

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 1 of 15

RANDOM ALCOHOL, DRUG AND NICOTINE TESTING OF WADSWORTH CITY SCHOOL DISTRICT STUDENTS

Overview

The procedure for initial and random alcohol, drug and nicotine testing of participating students is accomplished in conjunction with an independent testing Vendor selected by the Board of Education. The Vendor will be provided, by the Designated Official, a full list of eligible students and, in turn, the Vendor will randomly select students for testing at regular intervals. The Vendor will send qualified collectors to the school who will oversee the collection of all specimens as outlined in 6(b). The Vendor will provide Medical Review Officer (MRO) services for interpretation and verification of results. Results will be reported to the Designated Official by the MRO. Specimens are collected as split specimens which requires the Vendor to separate the specimen in two separate containers. One (1) specimen will be tested and the other will be held for a second test, if required.

A. A STATEMENT OF NEED AND PURPOSE

Recognizing that the use of alcohol, drugs and nicotine by students involved in activities is a national problem, and with the support from the U.S. Supreme Court, the Wadsworth City School district implements this program of deterrence and identification, as a proactive approach to a truly safe and alcohol, drug and nicotine free school. Likewise, through participation in activities, students using harmful substances pose a threat to their own health and safety, as well as to that of other students. The purpose of this program is fourfold:

1. to provide for the health and safety of all students;
2. to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use alcohol, drug and/or nicotine;
3. to encourage students who use alcohol, drug and/or nicotine to participate in treatment programs; and

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 2 of 15

4. To prevent the impact alcohol, drugs and nicotine use have on the learning centers of the brain, allowing each student to achieve his/her full academic potential while he/she is involved in activities within the Wadsworth City School District.

This program is designed to create a safe, alcohol, drug and nicotine free, environment for students and assist them in getting help when needed. The program does not affect the current policies, practices, or rights of the District regarding student alcohol, drug and/or nicotine possession or use, where reasonable suspicion is established by means other than testing through this policy.

Any student in grades seven (7) through twelve (12) and his/her parent/guardian/custodian(s) must first sign a testing registration/consent form in order to be eligible to participate in any one (1) or combination of the following:

1. Purchasing a parking pass, which allows a student to drive to/from school;
2. Athletics; and/or
3. Extra-curricular activities (that are not tied to an academic grade) other than athletics.

B. SUPPORTING DATA

Random testing of a public school interscholastic athlete is legal as determined by the United States Supreme Court in the case of Vernonia School District 47J (Oregon) v Wayne and Judy Acton, and Pottawatomie v. Earls.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 3 of 15

C. DEFINITIONS

Adulterant/Adulteration - Any attempt to alter the outcome of the 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, or purposefully over hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

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

Chain-of-Custody Form - A preprinted form provided by the testing laboratory that records all contact with the provided specimen. The form is initialed by the collector and donor then stays with the specimen until the results are certified by the testing scientist and forwarded to the MRO for final certification.

Designated Official(s) - The individual hired and/or identified by the district to oversee programs of the school or district. There may be one (1) Designated Official in each school building that participates in testing of students.

Illicit Substance - A drug classified by the Drug Enforcement Administration (DEA) as being available only by prescription from a physician or classified as being controlled and having no therapeutic use.

Medical Review Officer (MRO) - A licensed physician trained and certified in the process and interpretation of drug testing results.

Quantitative Levels - The measurement levels of specific chemicals in the urine reported usually in nanograms per milliliter (ng/ml).

SAMHSA - The Substance Abuse and Mental Health Services Administration, a governmental agency that certifies toxicology laboratories that perform alcohol, drug and nicotine testing following strict guidelines and constant quality assurance programs.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 4 of 15

Student Participant - A qualified student participating on a sanctioned activity as defined by OSHAA/or in a qualifying activity recognized by the Board of Education.

Testing Year - The testing year begins August 1 and continues for 365 days thereafter.

Vendor - The medical office or company selected by the Board of Education to carry out the procedure identified in this policy.

