

## **DRUG TESTING OF STUDENT ATHLETES & STUDENT DRIVERS**

The Board recognizes that participation in school athletics and driving to school is an integral part of the entire educational experience. To that end, the Board has adopted a mandatory drug testing policy for high school students participating in athletics and/or students who wish to obtain a parking permit. The purpose of this program is to

1. Provide for the health and safety of all students;
2. Undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use alcohol and illegal drugs; and
3. Encourage students who use illegal drugs to participate in a treatment program.

The testing program is academically non-punitive. It is designed to create a safe and healthy environment for students and assist them in getting help when needed.

Eligible students are expected to hold themselves to good standards of conduct. Students participating in athletics and/or driving/parking at school carry a responsibility to themselves, their fellow students, their parents and their school to set the positive examples of conduct, which includes avoidance of the use of controlled substances.

Eligible students and their parent/guardian are required to consent to participation in the District's drug testing program. The consent shall include permission for random testing during the athletic activity and/or while driving and parking at school, and for reasonable suspicion testing as warranted. Any refusal to consent to the program results in ineligibility for all athletics and/or obtaining a parking permit for one school year. The following terms, conditions, expectations, and consequences are in full effect beginning the 2015-2016 school year.

### **DEFINITIONS**

**ADULTERATION** - Any attempt to alter the outcome of a test by adding a substance to the sample, attempting to switch the sample, or otherwise interfere with the detection of illicit or banned substances in the urine, including purposely over-hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

**ALCOHOL** - Intoxicating liquor, alcohol, wine, beer, mixed beverages, malt liquor, and malt beverages as defined in R.C. 4301.01. The term "alcoholic beverages" also means any liquid or substance, such as "near beer" intended for use as a beverage, used as a beverage, or capable of being used as a beverage, 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 District policy and rules related to the use of prescriptions so long as the substance is authorized by a medical prescription from a licensed physician and kept in the original container, which container shall state the student's name and directions for use.

**ASSESSMENT AND FOLLOW-UP PROGRAM** - A program operated by a certified chemical dependency counselor or any agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency.

**ATHLETE** - Any student participating in athletic programs and/or contests under the control and jurisdiction of the Ohio High School Athletic Association (OHSAA). Athletes include cheerleaders for the teams.

**CHAIN OF CUSTODY** - The methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to the final disposition for all such materials and providing for accountability at each stage of handling, testing, and storing specimens and reporting test results.

**CONFIRMATION TEST, CONFIRMED TEST, OR CONFIRMED DRUG TEST** - A second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

**PARKING PERMIT** – A permit given to students seeking permission to drive and park their personal vehicle on school property during the school day.

**FOCUSED SELECTION** - A mechanism for selecting students for drug/alcohol testing in which each student in a particular group shall be selected for testing when selections are made. Examples may include males, females, freshmen, sophomores, juniors, and/or seniors.

**ILLEGAL/ILLICIT DRUGS OR DRUGS** - Any substance, as included in schedules 1 through 5 of 21 U.S.C. 802(6) which an individual may not sell, exchange, give, possess, use, distribute, or purchase under Ohio Revised Code Chapter 2925 or Federal law, and any harmful intoxicant as defined in Ohio Revised Code Section 2925.01, and anabolic steroids. This definition also includes nicotine and all prescription drugs obtained without authorization, and 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 in the prescription or by the manufacturer.

**MOOD-ALTERING CHEMICALS** - Includes without limitation, narcotics, depressants, stimulants, hallucinogens, counterfeit drugs, marijuana, alcohol, and any common substance such as "white out", glue, gasoline, etc., used for a mood altering effect. Prescription drugs are also included, unless authorized by a medical prescription from a licensed physician and kept in the original container, which states the student's name and directions for proper use.

**POSITIVE RESULT** - The presence of alcohol, illegal drugs, or their metabolites.

**RANDOM SELECTION** - A mechanism for selecting students for drug/alcohol testing in which each student has an equal chance for being selected for testing each time selections are made.

