

# **KANKAKEE VALLEY SCHOOL CORPORATION**

## **EXTRACURRICULAR ACTIVITIES AND STUDENT DRIVER DRUG TESTING PROGRAM**

**Adoption date: December 22, 2008**

**Amended: May 26, 2009**

**Amended: October 9, 2017**

**Amended: April 6, 2021**

**Amended: June 10, 2024**

**Effective date: July 1, 2009**

# **KANKAKEE VALLEY SCHOOL CORPORATION EXTRACURRICULAR ACTIVITIES & STUDENT DRIVER DRUG TESTING PROGRAM**

## **Statement of Need and Purpose**

A program of deterrence will be instituted as a proactive approach to a drug-free school. The purpose of this program is threefold: 1) to provide for the health and safety of students; 2) to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs; 3) to encourage students who use drugs to participate in drug treatment programs.

Students involved in extracurricular activities need to be exemplary in the eyes of the community and other students and should not be under the influence of drugs. Student drivers who drive to and from school are also subject to random drug testing. The purpose of this program is to educate, help, and direct students away from drug and alcohol abuse and toward a healthy and drug-free lifestyle. The program is not punitive. It is designed to create a safe, drug-free environment for students and to assist them in obtaining help when needed. No student shall be expelled or suspended from the normal school day as a result of any verified "positive" test.

## **Scope**

This policy applies to all Kankakee Valley School Corporation students in grades 6-12 who wish to participate in extracurricular activities. It also applies to students 9-12 who wish to drive to and from school academics. This policy covers school property, which includes school buses, school bus stops, school grounds, school facilities, and facilities in which school-sponsored activities occur. A school-sponsored activity is any activity that is funded, in whole or in part, and/or supervised by the school or its agents. Included are athletic events, both home and away, academic competitions, and any other extracurricular activity supported by school funding (including extracurricular funds).

## **Program Implementation**

This program's implementation date is July 1, 2009. The program does not affect Kankakee Valley School Corporation's current policies, practices, or rights regarding drug and/or alcohol possession or use as outlined in the student handbook(s).

Testing may occur any time during the year, including conditioning, tryouts, Saturday practices, during the school day, or meetings.

- 1) Each coach/sponsor shall hold a mandatory meeting with his/her team, club, or

group of students. All students will be presented with a copy of the Drug Testing Program and a Consent Form. The Consent Form must be signed prior to any participation in athletics and extracurricular activities, and the ability to drive on school grounds during the school day.

- 2) When a random drug test is administered, and a student whose number is selected and that student is absent, then an alternative student will be chosen from the list. The absent student may be tested on the next test date.
- 3) If the lab confirms a positive result, the coach/sponsor or supervisor of the activity will be notified. The parents and/or guardians will also be notified by phone and letter.
- 4) If a student refuses to participate in the testing, they will be considered a positive, and the consequences for athletics, extracurricular activities, and student driving will take place. If a student is selected for testing and the student leaves school before submitting a sample, it will be considered a positive test.
- 5) Participation in athletics, extracurricular activities, or driving to school will override refusal during online registration to participate in the drug testing policy. If parents/guardians/students still refuse, they will be removed from athletics and extracurricular activities and will not be allowed to drive on school grounds during the school day.

### **Non-Punitive Nature of the Policy**

No student-athlete and no student participating in extracurricular activities will be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities unless there is a valid and binding subpoena or other legal process requiring disclosure. In the event of service of any such subpoena or legal process, the student and the student's legal guardian or custodian will be notified before a response is executed to the extent permitted by such subpoena or legal process.

### **Penalties**

Students who are found to violate the Drug Testing Policy will experience penalties as follows:

## **First Offense**

**Student-athletes-** shall be immediately suspended from participation in 35% of the first scheduled contests, events, functions, or other activities that the student was a member of. If 35% of the activities are not left in a school year, the participation will carry over to the next school year's activities.

**Student drivers-** shall have their driving privileges suspended for 30 school days, including all school functions.

**Non-athletes-** equals 63 school days of suspension from extracurricular activities.

Depending on the date of the offense, all consequences could carry over to the next "season" and/or the next school year.

## **Second Offense**

The student shall be suspended from any sport, extracurricular activity, curriculum-related activity, and/or driving to school for 365 calendar days from the day of violation.

## **Third Offense**

The student shall be suspended from all driving and/or extracurricular activities for the rest of the student's school career.

## **Exceptions**

Students who meet the legal age requirement to use tobacco and test positive for tobacco will not be subjected to any penalties under this policy; however, the Athletic Code's Year-Round Rules will still be enforced regardless of the student's age.

