APPENDIX G

DRUG TESTING POLICY

AND

PROCEDURE

ADOPTED 9-8-98

REVISED 6-15-99

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**REVISED 12-13-00**

**STUDENT ATHLETE/CHEERLEADER DRUG POLICY**

**POLICY STATEMENT**

In order to provide for the health and safety of the individual athlete/participant and other athletes/participants, and providing a legitimate reason for students to say “no” to drug use and providing an opportunity for those taking drugs to receive help in locating programs that can provide assistance, the Derry Area School District (the “District”) is conducting a mandatory testing program for student athletes/cheerleaders. Additional extra curricular activities may be added to the Random Testing Program if sufficient cause and evidence indicates the need thereof. The program is not punitive. It is designed to create a safe, drug free, environment for students and to assist them in getting help when needed.

**DEFINITIONS**

**Illicit Substance -** A drug classified by the Drug Enforcement Administration (DEA) as being available only by prescription from a physician or classified as being controlled and having no therapeutic use.

**Banned Substance -** A substance defined by school policy as being banned from use by students.

Any student participating in varsity athletic, high school, or high school cheerleading practices and/or contests or performances under the control and jurisdiction of the District, \*including managers, student trainers, etc.

**Sports Season**

Fall, Winter, and Spring seasons begin on the first day of practice allowed by the Western Pennsylvania Interscholastic Athletic League and end the day prior to the beginning date of practice of the next season. These seasons will also be used for athletics and cheerleading where applicable.

**Vendor -** The medical office or company selected by the Board of Education to carry out the policy and procedure.

**Athletic Director -** The individual hired by the school or district to oversee all athletic programs of the school or district.

**Medical Review Office (MRO) -** A licensed physician trained and certified in the process and interpretation of drug testing results.

**SAMHSA -** The Substance Abuse and Mental Health Services Administration; a governmental agency that certifies toxicology laboratories that do drug testing following strict guidelines and constant quality assurance programs.

**GC/MS -** Gas Chromatography/Mass Spectroscopy; a scientific process to identify specific chemical compounds. A molecular fingerprint is obtained that identifies a chemical compound with 100% accuracy.

**Quantitative Levels -** The measurement levels of some specific chemicals in the urine reported usually in nanograms per milliliter (ng/ml).

**Chain-of custody Form -** A preprinted form provided by the testing laboratory that records all contact with the provided specimen. The collector and donor initiate the form that follows with the specimen until the results are certified by the testing scientist and forwarded to the MRO for final certification.

**PROCEDURES**

**Consent**

Both the parent and/or guardian and the student are required to sign the written **General Authorization and Consent Form** for the drug testing before participating in any District athletic/cheerleading program. Following written consent, if a student refuses to be tested, he/she will be immediately removed from the athletic team/cheerleading squad for the remainder of the \*current season and the immediate season for which he/she is eligible and may not participate in any of the afore mentioned activities until he/she complies with the drug test and tests negative.

**Student Selection**

A random sample of student athletes/cheerleaders will be tested \*at the beginning of the season of their participation each year. All student members will be eligible for random testing for the remainder of the school year. The District reserves the right to perform drug testing anytime during the activity=s season for specific substances if there is reasonable concern.

**Random Testing**

The District may test up to 20% of each team/group up to weekly. Students selected for testing will be chosen at random by the medical vendor contracted by the District. Testing can only be done by the testing agency contracted by the District.

**Sample Collection**

Any eligible student athlete/cheerleader selected randomly for urine drug testing who is not in school on the day of testing will be tested at the next available testing time. Students who fail to supply an adequate sample when requested must remain in the collection area and will be allowed to drink up to 40 ounces of liquid and try again. Failure to supply an adequate sample within two hours may result in the student being viewed as refusing to test, also, failing to produce a urine sample will cause the athlete to be suspended as a member of any athletic team or the cheerleading squad until they test negative at a local testing site certified by SAMHSA. Parents/guardians may arrange for special collections at a Vendor Collection site with prior approval of the Building Principal or Athletic Director.