**REASONABLE SUSPICION DRUG TESTING** - A suspicion based on specific personal observations, including, but not limited to, appearance, speech, body odors, behavior, or other

physical or observable traits of a student that creates a belief by the observer that a student is using or has been using drugs. Among other things, such facts and inferences may be based upon one or more of the following criteria:

- A. Observable phenomena, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug, including but not limited to appearance, speech, body odors, behavior, or other physical or observable traits of the student;

In the context of performance enhancing drugs, reasonable suspicion includes unusual increase in size, strength, weight, or other athletic abilities.

- B. Evidence that a student tampered with a drug test;
- C. Evidence that student used, possessed, sold, solicited, or transferred drugs while at school or while participating any interscholastic athletic program/extracurricular activity;
- D. Inconclusive, adulterated, or suspect test results or drug tests that report test acceptability criteria that have not been met.

**SEASON** – A period of time defined by start dates as published by the school or sanctioning organization, and continuing until completion of the banquet or final event for the activity in the District. The season for cheerleaders shall be the same as the season for the sport for which they cheer.

**SELF-REFERRAL** – The decision by a student to seek assistance or counseling for suspected substance abuse. A self-referral is not to be used as a means of avoiding consequences of a violation of this policy. Policy violations already reported, pending violations or the expectation of a pending violation with law enforcement cannot be “self-referred.”

**SPECIMEN** - Any urine sample provided by a student for testing pursuant to this policy.

**STUDENT** - Any high school student enrolled in the Hubbard Exempted Village School District or any other school directly affiliated with Hubbard Schools.

**STUDENT DRIVER** – Any student who drives or parks his/her personal vehicle on school property, including schools affiliated with the Hubbard School District during the school day. All students who drive or park on school property must register their vehicle with the high school office and have appropriate identification posted in their vehicle.

**TEAM SELECTION** - A mechanism for selecting athletes for drug testing in which each athlete of a particular team shall be selected for testing when selections are made.

**TESTING YEAR** – Twelve (12) month period.

### **Student Testing Requirements**

All high school students who wish to participate in the District's athletic program or obtain a parking permit are subject to drug testing. The testing may occur prior to participation in any athletic activity, at the beginning of each season or upon submission or parking registration. In addition, random testing of up to 100 percent of eligible students will occur during participation of the athletic season(s) and/or while the student parks at school. A student may be tested more than once per season/year. Drug testing may also occur when a District administrator, coach or other District personnel have a reasonable suspicion that a student is using a controlled substance.

Any student who was not previously tested by the District during the current twelve (12) month period may be tested at the time they join an athletic program. Any student purchasing a parking permit who was not previously tested by the District may be tested at the next collection date after the purchase is made.

### **PARENT REQUEST**

A parent/guardian may request, in writing and at their expense, that their son/daughter be tested during the next scheduled random test date.

The parents/guardians of non-participants may have their son/daughter placed in a random selection pool or request to have the student tested during the next scheduled random test date at their expense.

### **PROCEDURES FOR STUDENTS**

#### **A. Informed Consent**

Eligible students and their parent/guardian shall be provided a copy of Board policy, Administrative Guidelines and the Parent/Guardian Consent to Participate in the District's Drug Testing Program. These documents shall be distributed by the Principal, Athletic Director and/or school designated official. Each eligible student and his/her parent(s)/guardian(s) must read, sign, and date these documents as a condition of eligibility to participate in athletics and/or obtain a parking permit. Refusal to consent to drug testing results in ineligibility for all athletic activities and denial of a parking permit.

#### **B. Drug Testing Frequency**

At the beginning of each year/season, while students are parking on school property, or when a student moves into the District, all students covered by this policy may be subject to testing for illegal/illicit or banned substances, as specified in these guidelines. Following initial testing, up to 100% of eligible students will be randomly tested on a monthly basis during the athletic season that the eligible student participates or while the student parks on school property. Any eligible student who refuses to submit to drug testing will be treated as if student tested positive.

**C. Drugs for which Students May be Tested**

THC, Cocaine, Amphetamines/Methamphetamines, Opiates, PCP, Ecstasy, 6 AM (Heroin), Barbiturates, Benzodiazepines, Methadone, Propoxyphene, Oxycodone, or any substance included in (21 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.

