

## **Questions and Answers Regarding the El Dorado School District Random Drug Policy**

The following is provided for parents and students to better understand the drug-testing program that was approved by the USD 490 Board of Education on June 12, 2006, and which goes into effect at the beginning of the 2006-07 school year. The official policy is also available on the district website under the Parent/Student category ([www.eldoradoschools.org](http://www.eldoradoschools.org)). We hope these questions and answers will help you better understand the policy and encourage you to contact the school offices if you need more information.

### **Why is the El Dorado USD 490 School District initiating a Student Drug Testing Program?**

The District has determined that the use or misuse of illegal drugs and/or alcohol and tobacco among students in grades 7-12 are a problem within the schools and community. Information gathered from the student body and from other reliable sources within the community indicates that such use is prevalent within all segments of the student population, including those who participate in extracurricular activities. The District has determined a need to implement a program of random testing of students in grades 7 –12 as a condition of their participation in extracurricular activities.

### **What are the objectives of the Student Drug Testing Program?**

The drug-testing program is not intended to be a punitive measure. Rather, the following objectives serve as the foundation for the program:

- to provide for the safety of all students.
- to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs.
- to promote achievement of students full academic potential by preventing the impact drug and alcohol use has on the learning centers of the brain, and
- to encourage students who use drugs to participate in drug treatment programs

### **What is an extracurricular activity?**

For the purposes of this policy, an extracurricular activity is defined as:

- a. A School sponsored activity such as a competitive sanctioned or sponsored activity involving competition, comparison or judging,
- b. Noncompetitive activities such as school sponsored groups or clubs,
- c. School sponsored events such as dances, or attendance at a competitive or non-competitive activity, or,
- d. Students driving or parking on school property and summer driver education. Extracurricular activities are not part of any particular academic class for which a grade is given. Extracurricular activities will include but are not limited to athletics, school dances, Prom, activities associated with clubs and organizations (e.g. such as field trips), and student parking on school property. (A list of extracurricular activities is included as Exhibit D.)

**Which students will be subject to random drug testing?**

All students in grades 7-12 who participate in any extracurricular activity will be subject to the testing program. The following activities and organizations have been identified as ones in which the students involved will be subject to drug testing. If a particular activity in which your son or daughter participates is not listed, please ask building administration if the policy applies. For matters of interpretation, the definition of extracurricular activities is school activities that are not part of any particular academic class for which a grade is given. This would include but is not limited to athletics, school dances, Prom, and activities associated with clubs and organizations such as field trips. (A list of extracurricular activities is included as Exhibit D.)

**Does a student need to have a signed consent form from the parent/guardian/custodian authorizing participation in the drug-testing program in order to try out for an activity or run for office?**

Yes. Before a student is allowed to participate in any extracurricular activity, the student and the parent and/or person otherwise in lawful control of the student must sign the Informed Consent Agreement consenting to the random testing. Both the student and the parent/guardian/custodian must sign the consent form authorizing the student's participation in the drug-testing program. In addition, the student and parent/guardian/custodian must approve and sign the Release of Information Form for the Medical Review Officer.

**What happens if a parent or guardian does not consent to testing?**

The student will not be able to participate in extracurricular activities at El Dorado High School or El Dorado Middle School.

**How will students be selected for a random drug test?**

A list of all students participating in extracurricular activities, as defined in the student drug testing policy will be provided to HR Solution, LLC. HR Solutions, LLC will use a computer program to randomly select students for a drug test. The number of students tested each testing period will be determined by the building principal.

**When will students be notified they have been randomly selected for a drug test?**

A building administrator will request selected students to report to the school office and then direct them to the testing location.

**What happens if a student refuses to be tested?**

Refusal on the part of any student to participate in a scheduled or random drug test shall be considered as a positive test.

**What happens if a student is absent on the day he or she is chosen for testing?**

Any student identified for random testing on a given date and because of illness or any other legitimate reason, is not in school, will be included in the next random drug screen.

**How much is the drug testing program costing El Dorado USD 490?**

The cost of the contract with HR Solutions, LLC is \$25.00 per random sample. HR Solutions, LLC provides qualified personnel and contracts with an independent laboratory that has met all standards for certification as established by the Substance Abuse and Mental Health Services Administration (SAMSHA). Qualified laboratory personnel in accordance with accepted practices and procedures will conduct all testing. USD 490 will pay for costs of the random drug test and follow-up drug screens.

