

DRUG TESTING POLICY

Patrick Henry Local Schools

The Patrick Henry Local Schools Board of Education Drug Testing Policy was formed because of a concern that alcohol and illicit drugs may be used by Patrick Henry Local Schools students. The Patrick Henry Local Schools Board of Education desires to implement a policy which will attempt to provide this district with a safe and healthful student program. This policy reflects the Patrick Henry Local Schools Board of Education and the community's strong commitment to establish a truly drug and alcohol free school program. Because of the pervasive nature of drug use in our local schools, Patrick Henry Local Schools have selected student athletes along with consent from their parents, volunteer to be tested, for inclusion in the testing pool. This policy applies to all student athletes from grades 9-12. Each student and the student's parent(s) are required to sign a form consenting to drug testing. If the form is not signed, the student athlete will not be permitted to participate in his/her respective activity.

I. PURPOSE OF THIS POLICY SHALL BE:

1. To provide a healthy and safe environment to all students participating in the athletic.
2. To discourage all students from using drugs and alcohol.
 - a. Students will assume all responsibility for regulating their personal lives in ways that will result in their becoming healthful members of a team and worthy representatives of the school and community.
3. To provide students with the opportunity to become leaders in the student body for a drug free school.
4. To provide solutions for the student who does use drugs and alcohol.
5. To provide the school with positive guidelines and disciplinary policies for violations of the drug free policy.
6. To encourage those students who participate in athletic and extracurricular programs to remain drug free and alcohol free.

A. The program does not affect the current policies, practices, or rights of the District regarding student drug and/or alcohol possession or use, where the District obtains reasonable suspicion by means other than drug testing through this policy. The drug testing policy is non punitive.

B. Students involved in athletic activities need to be exemplary in the eyes of the community and other students. The drug testing and education policy is designed to create a safe, drug free environment for students and assist them in getting help when needed. Although students risk the loss of continued participation in athletic activities, no student shall be suspended or expelled from school as a result of a certified "positive" test conducted by his/her school under this program. nor shall the Board report positive results to any law enforcement authorities.

C. No student will be penalized academically for testing positive for banned substances. The results of drug tests will not be documented in any student's academic records.

II. DEFINITIONS

1. STUDENT ATHLETE

Any person participating in the Patrick Henry Local Schools High School athletic program and/or contests under the control and jurisdiction of the Patrick Henry Local Schools and/or the Ohio High School Athletic Association (OHSAA). This policy also includes cheerleaders.

2. ATHLETIC SEASON

In-season start dates will begin as published by the Ohio High School Athletic Association or sanctioning organization and continue until the completion of awards program for that sport for the Patrick Henry Local Schools. There are three athletic seasons: Fall, Winter, Spring.

4. RANDOM SELECTION

A system of selecting athletes for drug and alcohol testing in which each athlete shall have a fair and equitable chance of being selected each time selections are required.

5. ILLEGAL/ILLCIT 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. 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. We may also test for Nicotine and Steroids.

6. 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 proportion 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 and non-prescription drugs, provided the substance is a) authorized by a medical prescription from a 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.

III. TYPE OF TESTING

2. RANDOM TESTING

In-session random testing shall be done throughout the season. Each team may have up to 20% of its eligible students tested **per random selection**. A student may be tested more than once per season. 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. Random selection of student athletes:

The provider of the testing program in conjunction with the Principal and/or Athletic Director 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 student athletes.

b. Scheduling of random testing:

Random testing will be unannounced. The day and date will be selected by the provider of the testing program and confirmed with the building administrator. Random testing may be done weekly.

3. DRUGS FOR WHICH ATHLETES MAY BE TESTED:

LSD, Alcohol, Marijuana, Amphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, Nicotine (Tobacco), Benzodiazepines, Opiates, Cocaine, Propoxyphene (Darvon), or 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. 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. COLLECTION PROCESS (Urine Screens)

The student will be notified to report to the collection site. A specimen from the student will be collected as follows and all students must follow this process:

A. All students must have a picture ID or be identified by the Athletic Director or Principal. No exceptions will be allowed.

B. Drug testing area must be secured during the testing.

C. Only lab technicians and students will be witness to the test. The lab technician shall be of the same sex as the student.

D. Privacy must be kept for all students.

E. No student is to enter the collection site until all necessary forms, money and proper ID are completed. The Athletic Director is responsible for ensuring that all of the forms are completed and signed by both parent/guardian/custodian and student.

F. 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.

G. 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 and t-shirts or dresses may be worn in the collection area. Any infringement of the rules may result in the student taking the test over.

H. Students processed by the lab technician who cannot produce a sample will be kept in a secured area up to two hours 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.

I. Students will be asked to hold out their hands 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.

J. 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.

K. Any and all adulteration of the specimen may be detected and considered the same as a test refusal or as an infraction of the policy. Adulteration or test refusals will be handled by using the guidelines under Section IV of this policy (Results of a positive test) (The lab checks every sample for adulteration, such as additives you drink or add to urine to change the sample.)