**TESTING METHOD**

**1. Initial Drug Test**

An initial drug test may be required to participate in athletics and/or to obtain a parking permit. The test may occur before participation begins. Students participating in activities that require a physical examination may submit a drug test completed as part of his/her physical examination.

**2. Random Selection Guidelines**

Random selection of eligible students for additional testing is conducted throughout the duration of the participating season and/or during the time the student drives and parks on school property. Eligible students are randomly selected from a master list of identification numbers of all eligible students that is prepared by the Principal and Athletic Director and is maintained by the Board-approved testing vendor. Eligible students selected will be notified by the Principal and directed to report to the collection site and provide a urine sample for testing within the time parameters established by these guidelines.

Random testing will be unannounced. The testing vendor will select the day and time for testing and confirm with the Principal. Every effort will be made to conduct testing during students' nonacademic time. Although testing will not be conducted during holidays or winter or spring break, the schedule will not follow any recognizable pattern.

Any student who refuses to submit to the drug testing will be treated as if the student tested positive and will not be allowed to practice or participate in athletic events or park at the District until such time as student submits to testing and results are reviewed.

**3. Reasonable Suspicion Testing Guidelines**

Reasonable suspicion testing occurs when the District has a reason to suspect a student athlete or student driver may be in violation of this policy. A reasonable suspicion test may occur based on:

- A. Observed behavior, such as direct observation of drug, alcohol use, or possession, or physical symptoms of drug or alcohol abuse;
- B. A pattern of abnormal conduct or erratic behavior;
- C. Arrest or conviction for drug related offense;
- D. Information provided either by a credible source or independently corroborated regarding a student's substance or alcohol use; or
- E. Evidence that the student being tested has tampered with a previous drug or alcohol test.

Any observation used to support reasonable suspicion testing is documented in writing by the Principal/designee and maintained in the student's record.

### **CONFIDENTIALITY**

Because the selection and reporting process for the student tested is confidential, the selection, collection, chain-of-custody documentation and reporting of results are accomplished using identification number codes. The Principal and Athletic Director establish a master list of student's names and unique code numbers. The list is maintained in a secure and locked location. The Superintendent, High School Principal, Athletic Director or designated school official are the only school personnel with access to the list. These code numbers are used to select the pool to be tested for random testing.

The testing vendor coordinates with the Principal to schedule students for the collection of urine samples.

A testing vendor representative and Principal shall be present at the collection site for the purpose of coordinating the identification of the student to be tested and the assignment of the code number master list. From that point on, the code number is utilized for specimen identification and reporting. The collection site master list is used to record prescription and over-the-counter medications that the student has identified as used in the five (5) days prior to the collection.

The collection site master list is then used by the Principal to identify the test student's parents when positive, confirmed results or when inconclusive adulterated or suspect results are reported by identification number by the testing laboratory in accordance with this policy.

### **SELF-REFERRALS**

A student may give a once-a-year self-referral. Self-referrals can only happen before a test is done. Counseling and additional testing are required, but no other punitive action is taken. Any student that tests positive after self-referral may be tested monthly for the remainder of his/her athletic participation or while parking at school. Further, policy violations already reported, pending

violations or the expectation of a pending violation with law enforcement will not considered to be “self-referred.”

## **COLLECTION PROCESS**

### **A. Collection Site For Urine Testing**

The primary method of testing will be through the use of urine samples. Collection sites will be chosen based on adequate bathroom facilities and the ability to limit access to all persons except authorized monitors and students being testing during collection times. Facilities for female students being tested should have private stalls with closures. All testing areas will be secured during testing.

There should also be sufficient room to hold waiting students who must remain supervised at the collection site until collection is complete. Upon initially entering the collection site, the student being tested must remain until collection is complete.