**What is the process for the drug testing and what method is used?**

Testing is done by urinalysis using accepted immunological screening procedures because it is accurate and reliable. The process includes collection, screening, confirmation and review.

**How often will drug testing be done?**

Testing will be done randomly but not more often than bi-weekly.

**Is it possible that a student could be chosen for drug testing more than once?**

Yes, because selection is random and without suspicion.

**What happens if a student tests positive?**

Parents will be notified and requested to provide information about any prescribed medications to cause a positive test result. If there is no medical explanation for the positive result, the district will be notified about the positive test. If the MRO determines the positive test result is because of a prescribed medication, a negative test result will be reported to the district. Upon a positive report, the sanctions provided in Board policy will be imposed.

**Who actually does the collection process?**

USD 490 has contracted with HR Solutions, LLC of El Dorado to collect the specimens and provide other testing services.

**What about privacy and confidentiality and where will the samples be collected?**

The collection and coding of specimen samples will be done in a manner that ensures proper identification and confidentiality. The specimen collector will always be positioned in a way that gives each student his or her privacy. The samples will be collected in a restroom suitable for the testing and which has been chosen by the Principal and a representative from HR Solutions, LLC.

**For what drugs will students be tested?**

Any substance considered illegal by either federal or Kansas law or that is controlled by the United States Food and Drug Administration including, but not limited to the following: alcohol; amphetamines/methamphetamines (speed, uppers, diet pills); barbiturates (downers, sleeping pills); benzodiazepines (Valium, Librium); cannabinoid (marijuana); cocaine metabolites; hallucinogens (LSD); Methadone; nicotine; opiates (heroin, morphine, codeine); phencyclidine (PCP, angel dust); propoxyphene (Darvon).

El Dorado USD 490 reserves the right to test for any and all illegal or controlled substances as determined at the discretion of the district.

**What are consequences for a positive test?**

**First Positive Result**

A positive result from the MRO, an altered sample, or refusal to participate by a selected student will constitute a first positive. The student participant will be suspended from all extracurricular activities as defined in this policy, including parking privileges for two weeks and a minimum of two athletic contests or extracurricular activities. The specific coach’s individual team policy may supersede the requirements of this policy based on prior behavior, but not less than the provisions of this paragraph. Additionally, student participants who have a first positive result will be required to submit to five follow-up drug tests during the next twelve (12) month period and will be required to participate in a chemical assessment program to determine the extent of their drug/alcohol use. The cost of the chemical assessment will be the responsibility of the student or student’s parents or guardian if under age 18.

**Second Positive Result**

A second positive result by MRO ruling or adulteration of a sample will result in the student participant being dismissed from all extracurricular activities as defined in this policy in which he/she is currently participating and denied participation in future extracurricular activities the remainder of the school year unless or until the student shows positive results from a comprehensive substance abuse program recommended by a certified substance abuse professional. (The student will be barred from participation in

any extracurricular activity as defined in this policy for a minimum of eight (8) school weeks.) The cost of the substance abuse program will be the responsibility of the student or student's parent or guardian if under age 18. The student will continue or repeat the five necessary follow-up drug screens. The period of exclusion from extracurricular activities may continue into the following school year.

#### Third Positive Result

A third positive result in any two consecutive calendar years, will result in the student participant being barred from participation in any extracurricular activity as defined in this policy-for a minimum of sixteen (16) school weeks. In addition, the student must participate in a chemical assessment program and successfully complete a substance abuse program recommended by a certified substance abuse professional at the expense of the student or student's parents or guardian (The substance abuse program can not be the same program for the Second Positive Result). At the end of the sixteen school weeks and successful completion of the substance abuse program, the student must complete another drug screen at the student's expense, with negative results. Upon return to participation in extracurricular activities, the student will continue or repeat the five necessary follow-up drug screens. The period of exclusion from extracurricular activities may continue into the following school year.

#### **What is the process for appeals?**

Should a student and/or parent or person otherwise in lawful control of the student elect to appeal a positive test result; the second half of the specimen in question may be tested. In such cases, the student and/or parent or person otherwise in lawful control of the student shall assume responsibility for payment of all fees related to the second test. A written request to appeal a positive test must be submitted to the Superintendent or designee within three days of receiving notice of the positive results.