referrals can only happen before a student is tested. A student may give a self-referral one time prior to a positive result. Counseling and additional testing are required, but no other punitive action will be taken. Any student that self-refers may be tested monthly for the remainder of his/her qualifying activity involvement at the expense of the parent/guardian.

Optional Opt-In Program

The Canfield Local Schools Board of Education also provides an "Opt-In" program for k-12 students not currently involved with qualifying high school activities. This program allows students and parents to participate in the random student drug testing program at the expense of the parent with no punitive action. Results are 100% confidential and reporting goes directly to the parents.

Canfield Local Schools Mission Statement

We believe...

- In a culture of leadership that inspires and equips students and staff for continued growth and lifelong learning.
- In the partnership of family, school, and community which continuously teaches core values such as respect and responsibility.
- In treating one another as we want to be treated, abiding by a high moral code including kindness, empathy, and tolerance.
- In providing an education which encompasses a broad range of disciplines K-12, important to nurturing well-rounded students.
- In meeting each student's individual needs by maintaining and cultivating high expectations.

Vision:

We will create an educational environment which challenges each student to achieve at their highest potential, leading to top 10 rankings in Ohio by 2022.

Mission:

As a community, we educate, motivate, and innovate for individual lifelong success.