### **B. Collection Procedures**

1. Upon reporting to the collection site, the student being tested will remove all outer garments (coats, jackets, hats, scarves, sweaters, etc.), select a sealed sterile container, verify the assigned identification number by signing the collection site master list and disclose in writing all medications, both prescription and non-prescription taken in the past five (5) days. That information will be placed in a sealed envelope, which will be provided to the monitor. District employees shall not view lists of authorized medications. The envelope will be opened only in the event of a positive test result. In the event of a positive test for a prescription drug, the parent and student will be afforded twenty-four (24) hours to provide either a current copy of the prescription, or the label from a current prescription container identifying that the said prescription drug has indeed been prescribed for the participant and in what dosage.
2. One student shall enter a secure bathroom facility accompanied by a monitor of the same sex, wash his/her hands, empty pockets of pants, and proceed to the urinal or toilet stall and open the sealed specimen container.
  - A. Each male student produces a sample at a urinal. The student remains fully clothed with his back to the monitor. The monitor stands 6-10 feet behind the student and listens for normal sounds of urination.
  - B. Each female student produces a sample in an enclosed stall. The monitor stands outside the stall where she can hear but not observe the student and listens for normal sounds of urination.
3. If unable to provide a sample, the student being tested must take the empty specimen container to the monitor pending a later attempt. The monitor maintains control of the specimen container until given to the student for the next attempt. The student being tested

must remain in the secured area until able to produce a specimen or until excused by the testing vendor representative or Principal. If the student leaves this area, it will be treated as a positive result and the student will be unable to participate in athletics or extra-curricular activities until the student is able to submit a test with a negative result or until the next testing cycle. Students will be given a reasonable amount of time to produce a sample.

4. Students who are absent when scheduled or are otherwise unable to provide an acceptable sample when scheduled are not eligible to participate in athletics or park at school until a retest can be scheduled and an acceptable sample is obtained.
5. If a partial but insufficient sample is collected, the original container is held by the monitor who checks the temperature of the sample. The student being tested must remain in the secured holding area until able to produce an additional specimen in a second container. The monitor tests the temperature of the second sample. If the temperature of both samples is within the established testing parameters, the samples may be combined in the presence of the student being tested.
6. Because temperature of a freshly voided sample may be used as criteria for suspected tampering and dilution, it is imperative that the student being tested delivers the sample to the central processing area within four (4) minutes of collection. If delayed for any reason, the student must verify the temperature on the indicator strip on the container with the monitor. If upon initial testing the urine temperature is outside the testing parameters, the sample is deemed invalid and the student being tested is required to provide another sample. If no sample can be provided that day, the student is not eligible for participation in athletics or park at school until a rescheduled test is completed by the student.
7. The labeled samples will be maintained under strict security by the collection monitors to maintain proper chain-of-custody and safeguard the rights of the student. Any and all adulterations of the specimen will be detected and considered the same as a test refusal or first time infraction. (The lab checks every sample for adulteration, such as additives drunk or added to urine to change the sample.)
8. Adulterations and diluted samples are treated as first time offenses. They are not called positive, but have the same consequences. A retest will be required within 24 hours.
9. Any suspicion of tampering with the sample will be brought to the tester's attention. The sample will be screened or sent to the lab for immediate confirmation of tampering.
10. This collection procedure is subject to change because of procedural requirements by the testing agency. The Board reserves the right to change the collection procedure to coincide with the testing guidelines set forth by the testing agency. When using rapid screens, all non-negative screens will be sent out with a chain of custody form to a certified laboratory for confirmation.



11. Testing will be done by On Demand Drug Testing and Work Solutions, only so long as this is the company the District selects.

**C. Notification Chain For Inconclusive, Adulterated Or Suspect Result**

Any and all adulterations of the specimen will be detected and considered the same as a test refusal or first time infraction. Adulterations are treated as first time offenses. They are not called positive, but have the same consequences. A retest will be required within twenty-four (24) hours.

Anyone who suspects tampering with the sample shall notify the Principal or designated school official. The sample will be screened or sent to the lab for immediate confirmation of tampering.

When the Principal or designated school official receives notice of a result that is inconclusive, adulterated, or suspect, the Principal or designated school official will contact the parent/guardian of the student within twenty-four (24) hours of notification that a re-test is required. The Principal and testing vendor will collaborate regarding a re-test and the Principal will contact the student to schedule the re-test.

