
Address

City

State

Zip

USD 432 STUDENT DRUG TESTING POLICY

In an effort to protect the health and safety of USD 432 students from illegal and/or performance-enhancing drug use and abuse or injuries resulting from the use of drugs, and to set an example for all students, the Victoria USD 432 Board of Education has adopted the "Student Drug Testing Policy" for drug testing of students participating in or attending school sponsored activities. The Board recognizes that all students have certain personal rights of privacy guaranteed by our federal and state constitutions. This policy is not meant to infringe on those rights.

STATEMENT OF PURPOSE AND INTENT

A. It is the desire of the USD 432 Board of Education, administration, and staff that every student in USD 432 refrain from using, possessing, or distributing illegal drugs. The actions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in or attend school sponsored activities. This policy is intended to supplement and complement all other policies, rules, and regulations of USD 432 regarding possession and/or use of illegal drugs.

B. Participation in or attendance at school sponsored activities is a privilege. Accordingly, students participating in or attending school sponsored activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal drugs.

C. The purpose of this policy is to prevent illegal drug use and to strive within USD 432 to create an environment free of illegal drug use and abuse. The sanctions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in or attend school sponsored activities. No academic sanctions for violation of this policy will occur, except to the extent that a violation of this policy would also constitute a violation of the school's disciplinary policies, or if a student blatantly tries to circumvent the testing process. In either case, school disciplinary

policies will apply. If the school's disciplinary policies regarding drug/alcohol use is violated, the student will be subject to the penalties of the disciplinary policy.

D. The purpose of this policy is to prevent drug use; educate students as to the serious physical, mental, and emotional harm caused by drug use; alert students with possible drug problems to the potential harms of use; prevent injury, illness and harm as a result of drug use; and to maintain in the school district an environment free of drug use and abuse. USD 432 has adopted this policy for use by all students participating in or attending school sponsored activities in grades 7-12.

DEFINITIONS

SCHOOL SPONSORED ACTIVITIES- those activities that take place outside of the regular course of study in school and those students involved in those activities including all USD 432 sponsored athletics and activities and interscholastic athletics and activities. Examples would include, but may not be limited to, competitive athletics, cheerleading, clubs, organizations, school sponsored dances, and programs.

DRUG USE TEST- a scientifically substantiated method to test for the presence of illegal drugs, performance-enhancing drugs, or the metabolites thereof in a person's urine, saliva, hair, or breath.

ILLEGAL DRUGS- any substance that a particular individual may not sell, possess, use, distribute, or purchase under either federal or Kansas law. Examples would include, but not be limited to, all scheduled drugs as defined by Kansas law, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose.

PERFORMANCE-ENHANCING DRUGS- includes anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or other athletic ability. Dietary or nutritional supplements such as vitamins, minerals, and proteins that can be lawfully purchased in over-the-counter transactions are not included in the term "performance-enhancing drugs."

POSITIVE RESULT- a toxicological test result that is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

REASONABLE SUSPICION- means a school employee's suspicion based on specific personal observations concerning the appearance, speech, smell, or behavior of a participating student, and reasonable inferences drawn from those observations in light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion could also include unusual increases in size, strength, weight, or other athletic abilities. All observations, sources, and personal information will be weighed by school employees on a case-by-case basis.

RANDOM SELECTION- each participant who has returned a signed consent form will be assigned a random number for testing purposes. The participant's drug test number will be used by the laboratory, which conducts the drug tests, to select the participants to be tested. After testing, the participant's drug test number is put back in the system, which means they could be selected again to be tested another time during the school year. It is all random and the laboratory selects as such.

SCHOOL DAYS- days that school is actually in session in USD 432.

EDUCATION

The school shall provide a drug policy education session for students. The session will include an explanation of the "USD 432 Student Drug Testing Policy." In addition, it is recommended that each coach/sponsor conduct a player and parent meeting that will include expectations with respect to the use of illegal drugs by participants. Parental attendance is strongly encouraged at each session. Each student will be provided a copy of the policy and consent form.