D. PROCEDURES FOR STUDENT PARTICIPANTS

1. Informed Consent for Testing

At the beginning of each season/year, student participants and their respective parent/guardian/custodian will complete and sign the testing registration/consent form. No student may participate until this form is properly executed and on file with the Designated Official.

2. Alcohol, Drug and Nicotine Testing Frequency

All eligible student participants will be tested at a minimum of one (1) time during current school year regardless of when they join the activity. This testing will be completed on a specified date and time.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 5 of 15

Subsequent testing will be done on a random basis throughout the school year. All students wishing to participate may be subject to testing for illicit or banned substances as specified in Paragraph 6(c) below. Eligible students will be randomly tested, on up to a bi-weekly basis, anytime during the testing year. This program continues until the student graduates. Any student that has completed his/her activity, and does not intend on participating in any other activity for the remainder of his/her time at Wadsworth High School, may be removed from the program with a signed parent/guardian/custodian letter to the Designated Official. If no letter is submitted, and the parent/guardian/custodian submits the testing registration/consent form yearly, then the student will remain in the program for the remainder of his/her school year. If the student decides to rejoin an activity after submitting the letter of removal then he/she will be treated as an initial entrant into the Wadsworth City School Drug Testing policy/procedures. Any student who refuses to submit to testing or does not submit a completed testing registration/consent form will not be allowed to purchase a parking pass or participate in athletics or non-academic extracurricular activities in the Wadsworth City School District.

3. Sample Collection

Samples will be collected as outlined under Paragraph 4(d) below. Any eligible student selected randomly for testing who is not in school on the day of testing will be tested at the next available testing time. Students not able to provide an adequate urine specimen at the testing time will be unable to participate until the proper specimen is provided.

Arrangements may be made for special collections at a Vendor Collection site with prior approval of the Designated Official.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 6 of 15

4. Procedures

Selected students will be escorted from class or practice to the collection site. The student will be required to have a picture identification or be identified by the Designated Official and complete necessary form(s). A specimen of urine is collected following the process utilized by the vendor selected by the district. The details of this process will always be posted on the district website and will always be designed to require a level of privacy for each student (e.g. the collector of the specimen will always remain outside of the closed bathroom stall while the specimen is produced).

E. CONFIDENTIALITY OF RESULTS

All test results are considered confidential information and will be handled accordingly. Those persons having results reported to them as set forth by this policy must sign a Confidentiality Statement for the Random Testing Program.

F. VENDOR REQUIREMENTS

At a minimum, the Vendor must be able to provide the following services:

1. Random Selection of Student Participants

Once provided a list of eligible students, the Vendor must select the required number of students in a random and confidential manner. Up to bi-weekly, the Vendor will arrange with the Designated Official a day and time to do the collection of specimens. The schedule will not follow any recognizable pattern. The selected students names will be given to the Designated Official, who will arrange for these students to report to the collection area.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

**STUDENTS
5512.01/page 7 of 15**

2. Collection of Urine Specimens

The Vendor will oversee the collection of specimens as outlined in paragraph 4 (d). Chain-of Custody forms will be provided by the Vendor that meet the criteria of this policy and that of the testing laboratory.

3. Testing of Urine Specimens

The Vendor will have all specimens tested for the specified illicit or banned substances by a qualified laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) following the guidelines of the Department of Health and Human Service (HHS).

The testing laboratory must be able to test for the following drug classes, substances or their metabolites in collected urine specimens. The Designated Official may request testing of substances, including, but not limited to, the following list:

Alcohol	Amphetamines	Anabolic Steroids
Barbiturates	Benzodiazepines	Cocaine Metabolites
LSD	Marijuana Metabolites	Methadone
MDMA (Ecstasy)	Nicotine	Opiates (painkillers, heroin)
Phencyclidine	Propoxyphene	K2 / Spice
Other synthetic drugs (Bath Salts)		Synthetic Cannabinoids

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 8 of 15

4. Medical Review Officer (MRO) Services

The Vendor will provide MRO services by a licensed physician who is certified by the Medical Review Office Certification Council (MROCC) or the American Association of Medical Review Officers as having proven by examination to have had the appropriate medical training to interpret and evaluate test results and thus qualified for certification as a Medical Review Officer. Additionally, the MRO must demonstrate a willingness to abide by this policy, as to the evaluation of positive tests and reporting findings to the Designated Official in a timely and confidential manner. Test results will be maintained by the Designated Official for a period of seven (7) years from the date of the test. These records will not be maintained as part of a student's record.