**POLICY VIOLATION**

For the purpose of this policy, the following actions constitute a violation:

- A. Failure to report to collection site after notification.
- B. Refusal to submit urine sample for testing.
- C. Tampering with the sample for testing or attempting to subvert the collection/identification process.
- D. Confirmed positive result for banned substance.
- E. Aiding and/or abetting another student in violating this policy.
- F. Refusal to submit to a re-test when required following an inconclusive, adulterated, or suspect result.
- G. Failure of the student and/or the student's parent/guardian to sign the testing consent form(s) and return them to the Principal, Athletic Director, Coach or designated school official prior to testing.

A positive alcohol and/or drug violation will result in additional testing either through the Board-approved vendor or an assessment programmer through the District's drug testing program. The cost of this testing will be the responsibility of the student and/or the student's parent/guardian.

### **DUE PROCESS**

After notification of a confirmed positive test result, the Principal shall contact the parent/guardian by telephone and inform the parent/guardian of their right to a meeting with the Principal to explain the student's rights under this policy. Such notification shall also be sent via certified mail.

After notification of a positive test result, the student and his/her parent/guardian may, at their own expense, elect to have a portion of the original sample re-tested by an independent certified laboratory of their choice. The District will forward the sample in response to a written request.

If the parent/guardian fails to contact the Principal within forty-eight (48) hours (excluding weekends) following receipt of said notice by telephone or certified mail to schedule a meeting to review the test results, the results are deemed conclusive for purpose of further action under this policy and the parent/guardian and the student are deemed to have waived their right to challenge the test result as it applies to challenges under this policy.

Any penalties authorized under this policy are in effect during the pendency of an appeal. The Principal issues a decision within forty-eight (48) hours (excluding weekends) of receipt of the appeal. Notice of the decision is given by phone if possible and then by certified mail.

Consequences for a second or third offense are not based on whether the banned substance detected is the same as that identified in the previous test(s).

Students who in any way aid or abet another athlete violating this policy will be disciplined as if they were the principal offender.

### **COST OF ADDITIONAL TESTING**

Once a student athlete or student driver has had a positive test confirmed, any and all additional test or resulted costs are the responsibility of the student and his/her parent/guardian.

### **CONSEQUENCES OF POSITIVE RESULTS OR OTHER VIOLATION OF POLICY FOR STUDENT ATHLETES**

#### **A. First Violation**

The student athlete will be denied participation in ten percent (10%) of games, but must still attend and participate in practices. The student athlete must also be present with the team at the games or meets, but not in uniform. These events shall be consecutive starting with the first scheduled event after the confirmation of the violation. Any denial of participation occurring at the end of the season is carried over to the next sport in which the student participates until this consequence for the first offense is fulfilled.

The student athlete must participate in an assessment and rehabilitation program. This assessment must be conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed

physician trained in chemical dependency. Within seven (7) days of notification of the violation, the student must set an appointment with a chemical dependency counselor and must participate in an assessment and rehabilitation program. Once that student has provided proof of a scheduled appointment, the student may petition for reinstatement of the privilege to participate. The parent/guardian and the student will meet with the Principal to determine reinstatement. The Principal may require that the student provide periodic status updates regarding his or her progress in the rehabilitation program. The student and/or parent/guardian are responsible for all expenses associated with the assessment and rehabilitation program and for providing the Principal or designated school official with requested documentation. The student athlete must participate in the assessment process and rehabilitation program through its completion. A student athlete disciplined under this policy will follow additional guidelines established in the Athletic Handbook. The student will automatically be included in the next random testing sequence.

### **B. Second Violation**

The student athlete is denied participation in fifty percent (50%) of games, but must still attend and participate in practices. The student athlete must also be present with the team at the games or meets, but not in uniform. These events shall be consecutive starting with the first scheduled event after the confirmation of the violation. Any denial of participation occurring at the end of the season is carried over to the next sport in which the student participates until this consequence for the second offense is fulfilled.

The student athlete must participate in an assessment and rehabilitation program. The assessment must be conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency. Within seven (7) days of notification of the violation, the student must set an appointment with a chemical dependency counselor and must participate in an assessment and rehabilitation program. Once that student has provided proof of a scheduled appointment, the student may petition for reinstatement of the privilege to participate. The parent/guardian and the student will meet with the Principal to determine reinstatement. The Principal may require that the student provide periodic status updates regarding his or her progress in the rehabilitation program. The student and/or parent/guardian are responsible for all expenses associated with the assessment and rehabilitation program and for providing the Principal or designated school official with requested documentation. The student athlete must participate in the assessment process and rehabilitation program through its completion. A student athlete disciplined under this policy will follow additional guidelines established in the Athletic Handbook. The student will automatically be included in the next random testing sequence.

