



**Frequently Asked Questions
(FAQs)
Drug Testing
EISD**

1. What if a student has a false positive?

The likelihood of a false positive is very minimal. DISA states that when an initial test reveals a positive result, the MRO (Medical Review Officer) will review the medical history for the student and contact the family re: the positive test result. The family will have the opportunity to provide medical proof of use of identified substance. If MRO establishes that information can be verified and there are no inconsistencies, the student's results will be reported as negative. If the MRO finds that the information cannot be verified or is inconsistent, the student's results will be reported as positive.

2. How do I appeal a decision regarding a positive test result?

The lab has split the specimen that was given during the collection time in case a family wants to appeal the decision regarding a positive test result. The remaining specimen will be sent to SAMHSA certified lab of family's choice or as selected by DISA. If the test results are positive, student will receive appropriate consequences. If test results are negative, student will be added back into randomized student pool. A student or parent may appeal a decision made under this policy in accordance with FNG(LOCAL). The student shall be ineligible for participation in extracurricular activities and parking privileges while the appeal is pending.

3. Will the student be immediately ineligible if his/her test result is positive?

A student remains eligible to participate in extracurricular activities and to have parking permit (if applicable) until test results have been confirmed by MRO or until appealed decision is returned.

4. What if parent does not want student to participate in the drug testing program?

Every parent and student has the right not to participate in the random student drug testing program. However, every student that participates in extracurricular activities and/or wants a school parking permit must be included in the randomized pool of students that are eligible to be tested. If a student refuses to participate in the random student drug testing program, the student will not be able to participate in the extracurricular activity or to have a parking permit.

5. Are there any foods that students should stay away from because a positive result can occur?

No.

6. Does a student need to have a signed consent form authorizing participation in the random drug testing program to tryout for a extracurricular activity or to have a parking permit?

Yes. A signed consent form should be on file at the student's school that has been signed by both the student and the parent. If the student does not make the team or receive the parking permit, the student will not be placed in the random drug testing



pool for that activity. The student may be placed in the pool for another activity or at the written request of their parent or guardian.

7. Who will provide the drug testing services?

The District has contracted with DISA to conduct the drug testing services.

8. Can a student be chosen for drug testing more than once?

Yes. The selection for drug testing is random and therefore a student may be selected more than once during the year.

9. What if my child ends his or her participation in the extracurricular activity in the middle of the year/season, will they still be included in the Random Student Drug Testing pool?

If a student elects to quit all extracurricular activities and/or does not have campus parking privileges, the drug testing vendor will be contacted by the District through an activity list update and the student's name will be removed from the Random Student Drug Testing pool.

10. What if a parent doesn't consent to his/her child being tested, will the student still be eligible to participate in extracurricular activities or have parking privileges?

No. In order to participate in extracurricular activities or have parking privileges, both the student and the parent must consent to drug testing.

11. If a student is chosen for drug testing, but is absent that day, will he/she tested upon returning to school?

Students who are not present on a day that they are selected for drug testing will **not** be tested as part of that pool when they return to school. Any student who has been notified that he/she is selected for random student drug testing but who, because of illness or any other legitimate reason, leaves school before the test is performed, shall be included in the next campus random drug testing. A student who is truant after being notified that he/she has been selected for drug testing will be considered as having tested positive. Refusal on the part of any student to participate in a scheduled or random drug test shall be considered as having tested positive.

12. For what substances will students be tested?

Drug testing will include, but not be limited to, the following substances:

- a) Marijuana
- b) Cocaine
- c) Prescription Painkillers or Opiates – OxyContin, Darvon, Vicodin, Percocet, Percodan, and Tylenol with codeine
- d) Phencyclidine (PCP)
- e) Sedatives – Xanax, GHB (gammahydroxybutyrate), Valium, Klonopin, Ativan
- f) Stimulants – Amphetamines, methamphetamines, prescription stimulants (Aderall, Ritalin)
- g) Alcohol

13. What happens if a student tests positive for drugs?

If a student tests positive, then DISA will first further test the specimen using Gas Chromatography/Mass Spectrometry (GC/MS) methodology. If the specimen still tests positive, DISA will contact the student's parent or guardian to determine whether there is an alternative medical explanation for the positive test results. If



there is no medical explanation for a positive result, the District will be notified. Parents may choose to have the second half of the sample taken during the collection sent to a lab mutually agreed upon by the parent and DISA for independent testing. All costs associated with testing the second half of the sample will be the responsibility of the student and parent or guardian.

14. Will I receive notification if my child tests negative?

No. Parents are only contacted by DISA if a student tests positive for drugs.

15. How confidential are the drug testing results?

DISA retains control of student records related to drug testing and will only communicate information related to a positive test result to the parent or guardian and the District's designated vendor contact. No final administrative reports will include identifiable student information.

16. What are the consequences for a positive test result?

1st Positive Result (LEVEL 1)

- a) Suspension of ten school days from any activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the school
- b) Loss of parking privileges for 10 school days
- c) Mandatory participation in the next two random tests

2nd Positive Result (LEVEL 2)

- a) Suspension of 30 school days from any activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the school
- b) Loss of parking privileges for 30 school days
- c) Mandatory participation in next three random tests

3rd Positive Result (LEVEL 3)

Following a third confirmed positive test result, the student shall be removed from the applicable school-sponsored activity and privileges for one calendar year. Once the student is reinstated, the student shall be required to participate in the next three campus random drug tests and must provide a sample at each testing. After reinstatement, any further positive tests for the student shall result in removal from the applicable school-sponsored activity and privileges for another calendar year.

17. Are there disciplinary consequences for testing positive?

No. The drug testing policy is intended to identify those students in need of assistance in dealing with drug and alcohol issues. Students who test positive for drugs will not receive any disciplinary consequences. The result of testing positive for drugs is as described above.

18. Does a student testing positive provide "reasonable suspicion" to conduct a locker or vehicle search?

No. The only consequences from testing positive are those outlined in #16.

19. Will law enforcement be notified or intervene in any way in the case of a



positive result?

No. The only consequences from testing positive are those outlined in #16.

20. Where can I go to get more information about drug testing in schools and about substance abuse in general?

The Office of National Drug Control Policy, <http://www.whitehousedrugpolicy.gov> provides information and resources on policies regarding drug testing in schools as well as information on substance abuse.

21. Is it legal for the school district to test students for drugs?

Random urine drug testing of a public school interscholastic athlete is legal as determined by the US Supreme Court in the case of Vernonia School District 47j (Oregon) vs. Wayne and Judy Acton. Random urine drug testing of public school extracurricular activity students is legal as determined by Pottawatomie County Independent School District #94 vs. Earls. The students subject to testing should be determined by the School Board based upon these two Supreme Court Rulings. rev. 3/14/08