5. Reporting of Random Urine Test Results by Vendor

The MRO will certify all urine screens as negative or positive and report, by telephone, positive findings in a confidential manner to the parent/guardian/custodian first. The MRO will also notify the Designated Official, once the positive result is confirmed, by phone and in writing, that a test returned positive.

6. Statistical Reporting and Confidentiality of Test Results

The Vendor, testing laboratory, or MRO may not release any statistics on the rate of positive tests to any person, organization, news publication, or media without expressed written consent of the Wadsworth City School District Board of Education.

However, the Vendor will provide the Designated Official with an annual report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens. This report will not contain any student names, though the positive results would have been disclosed prior, as outlined in this policy.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 9 of 15

G. PROCEDURES IN THE EVENT OF A POSITIVE RESULT

1. Whenever a student's test result indicates the presence of alcohol, drugs and/or nicotine or adulteration, as determined by the MRO, the following will occur (note: with a positive test result for nicotine, if a student is eighteen (18) years old or older the positive result will be excluded as a student can legally purchase and use nicotine at age eighteen (18). Outside of this policy, the Wadsworth City School District Code of Conduct and other policies apply if tobacco/nicotine products are found or used on campus or at a school-related activity, regardless of a student's age.):
 - a. The parent/guardian/custodian is initially notified of the result by the MRO.
 - b. The Designated Official is notified once the positive result is confirmed and will notify the parent/guardian/custodian and student of implementation of this policy and of any positive results.
 - c. The student will be subjected to the appropriate action based on his/her circumstances.
 - d. If the parent/guardian/custodian or student wishes to contest the results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory, approved by the Board of Education, for testing. This is done at the expense of the parent/guardian/custodian or student. Such a request must be made to the Designated Official, in writing, within five (5) calendar days from first notification of positive test results. If the contested test is reported as negative by the second laboratory, the first result will be nullified and the cost will be incurred by the District.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 10 of 15

- e. The MRO 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 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.

2. First Positive Result

A positive result from the MRO or ruling of adulteration will constitute a first positive. The student will have two (2) options:

Option A) The student will receive treatment based on his/her assessment from a certified alcohol, drug and/or nicotine treatment program. While the ultimate decision rests with the parent/guardian/custodian, a list of potential providers will be provided by the District. The parent/guardian/custodian must provide the date the assessment will take place and the program selected within five (5) calendar days of notification of the positive result. The student will be allowed to continue participating as long as the treatment plan is being followed and/or completed, as evidenced by submission of the required documentation to Designated Official.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 11 of 15

Option B) For Athletics: The student refuses treatment and will be suspended from fifty percent (50%) of the season. The amount of suspension is based on the number of regular season scheduled events. If a violation occurs at or near the end of a sport season or activity, or if the student is not "in-season" at the time of the violation, then the penalty will be appropriately adjusted and/or applied to the next "in-season" sport or activity in which he/she is a regular participant. Students (except freshmen), suspended under this rule, may not avoid the consequences of a denial of participation by trying out for a new sport or activity (i.e., one in which he/she is not a regular participant). In such cases, the suspension applies to the next sport or activity in which the student is a regular participant.

For extracurricular activities/parking: The student will be suspended from the activity/parking for a nine (9) week period beginning with the date of violation. Athletic/Extracurricular Activity/Parking consequence will run concurrently.

For either option, the student will also be required to submit up to three (3) follow up random drug tests at the expense of the parent/guardian/custodian. Failure to comply with this requirement will result in indefinite suspension from sports and activities.

