
DESCRIPTOR TERM:

District 370 Policy
File Code: 8.09

Students

Student Activities Drug Testing

	1999	12-13-99
Amended & Adopted	2000	7-13-00
Amended & Adopted	2006	6-12-06

PHILOSOPHY

Based upon the input of parents, students, patrons, teachers, coaches, and others involved in student activities programs, officials representing the Homedale School District finds that a mandatory random drug testing program for all high school students involved in school-sponsored events for performance, competition or representing Homedale School District is necessary for the following reasons:

- Health and safety of the individual and others...any student participating in a student activity under the influence of an illegal drug or alcohol is a danger to everyone.
- Prevention...many students will be able to say “no” to drugs because they will have a legitimate reason: “I want to participate.”
Younger students look up to students as role models, who publicly represent our school district in various activities and are tested “drug free”. We believe this program discourages younger students from ever beginning to experiment with drugs or alcohol.
- Intervention...students desiring to participate in school sponsored events for performances, competition or representing Homedale School District will seek professional, clerical, or parental assistance for their drug or alcohol problems.

The Board of Trustees for the Homedale Joint School District No. 370 believes that this program gives a strong message to the student body and to the community that drugs and alcohol are not acceptable and offers assistance in getting free and staying free from drugs.

DEFINITIONS

Activity: Any school-sponsored event for performance, competition or representing Homedale School District (that is not a graded class) that takes place outside of the regular school day and/or school letter can be earned, i.e. dance teams, flag corp., class and student body officers, debate, drama, school clubs, sports, cheerleader squad, etc.

Activity Season: As identified by the IHSAA, the period beginning on the first day of practice allowed by the IHSAA for any activity in which a student participates, i.e., athletes: first day of practice through the last day of team participation; all others: the duration of student participation during the school year.

Alcoholic Beverages: Any beverage that contains alcohol, including but not limited to beer, wine, wine coolers, and liquor.

Student: Any student participating in a school-sponsored event for performance, competition or representing Homedale School District.

Drug: Any controlled substance as defined in Idaho Code, except those possessed and/or used pursuant to a valid prescription.

IHSAA: Idaho High School Activities Association.

EFFECTIVE DATE

Homedale Joint School District No. 370 (the District) will, effective January, 2000, begin conducting a mandatory random drug testing program for high school students participating in activities. This policy will be reviewed annually prior to or at the July Board of Trustees meeting.

WRITTEN CONSENT REQUIRED...SUSPENSION

Before participating in any activity, the student and the student's custodial parent or lawful guardian shall execute and deliver to the District a written consent form attached hereto as Exhibit A. Any student who refuses or fails to provide the duly executed consent form or who refused or fails to comply with the provisions of this policy shall not be allowed to participate in any activity program sponsored by the District.

Any student who willfully provides a false urine sample or who otherwise tampers with a urine sample or undertakes any effort to obstruct, evaluate or impair the accuracy of a drug test, shall likewise be prohibited from or suspended from participation in any activity or until an unadulterated and accurate urine sample is provided. Such options shall be determined solely at the direction of the superintendent or his/her designee.

STUDENT SELECTION

The superintendent or his/her designee shall take all reasonable steps to assure the integrity, confidentiality, and random nature of the selection process including, but not necessarily limited to:

- assuring that the names of all students are in the appropriate pool;
- assuring that the person drawing names has no way of knowingly choosing, or failing to choose, particular students for the testing;

- assuring that the identity of students drawn for testing is not known by the person making the selection or by persons involved in the laboratory analysis of urine specimens;
- assuring the selection process will be done by an unbiased third party.

At the option of the District, all students may be tested for drug and/or alcohol use at the beginning of any activity season. In addition, random testing may be conducted during the activity season on a weekly basis or any other frequency determined by the District. Selection for random testing will be by lottery drawing from a “pool” consisting of all students participating in an activity.

PROCEDURE FOR RANDOM DRAWING

Prior to the start of the practice for a particular activity, all students who plan to participate in such activity shall submit a signed general authorization form as attached as Exhibit A.

Throughout the school year, at least ten- percent of the total number of students will be tested each month. To assure the anonymity of the participants, each student will be assigned a number at the beginning of each school year. Only the student and the superintendent or his/her designee will know the number and the identity of the student to whom such number is assigned. All lists will be destroyed within thirty (30) days after the end of the school year, except for the numbers for students who have tested positive for use of illegal drugs or alcohol may be kept until the student is eligible to participate in IHSAA-sanctioned activities.

After all numbers are drawn for a particular week, they will immediately be returned to the pool of numbers for that activity in order to assure randomness of draw. It is possible that the number of a student may be drawn several times during the season, school year or not drawn at all.

URINE SAMPLING PROCEDURE

On the day the numbers are drawn, those students selected will be notified and must promptly report to the designated place to produce a urine sample. They will wash their hands and be given a sample collector and will be taken to a private bathroom stall where they will produce the urine sample. Adult monitors will turn the water off in the stall (or only cold water will be available) and put coloring in the toilet in order to assure that tampering will not take place. The monitor will also stand outside the stall while the sample is being taken.