### **C. Third Violation**

The student athlete is denied participation in all athletic activities for a period of 365 days from the time of notification of the violation. The student athlete must participate in an

assessment and rehabilitation program. The assessment must be conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency. Within seven (7) days of notification of the violation, the student must set an appointment with a chemical dependency counselor and must participate in an assessment and rehabilitation program. The student must complete the rehabilitation and follow the counselor's recommendation prior to reinstatement. The student and/or parent/guardian are responsible for all expenses associated with the assessment and for providing the Principal with documentation that the student completed all recommendations of the counselor.

Failure to complete the assessment following any of the violations shall result in denial of participation in the covered activities until the completion of the assessment. Violations are accumulative throughout the student athlete's secondary school career at the high school.

Athletes who in any way aid or abet another athlete in violating this policy will be disciplined as if they were the primary offender.

Consequences for a second and third violation are not based on whether the banned substance detected is the same as that identified in the previous test(s).

No student will be penalized academically for violating this policy. Moreover, information regarding test results will not be disclosed to criminal or juvenile authorities absent legal compulsion by a valid and binding subpoena or other legal process, which the District will not solicit. In the event of service of any such subpoena or legal process, the athlete and his/her parents/guardian will be notified at least forty-eight (48) hours before a response is made by the District, to the extent legally permitted. However, if the student is caught in the possession of or use of a banned substance, he/she will be subject to discipline in accordance with the Student Code of Conduct.

### **CONSEQUENCES OF POSITIVE RESULTS OR OTHER VIOLATION OF POLICY FOR STUDENT DRIVERS**

Students who elect to secure a parking permit from the high school will be automatically entered into the random testing pool for the school year. Students testing positive for the first time will have his/her parking permit suspended for three (3) months of the school year and must participate in an assessment and meet the same requirements regarding reinstatement of his/her parking permit as described for the first offense for student athletes. A second offense will result in the student being banned from parking in the high school parking lot for the remainder of the school year and the student is required to participate in an assessment and meet the same requirements regarding reinstatement of his/her parking permit as described for the second offense for student athletes. A third offense will result in the student being banned from parking at the high school for the remainder of his/her high school career.

In order to be reissued a parking permit after the first offense the student will submit a sample at the next random testing.

Violations are accumulative throughout the student's secondary school career at the high school. No student will be penalized academically for violating this policy.

### **VENDOR REQUIREMENTS FOR DRUG TESTING**

At a minimum, the Vendor must be able to provide the following services:

#### **A. Initial Testing**

At the beginning of the year for parking permits and prior to the beginning of the participating athletic season all eligible students may be subject to urine drug testing. This testing will be accomplished on a date and time coordinated with the testing Vendor. A representative from the testing Vendor, the Principal, Athletic Director or designated school official is responsible for seeing that all eligible students and their parent/guardian/custodian properly sign the Consent to Participate in the District's Drug Testing Program prior to testing.

Any eligible student moving into the District may be tested at the time they join an athletic activity or request a parking permit.

#### **B. Random Selection of Eligible Students and Scheduling of Testing**

The Principal and Athletic Director will prepare a list of eligible students. This list will be forwarded to the Vendor for the random selection of students for testing.

Once provided a list of eligible students, the Vendor must select the required number of students in a random and confidential manner. This system will utilize a computer-based system designed specifically for the purpose of randomly selecting individuals for drug testing.

On a monthly basis, the Vendor will arrange with the Principal a day and time to do the collection of specimens. However, testing will not be conducted during holidays or spring break. The schedule will not follow any recognizable pattern. The selected student names will be given to the Principal, who will arrange for these eligible students to report to the collection area.