PROCEDURE

- A. Each student in school sponsored activities shall receive copies of the "Student Drug Testing Consent Form" which shall be read, signed, and dated by the student and parent and/or guardian. All students wanting to participate in or attend school sponsored activities must sign the consent form. The form will be signed and dated by both participants and custodial parents/guardians. No student will participate in any school sponsored activities until the signed consent form is on file in the appropriate school office. Transfer students will be placed in a testing pool within one week of their enrollment date in USD 432 schools so long as this form is completed and turned in.
- B. Students will be required to provide random samples as follows:
 - a. On a random selection basis, from a list of all students in the testing pool will be drawn to provide a urine/saliva/hair sample. At any time requested by the administration, based upon reasonable suspicion.
- C. Any drug use test required by USD 432 under the terms of this policy will be administered by, or at the discretion of a professional laboratory chosen by USD 432, using scientifically validated toxicological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control, and scientific testing.
- D. All aspects of the drug-testing program, including the taking of specimens, will be conducted in a manner to safeguard the personal and privacy rights of students to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, the specimen must be collected in a restroom or other private facility. The student will empty his/her pockets and remove his/her

coat and other excess clothing prior to entering the restroom or other private facility. The Principal shall designate a drug laboratory employee or school employee of the same gender as the student to accompany the student to a restroom or other private facility. When collecting a urine sample, the monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to ensure an accurate chain of custody. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure. At this time the monitor will inform the Principal, who will then determine if a new sample should be obtained. The monitor will be present to collect the sample along with the student and one other witness.

E. If the test for any student has a positive result at the laboratory, the laboratory will contact the custodial parent or guardian and solicit any information on medication which could create a positive test result. A medical review officer will confirm the positive result. If the initial drug test is positive, the initial test result will then be subject to confirmation by a second test by the laboratory. The second test shall not be reported positive unless the second test is positive for the presence of an illegal drug or metabolite thereof.

F. A medical review officer will confirm the positive result and contact first the parent/guardian and then the Designated Employee Representative. The DER will then schedule a conference with the parents/guardian, the student, and the activity sponsor/head coach. At the conference the DER will solicit an explanation of the positive test result. USD 432 will rely on the evidence supplied by the laboratory. The burden of proof (and any further costs thereof) to the contrary shall be borne by the student and his/her parent/guardian. The decision by the DER may be appealed in writing to the superintendent of schools within three working days. The superintendent shall render a written decision within three working days. The decision of the superintendent may be appealed in writing within three working days to the Board of Education, and the board will resolve the issue at its next regular or special board meeting. During the time of this appeal, the student will not be eligible to attend, participate in, or compete in school sponsored activities. The decision of the Board of Education may be appealed to the District Court as permitted by law.

G. A student who has tested positive for illegal or performance-enhancing drugs will be required to undergo one or more additional drug tests to confirm that the student is no longer using illegal or performance-enhancing drugs. A student may participate in activities after his/her initial suspension is served. However, the student will need to pass a second test within two months of the suspension to maintain participation privileges. The cost of the retest will be the obligation of the student or the parent/guardian.

H. All parents/guardians of students who do not test positive for illegal drugs or performance-enhancing drugs in the initial screening will be contacted by USD 432 personnel within ten (10) working days after test results are released to the DER.

VIOLATIONS

Any student who tests positive in a drug test under this policy shall be subject to the consequences listed below. Violations under this drug testing policy are cumulative throughout 2 years, grades 7-12 and start over every two (2) school years.

1st OFFENSE- The student shall be suspended from participation (excludes classroom participation and/or practices) in or attending all school sponsored activities including all performances and competitions for a period of four weeks (20 school days). During this time it is recommended that the parent/guardian obtain a substance abuse evaluation and education/counseling for the student at the parent's/guardian's expense. If the student and/or parent/guardian can provide proof of enrollment and regular attendance at a school approved substance abuse program, the suspension will be reduced to ten (10) school days.

2nd OFFENSE- The student shall be suspended from participation (excludes classroom participation and/or practices) in or attending all school sponsored activities, including all performances and competitions, for a period of ninety (90) school days. During this time it is recommended that the parent/guardian obtain a substance abuse evaluation and education/counseling for the student. If the student and/or guardian can provide proof of enrollment and regular attendance at a school-approved substance abuse program, the suspension will be reduced to forty-five (45) school days.

SUBSEQUENT OFFENSES- The student shall be suspended from participation in or attending all school sponsored activities, including all performances and competitions, for (180) school days.

NOTE: Any student who is found to have interfered with, cheated during, and/or circumvented their drug test will result in an out of school suspension and an automatic positive drug test.