L. Adulterations: We will treat adulterations samples as first time offenses. They are not called positives but have the same consequences. A retest will be required within 24 hours. A diluted sample will require a second test within 24 hours. A second diluted sample within that time period will be considered a positive test.

M. 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.

N. 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.

O. 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.

P. 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 may be invalid and the student may have to give another sample.

1. 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.
2. 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 Officer will verify the positive test.
3. Any student that tests positive will have to be tested for the next 5 random testing dates with drug counseling at the expense of the student and or parent. Testing will be done the company that the school selects.

IV. **RESULTS OF A POSITIVE TEST**

If a student athlete's initial drug screen indicates a non-negative result, the laboratory will confirm the result with a retest of a sample from the same used for the first screen. Any positive urine drug test results will be made known to the building administrator, who in turn will notify the parents/guardians/custodians and student. This contact may come after the testing agency contacts the parent/guardian. Only the Superintendent, the building principal, the Athletic Director and the Head Coach shall be provided the results of the drug test. The student will not be subject to suspension or expulsion from the curricular program in the event of a positive test result, nor shall the Board report positive results to any law enforcement authorities.

1. IF A POSITIVE TEST OCCURS:

The First Violation

The athlete will be denied participation for a minimum of 20% of the season. The student will be required to participate in the next 3 random tests. The 3 mandated tests may run over/carry over into another season or school year. Before participation is denied, the student may submit a written statement signed by a health care professional that authorizes the student to use any drug that he/she tests positive for. This document must be presented within 48 hours of notification of a positive test. The building administrator or athletic director may consider this information before deciding whether to deny participation. The student may also request to submit to a retest that must be completed within five calendar days at the student's expense before participation is denied.

The Second Violation

The student is denied participation for up to one calendar year from the date of notification of the violation. The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the Athletic Department with documentation that the athlete completed all recommendations of the counselor. The possibility of reinstatement after 120 days does exist after the above is met. The reinstatement is determined by the principal and athletic director.

The Third Violation

The student is permanently denied participation in athletics in the Patrick Henry Local Schools.

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

V. Refusal To Test

When participating in any athletic programs, student athletes will be subject to random urine drug and alcohol testing, and if he/she refuses, will not be allowed to practice or participate in any athletic activities.

Patrick Henry Local Schools INFORMED CONSENT AGREEMENT

STUDENT NAME _____

GRADE _____

AS A STUDENT:

- I understand and agree that participation in athletic activities is a privilege that may be withdrawn for violations of the Patrick Henry Local Schools Drug Testing Policy.
- I have read the Drug Testing Policy and thoroughly understand the consequences that I will face if I do not honor my commitment to the Drug Testing Policy.
- I understand that when I participate in any athletic program I will be subject to random urine drug & alcohol testing, and if I refuse, I will not be allowed to practice or participate in any athletic activities. I have read the informed consent agreement and agree to its terms.
- I understand this agreement is binding while I am a student in the Patrick Henry Local Schools system.

STUDENT SIGNATURE

DATE

AS A PARENT/GUARDIAN/CUSTODIAN:

- I have read the Patrick Henry Local Schools district drug testing policy and understand the responsibilities of my son/daughter/ward as a participant in athletic activities in the Patrick Henry Local Schools district.
- I pledge to promote healthy lifestyles for all student athletes in the Patrick Henry Local Schools system.
- I understand that my son/daughter/ward, when participating in any athletic program, will be subject to random urine drug and alcohol testing, and if he/she refuses, will not be allowed to practice or participate in any athletic activities. I have read the informed Consent Agreement and agree to its terms.
- **I understand this agreement is binding while my son/daughter/ward is a participant in athletics in the Patrick Henry Local Schools district.**

PARENT/GUARDIAN/CUSTODIAN SIGNATURE

DATE

PARENT GUARDIAN/CUSTODIAN PRINTED NAME

PHONE

INFORMED CONSENT AGREEMENT

1. We hereby consent to allow the student named on the reverse side to undergo urinalysis testing for the presence of illicit drugs, alcohol, or banned substances in accordance with Policy and Procedures for Drug Testing of the Patrick Henry Local Schools District.
2. We understand that testing will be administered in accordance with the guidelines of the Patrick Henry Local Schools District Drug Testing Policy for student athletes.
3. We understand that any urine sample taken for drug testing will be tested only by a Board approved company.
4. We hereby release the PATRICK HENRY LOCAL School Board or Education, its employees or agents from any legal responsibility or liability for the release of such information and records.
5. We further give our consent to the company selected by the Patrick Henry Local Schools Board of Education to the high school principal which in turn may be shared with needed school personnel. We understand that these results will also be available to us upon request.
5. I, the student, hereby authorize the release of the results of such testing to my parent/guardian/custodian.
6. This will be deemed consent pursuant to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g as amended, and the Ohio Revised Code 3319.321, for the release of the test results as authorized by the Informed Consent Agreement or as required by law.

Student Signature

Date

Parent/Guardian Signature

Date

Parent/Guardian Printed Name

Primary Phone #