#### **C. Collection of Urine Specimens**

The Vendor will oversee the collection of urine specimens as outlined in this Policy. Chain-of-Custody forms will be provided by the Vendor that meets the criteria of this Policy and that of the testing laboratory. Eligible students will be given as much privacy as possible in obtaining the specimen.

#### **D. Testing of Urine Specimens**

The Vendor will have all specimens tested for the specified illicit or banned substances by a qualified laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) following the guidelines of the Department of Health and Human Services (HHS). Although not required, it is recommended that the testing laboratory have greater than 10-years'

experience in toxicology testing and Chain-of-Custody procedures. All specimens must be initially tested using a highly accurate immuno-assay technique, with all presumptive positive results then confirmed by a Gas Chromatography/Mass Spectroscopy (GC/MS) confirmatory test (understanding that no current GC/MS test is available for LSD).

The following drug classes, substances, or their metabolites are considered illicit or banned for Hubbard Exempted Village School District students. Therefore, the testing laboratory must be able to test for the following drug classes, substances or their metabolites in collected urine specimens. The Principal and/or designated school official may specify certain classes or substances to be tested.

THC  
Cocaine  
Amphetamines/Methamphetamines  
Opiates  
PCP  
Ecstasy  
6 AM (Heroin)  
Barbiturates  
Benzodiazepines  
Methadone  
Propoxyphene  
Oxycodone

**E. Medical Review Office (MRO) Services**

The Vendor will provide MRO services by a licensed physician who is certified by the Medical Review Officer Certification Council (MROCC) or the American Association of Medical Review Officers as having proven by examination to have had the appropriate medical training to interpret and evaluate drug test results and thus qualified for certification as a Medical Review Officer. Additionally, the MRO must demonstrate a willingness to abide by this Policy as to the evaluation of positive drug tests and reporting findings in a timely and confidential manner. All results will be kept on file for a period of seven years.

**F. Reporting of Random Urine Test Results by Vendor**

The MRO will certify all urine drug screens as negative or positive. Positive findings will be reported by telephone in a confidential manner to the Principal and then the Parent.

**G. Statistical Reporting and Confidentiality of Urine Drug Test Results**

The Vendor, testing laboratory, or MRO 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 Hubbard Exempted Village School District Board of Education. However, the Vendor will provide the Superintendent with an annual report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens.

**H. Pick-Up Process**

The Vendor is responsible for seeing that specimens are delivered to or picked-up by the testing laboratory and the Chain-of-Custody form properly annotated.

**I. Form Completion**

The Vendor is responsible for seeing that proper drug testing custody and control forms are used that satisfy the needs of this Policy and the testing laboratory. A student number will be used for identification with the student's name only appearing on the copies that go to the donor, MRO, and Principal or designated school official.

**MEDICAL REVIEW OFFICER (MRO) RESPONSIBILITIES**

The MRO will review all results of urine drug testing. Any urine specimen testing positive for illicit drugs, banned substances, or adulteration will be handled in the following manner:

- (a) The MRO determines if any discrepancies have occurred in the Chain-of-Custody.
- (b) Depending on the substances found in the urine, if necessary the parent/guardian/custodian will be contacted to determine if the student is on any prescribed medication from a physician.
- (c) If the student is on medication, the parent/guardian/custodian will be asked to provide a copy of the prescription or a letter from the prescribing physician, to document what medications the student is currently taking. Failure to provide such requested information will be considered a positive result.
- (d) The MRO will then determine if any of the prescribed medications resulted in the positive drug screen.
  - (1) For example, a drug screen positive for codeine may be ruled negative by the MRO when he receives a letter from the treating physician that the student has been prescribed Tylenol© with codeine as a pain medication following tooth extraction.
  - (2) Or, if the student has a positive drug screen for codeine and has no documented physician order for the medication (maybe a parent gave the student one of their pills), this would likely be ruled a positive drug test by the MRO.
- (e) Drug screens positive for illicit drugs (marijuana, heroin, cocaine or alcohol, etc.) would automatically be considered positive by the MRO. The MRO may use quantitative results to determine if positive results on repeat tests indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the MRO 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.

- (f) Finally, the MRO, based on the information given, will certify the drug test results as positive or negative. Positives will be reported to the Principal by phone.