Adult monitors and other persons collecting or assisting in the collection of the urine sample shall be of the same gender as the student giving the urine sample. On the way to the private bathroom to be tested the student will not be able to stop at their locker, they will go with the monitor directly to the area to be tested. All excess clothing, coats, extra shirts, and other garments or clothing accessories will be removed before entering the stall. Students may be asked to empty their pockets and surrender purses, wallets, backpacks or other bags, sacks or pouches, in order to assure counterfeit urine samples are not hidden on their person; however, full body “pat-downs”, body cavity searches or strip searches are absolutely prohibited. After

the urine sample is given, it will be checked for temperature and signs of tampering. While the student is still present, the testing will show positive or negative result.

Urine samples will be collected at a mutually convenient time on the same day the student is selected for testing or, if the student is absent on that day, on the day the student returns to school. If a student is unable to produce a urine sample at any particular time, the student will be allowed to return later the same day to provide the urine sample.

PRESCRIPTION MEDICATION

At the time of testing students who are taking prescription medication will list the medication and put it in a sealed envelope. If their test is positive the student must provide a copy of the prescription or a doctor's verification in a sealed envelope to the testing personnel or directly to the testing lab within forty-eight (48) hours after the urine sample is taken and be retested. The sealed envelope will be forwarded, unopened, to a testing lab with the instructions for the lab to consider the student's use of such medication in conducting its analysis. Prescription information provided by the student will not be disclosed to any school official. Students who refuse or fail to provide timely verification of prescription drug use and who test positive will be subject to the actions specified below for "positive tests", irrespective of their use of prescriptive medication.

SCOPE OF TESTS

The testing device is designed to test for one or more controlled substances or for alcohol. Urine samples will not be screened for the presence of any substance other than any illegal drugs or alcohol, nor for the purpose of identifying the existence of any disability or physical condition. The same test will be used on all of the tested students throughout the school year.

ACCESS TO RESULTS

The testing official will be authorized to report results only to the superintendent or his/her designee. Test results may be provided to the superintendent or his/her designee by telephone provided the superintendent or his/her designee recites a predetermined code designed to uniquely identify his/her person. Test results shall be destroyed at the expiration of one year after the last day of the activity season for the school year, except with respect to students who have tested positive

PROCEDURES IN THE EVENT OF A POSITIVE RESULT

Whenever a student's first test result indicates the presence of an illegal drug or alcohol (i.e., positive test), the following procedures shall be followed:

- The student may be asked to provide another urine sample as soon as possible the same day, following the procedures set forth above or the first sample will be sent to the testing lab. If the student refuses to provide another urine sample, or unduly delays in providing such urine sample, the results of the first urine sample shall be accepted as accurate.
- If the test sample submitted to the testing lab reveals a positive test, a meeting with the student's custodial parent or legal guardian, building principal, and the student's activity advisor(s)/coach will be scheduled. If the second urine sample tests negative, the student will be notified and no further action will be taken.

If a student's test is confirmed positive, his/her number will be removed from the pool until after the meeting with the building principal, at which time the student's number will be returned to the pool.

CONSEQUENCE OF THE FIRST POSITIVE RESULT

In the event a student tests positive for the use of alcohol or the unauthorized or illegal use of a drug or drugs, the student will be given the option of:

Option 1:

- participating in a drug assistance/prevention program (eight (8) weeks minimum), take an assessment, submit to a minimum of bi-weekly urinalysis for the remainder of the school year, but no less than one school activity season, abide by the actions stated in the activity(ies) constitution or athletic policy, and meet with the drug program counselor, principal and parents at the end of the "program".
- results become part of the student's permanent record to be sent to schools only if that school is participating in a drug testing program.

OR

Option 2:

- suspension, starting the day of the laboratory positive test results, from participation in all school sponsored activities for performance, competition or representing Homedale School District and IHSAA-sanctioned activities for the remainder of the school year, but no less than one school activity season.
- results become part of the student's permanent record to be sent to schools only if that school is participating in a drug testing program.

Failure by the student to select an option within twenty-four (24) hours after notification of the test results shall be deemed to be selection of option two (2).

SECOND POSITIVE RESULTS

If any student tests positive a second time within two (2) calendar years of the first positive test result while enrolled at Homedale High School or any other high school which conducts a similar drug testing program, the student will be suspended, starting the day of the laboratory positive test results, from participating in all school sponsored activities for performance, competition or representing Homedale School District and IHSAA-sanctioned activity for the remainder of the school year, but no less than two entire activity seasons.

The student will take an assessment and meet with the student's custodial parent or legal guardian, building principal, and the student's activity advisor(s)/coach within in five (5) school days of the positive test results.

Results become part of the student's permanent record to be sent to schools only if that school is participating in a drug testing program.