SELF-REPORTING

A student who has never tested positive under the USD 432 policy has the option to voluntarily "self-report" the use of an illegal drug. Under this self-reporting clause, the student must self-report to the Principal or DER (Designated Employee Representative) prior to being selected in a random draw. Any student who self-reports a 1st offense shall have a five (5) school day suspension from all activities (excludes classroom participation and practices). Students cannot self-report if they have already tested positive as a 1st offense. A self-report will require a meeting between administration, parent/guardian, and student.

REFUSAL TO SUBMIT TO A DRUG TEST

Any student in the pool who refuses to submit to a drug test authorized under this policy shall be considered "POSITIVE" for drugs and be subject to the appropriate suspension as stated previously in the USD 432 Student Drug Testing Policy.

TRANSFER STUDENTS

Any student transferring to USD 432 who wishes to participate in or attend school sponsored activities must have a signed "Student Drug Testing Consent Form" on file with the Principal's office. The form will be signed and dated by both participants and custodial parents/guardians. No student will participate in any school sponsored activities until the signed consent form is on file in the appropriate school office.

DISCLAIMER

The Victoria USD 432 Student Drug Testing Policy does not supersede the student handbooks of Victoria High School or Victoria Junior High School with regard to students found to be in possession of, using, providing, or being under the influence of illegal substances or alcohol while on school property or at a school activity (home or away). Therefore, a student who violates the policy as set forth in the student handbooks should expect further consequences as deemed appropriate by administration.

Victoria USD 432

Student Drug Testing Form

Student Name: _____ Grade: _____
Date ____ - ____ - ____

Policy Statement - Adopted by USD 432 BOE July -13- 2020

The Victoria USD 432 Board of Education has adopted the "Student Drug Testing Policy" for drug testing of students participating in and/or attending school sponsored activities including all performances and competitions.

General Authorization Form

The student and parent/guardian have read and understand the "USD 432 Student Drug Testing Policy." We understand that as a condition of the student being allowed to participate in or attend school sponsored activities, the student may be required to undergo and successfully pass a random screening for illegal drugs, or other banned substances, as set forth in the drug testing policy. We agree to all terms and conditions contained in the policy.

The student and parent/guardian hereby consent to participate in the random drug testing program and to the disclosure of testing results to designated USD 432 personnel and to the parent/guardian. We further understand that the student's refusal to submit to a drug screening will be treated in the same manner as if the student had tested positive for banned substances.

Unless otherwise provided herein, no student shall be penalized academically for testing positive for banned substances during random drug testing. If the consumption took place at school or at a school activity, we understand there may be disciplinary consequences as determined by the administration as outlined in the student handbook of the school.

The privilege of being allowed to participate in school sponsored activities is contingent on the signing of this consent form.

This consent form shall remain in effect for as long as the student is a student within USD 432. Any revocation of this consent form shall disqualify the student from participating in or attending school sponsored activities for the remainder of the school year.

Student Signature

Parent/Guardian Signature

Address

City

State

Zip

All students wanting to participate in or attend school sponsored activities for USD 432 must sign this consent form and return it to the appropriate school office. Students will not be allowed to practice, participate in, or attend any school sponsored activities without both parental and student signatures.

Victoria USD 432

Student Drug Testing Withdrawal Form

I, _____, wish to withdraw from
Print Student Name Here

The Victoria USD 432 Student Random Drug Testing Pool for the 20____ - ____ school year.

I will submit this form to the Principal's office. I want my name withdrawn from the testing pool on the date this form is received by the Principal's office. Completing this form will impact my participation in and attendance at all athletic programs and school activities. By withdrawing, I understand I can no longer participate in or attend any of these programs and activities. A student may reenter the testing pool during the school year by providing a negative drug test at the student/parent/guardian's expense by a board approved testing facility. Otherwise, I may reenter the testing pool and enjoy the privileges listed above at the beginning of the next school year by filling out a new consent form.

Students have three (3) school days to reconsider their decision and reenter the pool with no consequences.

Any student who is under eighteen (18) years of age must have parental consent as indicated by signature below.

Printed Student Name _____ Grade _____

Date _____ - _____ - _____

Student Signature _____

Parent/Guardian Signature _____

Address _____ City _____

State _____ Zip _____