3. Second Positive Result

A second positive result from the MRO or ruling of adulteration will result in a second offense. Students in the second offense will have one (1) of the following consequences based upon the choice from first consequence:

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 12 of 15

IF student was in Option A above then he/sh must continue or re-enter the treatment/intervention plan as designed by the assessment counselor and submit the required documentation to the Designated Official. . S/He also forfeits fifty percent (50%) of the athletic season contests (season or tournament) based upon the number of regular season scheduled events. If a violation occurs at or near the end of a sport season or activity, or if the student is not "in-season" at the time of the violation, then the penalty will be appropriately adjusted and/or applied to the next "in-season" sport or activity in which he/she is a regular participant. Students (except freshmen) suspended under this rule, may not avoid the consequences of a denial of participation by trying out for a new sport or activity (i.e., one in which he/she is not a regular participant). In such cases, the suspension applies to the next sport or activity in which the student is a regular participant.

For extracurricular activities/parking: The student will be suspended from the activity/parking for a nine (9) week period beginning with the date of violation. Athletic/Extracurricular Activity/Parking consequence will run concurrently.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 13 of 15

IF the student chose Option B above then the student will receive treatment based on his/her assessment from a certified drug/alcohol treatment program. While the ultimate decision rests with the parent/guardian/custodian, a list of potential providers will be provided by the District. The parent/guardian must provide the date the assessment will take place and the program selected within five (5) calendar days of notification of the positive result. The student will also forfeit seventy-five percent (75%) of the contests/events/activities (season or tournament), based upon the number of regular season scheduled events. If a violation occurs at or near the end of a sport season or activity, or if the student is not "in-season" at the time of the violation, then the penalty will be appropriately adjusted and/or applied to the next "in-season" sport or activity in which he/she is a regular participant. Students (except freshmen) suspended under this rule, may not avoid the consequences of a denial of participation by trying out for a new sport or activity (i.e., one in which he/she is not a regular participant). In such cases, the suspension applies to the next sport or activity in which the student is a regular participant.

For extracurricular activities/parking: The student will be suspended from the activity/parking for a eighteen (18) week period beginning with the date of violation. Athletic/Extracurricular Activity/Parking consequence will run concurrently.

IF the student chooses to not be in any intervention/treatment plan then he/she will no longer be allowed to purchase a parking pass or participate in athletics or extracurricular activities for the remainder of his/her WHS career.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 14 of 15

The student will also be required to submit up to three (3) follow-up random drug tests at the expense of the parent/guardian/custodian. Failure to comply with this requirement will result in indefinite suspension from contests/event/activities.

4. **Third Positive Result**

A third positive result from a MRO or ruling of adulteration will result in the student being barred indefinitely from purchasing a parking pass or participating in athletics or extracurricular activities. The student will be able to earn eligibility back by having no positive test results for one (1) year from the date of the third offense. As part of the process to earn eligibility back, the student will be subjected to random test(s) each month at the expense of the parent/guardian. If the student earns his/her eligibility back after one (1) year, and then has another positive test result, he/she will be barred indefinitely from purchasing a parking pass or participating in athletic or extracurricular activities and will be subject to the same one (1) year process, as described earlier in this paragraph, to regain eligibility.

5. **Self-Referral**

A student who refers himself/herself prior to receiving a positive result from the MRO will comply with the requirements in Paragraph 7 (b) Option A. Self-referrals may be used on a first offense only. Subsequent positives following a referral will continue to actions stated in Paragraph 7 (c) and 7 (d). For the purpose of this policy, a student may only self-refer one (1) time while a student in the Wadsworth City School District.

policy

**BOARD OF EDUCATION
WADSWORTH CITY SCHOOL DISTRICT**

STUDENTS
5512.01/page 15 of 15

6. Middle School to High School Transition

When a student transitions from the middle school to the high school, he/she will start at the first offense level (7b above) if he/she has a positive test result, regardless of the level he/she was on upon conclusion of his/her middle school years. But, consequences given to a student as a result of an offense in middle school, as described above, will carry into high school until they are completed. Once the consequences are completed, the student will start at the first offense level (7b above) if he/she has a positive test result.

H. NO ACADEMIC CONSEQUENCES

No student will be penalized academically for testing positive. The results of tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the Wadsworth City 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 parent/legal guardian/custodian will be notified before a response is made by the Wadsworth City School District Board of Education, to the extent permitted by such subpoena or legal process.

Adopted 5/8/17