## **Banned Substances**

For the purpose of this Policy, the following substances or their metabolites are considered banned for Kankakee Valley School Corporation students. These substances will be tested for under this policy.

Amphetamines  
Phencyclidine  
Marijuana  
Oxycodone

Barbiturates  
Benzodiazepine  
Cocaine Metabolites  
Propoxyphene

Opiates  
Nicotine &/or Cotinine  
Methamphetamine  
Alcohol

## Testing Procedures

The selection of participants to be tested will be done randomly by the contract provider, and selections will be made from time to time throughout the school year. Specimens could be collected by urine or mouth swab. Each student will be assigned a number that will be used for the random selection. A computer-based system designed specifically for the purpose of randomly selecting individuals for drug testing may be used in place of the paper number drawing. Names will be drawn from one large pool of those agreeing to be tested, those who participate in athletics and extracurricular activities, and those who are registered to drive on school grounds. Testing may occur on a different day (Monday through Saturday) than the selection. The schedule will vary to keep students conscious of the possibility of being tested at any time during the year. A parent/guardian may request that his/her student's name be placed in the drug testing pool.

No student will be given advance notice or early warning of the testing. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.

Upon being selected for a test under this policy, either by random draw, request of a parent/guardian, or a "follow-up" test, a student will be required to provide a sample according to the quality control standards and policy of the laboratory conducting the analysis.

All students will remain under school supervision until they have produced an adequate specimen. In addition, the parents/guardian will be notified and informed if the student has declined to produce a drug testing sample.

Any student who refuses to submit to drug testing will not be allowed to practice or participate in designated extra-curricular Kankakee Valley Middle School or Kankakee Valley High School activities or drive to and from school for educational purposes.

In the event of a verifiable extenuating circumstance, the student will be tested on the next test date, at which time the student will be expected to produce a sample.

A second refusal or emergency departure that interrupts testing may be considered a positive test and consequences will occur.

If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for all the "extracurricular activities" and driving privileges for 365 days. This will be reported to the parent/guardian. A diluted test result will be assumed to be positive.

Immediately after the specimen is collected, the student may return to class with an admit slip or pass indicating the time they left the collection site. The principal or designee must then document the time and sign the pass.

The laboratory selected must meet the standards set by the Department of Health and Human Services and be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA) and the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

The certified laboratory will provide training and directions to those who supervise the testing program, set up the collection environment, guarantee specimens, and supervise the chain of custody. The student's number, not name, will be used to maintain anonymity.

The principal or designee will be responsible for escorting students to the collection site. The student should bring all materials with him/her and should not be allowed to go to his/her locker. Calling four or five students at a time allows the collections to be carried out efficiently and will reduce the loss of classroom instructional time. Athletes may be tested after school.

Before the laboratory tests the student specimen, students will agree to fill out, sign, and date any form required by the testing laboratory. A student on prescription or over-the-counter medication SHOULD notify the administrator that he/she is taking a prescription medication. Such medication should be noted on the form.

The sample shall be sealed in the student's presence. If the seal is tampered with or broken after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible. The student will remain eligible for extra-curricular activities until a re-test verifies the positive result.

After sealing the specimen, lab personnel transport it to the testing laboratory, which reports the results to the principal or designee.

The result sheet for the analysis will be mailed or emailed back to the principal/designee with the number of each student who passed the testing and the number of those who did not pass the test. Names of students tested will not be kept in open files or on any computer. Result sheets will be locked and secured in a location that only the principal/designee has access to.

### **Test Results**

The principal/designee will be notified if a student tests "positive." The principal/designee will notify the student and his/her parent/guardian. The student or his/her parent/guardian may submit any documented prescription, explanation, or information that will be considered in determining whether a "positive" test has been

satisfactorily explained. If the test is verified “positive”, the principal/designee will meet with the student and notify the parent/guardian. The student and parent/guardian will be mailed the results and given the names of counseling and assistance agencies that the family may want to contact for help.

A student driver who tests positive for banned substances other than tobacco will lose his/her driving privileges as outlined under the penalty section of this policy.

Information on a verified “positive” test result will be shared with the student's coach or sponsor on a “need-to-know” basis. The results of “negative” tests will be kept confidential to protect the identity of all students being tested.

### **Statistical Reporting and Confidentiality of Drug Test Results**

The testing laboratory may not release any statistics on the rate of positive drug tests to any person, organization, news publication, or media without expressed written consent of the Kankakee Valley School Corporation Board of Education.

### **Financial Responsibility**

Under this policy, Kankakee Valley School Corporation will pay for all initial random drug tests and all initial “follow-up” drug tests. Once a student has a verified “positive” test result and has subsequently tested positive from a “follow-up “ test, the student or his/her parent/guardian will pay for any future “follow-up” drug test that must be conducted.