THIRD POSITIVE RESULT

If any student test positive a third time within (two) calendar years of the first positive test result while enrolled at Homedale High School or any other high school which conducts a similar drug testing program, the student will be suspended, starting the day of the laboratory positive test results, from participating in all school sponsored activities for performance, competition or representing Homedale School District and IHSAA-sanctioned activity for the remainder of the school year, but no less than three entire activity seasons.

The students will take an assessment, and meet with the student's custodial parent or legal guardian, building principal, and the student's activity advisor(s)/coach within five (5) school days of the positive test results.

Results become part of the student's permanent record to be sent to schools only if that school is participating in a drug testing program.

NON-PUNITIVE NATURE OF POLICY

No student shall be penalized academically for testing positive for use of illegal drugs or alcohol, nor shall any student be denied any benefits or services, other than the district-sponsored athletic and co-curricular programs as outlined above. The results of drug tests pursuant to this policy will become part of the student's permanent record to be sent to schools only if that school is participating in a drug testing program. Information regarding the results of drug tests shall be kept confidential between the superintendent, the building principal, their designee, the student's custodial parent or legal guardian, the school counselor, student's activity advisor(s)/coach, and the student.

In particular, test results will not be disclosed to law enforcement or juvenile authorities absent a valid and binding subpoena or other legal process issued by a court of competent jurisdiction. In the event of service of any such subpoena or legal process, the student's custodial parent or legal guardian will be notified in writing as soon as reasonably possible, but in no event less than seventy-two hours before a response is made by the district unless a response is due within a shorter time frame. Notification shall be made in writing and shall be deemed complete upon the deposit there of in the U.S. Mail, postage prepaid, addressed to the last known address of the student or his/her custodial parent or legal guardian or upon personal service upon the student's custodial parent or legal guardian. Verbal notification may be given, if time does not permit written notification within the seventy-two hour time frame.

APPEALS PROCESS

All violations may be appealed to the drug advisory committee within seven days after meeting with custodial parent, principal, and student activity advisor/coach. This committee will be made up of one administrator, one counselor, one teacher, one community member, the athletic director, and the drug education coordinator. The drug education coordinator will be the Chair of the drug advisory committee, with the other members made up of individuals outside of the student's school (middle school/high school). The Superintendent, or his designee, will determine the membership of the committee on an annual basis.

VOLUNTARY TESTING PROGRAM

The Homedale Public School is truly concerned and committed to helping students who are encountering drug or alcohol problems. The District recognizes that a student with drug dependency or use problem is not able to work to his/her fullest potential and stands a greater chance of coming into contact with law enforcement personnel due to increased exposure to criminal activity. To assist in the ultimate goal of drug-free school and drug-free students, the District will provide voluntary drug testing (urinalysis) to any student whose parents request the testing be done. The procedure for sampling and testing of urine samples shall be conducted under substantially the same sampling procedure as set forth above, provided, however, immediate on-site results may be given to the student's custodial parent or legal guardian. The testing will be provided at no cost (up to twice a school year) to parents and will be kept absolutely confidential, except for the superintendent or his/her designee, parent/guardian, student and test laboratory personnel. The District based upon such test results will take no legal or criminal actions, and no discipline by District officials will result from such voluntary test results. This service is offered solely for the information of the parent(s) and it is ultimately their decision what to do with the information. The results of a positive test result obtained pursuant to a positive drug test will not be used as a basis to determine eligibility to participate in district-sponsored athletics and co-curricular activities. Notwithstanding the foregoing, voluntary drug testing will not be allowed for any student between the time when he or she has been selected for a random drug test and until the test results therefor have been determined positive or negative.

Exhibit A

HOMEDALE JT. SCHOOL DISTRICT #370
116 EAST OWYHEE AVE.
HOMEDALE, ID 83628

**Entire Student Activities Drug Testing policy can be viewed at
http://www.homedaleschools.org/district/drug_ed/drug_ed.htm**

**DRUG TESTING POLICY
GENERAL AUTHORIZATION FORM**

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the policies, standards, rules and regulations set forth by Homedale Jt. School District #370 for the activity(ies) in which I participate.

I also authorize Homedale Jt. School District #370 to conduct an initial Rapid Eye Screening or urinalysis to test for drugs. I also authorize Homedale Jt. School District #370 to conduct random tests during the current school year. I authorize the release of information concerning the results of such a test to the Homedale Jt. School District #370 and to the parents and/or guardians of the student.

This shall be deemed a consent pursuant to the Family Education Right to Privacy Act for the release of above information to the parties named above.

PRINT Student's Name

Anticipated Year of Graduation

Student Signature

Date

I authorize Homedale Joint School District #370 to conduct the above random drug tests while my child is enrolled at Homedale High School. At any time I can rescind this permission by providing such notice, in writing, to the principal of Homedale High School. I understand that should I rescind such permission, my child will no longer be eligible to participate in activities as defined in Policy 8.09.

Parent/Guardian Name (print) _____

Parent/Guardian Signature

Date

PARENT/GUARDIAN COPY

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SCHOOL COPY