A request for another test resulting from a “positive” specimen is the financial responsibility of the student or his/her parent/guardian.

If a parent, guardian, or student requests to be tested outside the requirements of this policy, they will be financially responsible for the testing. Additionally, any counseling and subsequent treatment by non-school agencies will also be the financial responsibility of the student or their parent/guardian.

### **Confidentiality**

Under this drug testing program, any Kankakee Valley School Corporation staff, coach, or sponsor who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved. In the case of a legal subpoena or investigation, the results will be released after parents or guardians are notified.

## Other Rules

Apart from this drug testing program, the Kankakee High School Athletic Department, the Kankakee Valley Middle School Athletic Department, and the coaching staff/sponsor(s) of each sport/activity have their own training rules and requirements. Coaches/sponsors have the necessary authority to enforce those rules. Any student who violates a rule or requirement as a member of a team or activity will be subject to the consequences as defined in those rules and requirements.

## Certifying Lab Responsibilities

The Certifying Lab will review all results of the drug testing. Any specimen testing positive for illicit or banned substances will be handled in the following manner:

- a. The Certifying Lab determines if any discrepancies have occurred in the Chain of Custody.
- b. Depending on the substances found the Certifying Lab and/or the school principal or designee will contact the parent/guardian/custodian to determine if the student is on any prescribed medication from a physician.
- c. If the student is on medication, the parent/guardian/custodian may be asked to obtain a letter from the prescribing physician or other documentation within five working days that documents the student is prescribed medications.
- d. Failure to provide such requested information will be considered a positive result.
- e. The Certifying Lab will then determine if any of the prescribed medications resulted in a positive drug screen.
- f. Finally, the Certifying Lab will certify the drug test results as positive or negative based on the information and report them to the school authorities.
  - (1) For example, a drug screen positive for codeine may be ruled negative by the Certifying Lab when he re receives a letter from the treating physician that the student has been prescribed Tylenol with codeine as a pain medication following tooth extraction. Students taking medication containing codeine shall inform the drug testing company prior to the test.
  - (2) Or if the student has a positive drug screen for codeine and has no documented physician order for the medication, the test will be considered "positive".



- g. The Certifying Lab may use quantitative results to determine if a positive results on repeat tests indicated recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the Certifying Lab 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.
- h. The Certifying Lab will complete the final review of the drug testing custody and control form and return the appropriate copy to the school authorities in a confidential manner.

### **Pick-up Process**

The school authorities are responsible for ensuring that specimens are delivered to or picked up by the testing laboratory, that the Chain of Custody is adhered to, and that the form is properly annotated.

### **Consent Form**

High School Students: At the beginning of each selection date, school year, or sports season, as determined by the Indiana High School Athletic Association, or when a student moves into the District and joins an activity covered by this policy, the student may be subject to testing for illicit or banned substances. Eligible students will be randomly tested anytime during the school year. Any student who refuses to submit to drug testing will not be allowed to practice or participate in designated extra-curricular Kankakee Valley High School activities or drive to and from school for educational purposes.

The Middle School athletic director determines the students' seasons from year to year and on a sport-to-sport basis. At Kankakee Valley Middle School, the student refusing the testing will not be allowed to participate in extracurricular activities.

Each student and parent will have the opportunity to opt out of the Random Drug Testing during registration. If they do not opt out during registration, the student will be included in the pool of students for the testing draw. If a student/parent does opt out and then participates in an extracurricular or decides to drive to school, they will then be included in the draw, as this will override the opting out from registration.

MS activities covered by this policy include all athletics teams, cheerleaders, academic teams, and other extracurricular clubs that are formed and approved by the School Board of Trustees as stipulated by State law.

This policy covers HS activities such as student drivers, athletics teams, cheerleaders, academic teams, and all other extracurricular clubs that are formed and approved by the School Board of Trustees as stipulated by State law.

### **Substance Abuse Programs**

All centers are suggestions. The Kankakee Valley School Corporation is not responsible for any costs if you choose to seek assistance from any company or program. The costs are unknown and it will be the student and/or parent/guardian's responsibility to find out the costs and how to pay for them.

Valley Oaks Health  
131 West Drexel Parkway  
Rensselaer, Indiana 47978  
219-866-5539

New Beginnings Counseling  
793 Juniper Road  
Valparaiso, IN 46385  
219-203-2343

Awakenings Counseling Centers  
7853 W. Taft. St.  
Merrillville, IN 46410  
219-791-9083

Northwest Indiana Treatment Center  
8500 Broadway Avenue, Suite H  
Merrillville, IN 46410  
800-784-1361