**Collection Process**

Selected students are escorted to the collection site. A specimen of urine is collected following this process:

1. Student is asked to wash his/her hands with soap and water and dry them.
2. No purses, bags, or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
3. The student and collector complete the drug testing custody and control form.
4. The collector prepares the urine bottle by placing the temperature sticker on the side of the bottle.
5. The collector adds a bluing agent to the water in the urinal or toilet.
6. The collector tells the student to urinate directly into the provided container(s) and should provide a sufficient amount of urine in one attempt. They also tell the student they are to hand the container(s) of urine to the collector.
7. The student steps up to the urinal or enters the stall to collect the specimen, then hands the container to the collector. The student may then re-wash their hands.
8. The collector checks the volume, reads and records the temperature within four minutes of collection, and looks for evidence of tampering. If tampering is suspected, they will request a second specimen. A second suspected tampered specimen would be considered refusal to test and the Athletic Director notified.
9. With the student watching, the collector will pour the specimen into the two bottles and recap the specimen bottles tightly.
10. The collector takes the properly signed and initialed bottle seal and places it over the cap and sides of the bottle.
11. The sealed bottle is placed inside the transport bag and the top sealed as directed.
12. The top lab copy of the drug testing custody and control form is folded with the top portion visible to the outside and placed in the Requisition Pouch. This pouch is then sealed as indicated. They give the student the donor copy of the form.
13. While the student watches, the sealed specimen bag is place back into the transport box and sealed.
14. The student is sent back to class or his/her activity.
15. The collector distributes the remaining copies of the form as required, being responsible for getting the appropriate copy of the form to the MRO in a timely manner.
16. The collector will notify the Athletic Director immediately of any student who refuses to give a urine sample.

**Testing of Urine Specimens**

The Medical 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). The testing laboratory should have greater than 10 years experience in toxicology testing and chain-of-custody procedures. They must initially test all specimens using a highly accurate immunoassay technique, with all presumptive positive results then confirmed by a **Gas Chromatography/Mass Spectroscopy** (GC/MS) confirmatory test.

The testing laboratory must be able to test for the following drug classes, substances or their metabolites in collected urine specimens. The Building Principal and/or Athletic Director may specify specific classes or substances to be tested.

Alcohol Amphetamines Anabolic Steroids

Barbiturates Benzodiazepines Cocaine Metabolites

LSD Marijuana Metabolites Methadone

Methaqualone Nicotine Opiates

Phencyclidine Propoxyphene

**Medical Review Officer (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 show a willingness to abide by the **Student Athlete/Cheerleader Drug Policy** as to the evaluation of positive drug tests and reporting findings to the Building Principal and/or Athletic Director in a timely and confidential manner. All results will be kept on file for seven (7) years.

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

The MRO will certify all urine drug screens as negative or positive and report by telephone positive findings in a confidential manner to the Building Principal. The MRO will also notify the Athletic Director, by phone, that a drug test returned positive giving only the dates of the collection and reporting.

**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 Derry Area School District Board of Education. However, the Vendor will send the Building Principal and/or Athletic Director a quarterly/annual report showing the number of tests done, rate of positive and negative tests, and what substances were found in the positive urine specimens.

**Medical Review Officer (MRO) Responsibilities**

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

1. The MRO determines if any discrepancies have occurred in the **Chain of Custody.**
2. Depending on the substances found in the urine, if necessary, the MRO will contact the parent/guardian/custodian to learn if the student is on any prescribed medication from a physician.
3. If the student is on medication, MRO will ask the parent/guardian/custodian to obtain a letter from the prescribing physician, within five working days, to document what medications the student is currently taking. Failure to provide such requested information will be considered a positive result.
4. The MRO will then determine if any of the prescribed medications resulted in the positive drug screen.
5. Finally, the MRO, based on the information given, will certify the drug test results as positive or negative and report this to the building Principal, initially reporting positive results by phone. The MRO will also notify the Athletic Director that a drug test returned positive giving only the dates of the collection and reporting.
6. 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 Tylenol8 with codeine as a pain medication following tooth extraction.
7. 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), the MRO would likely rule this a positive drug test.
8. Drug screens positive for illicit drugs (marijuana, heroin, cocaine or alcohol, etc.) would automatically be considered positive by the MRO.

**“Positive” Tests:**

If the student=s test shows the presence of illegal or banned substances or their metabolites, the following action will be taken.

* 1. The Building Principal, within 24 hours, will notify the parent/guardian/custodian first, then the student and Athletic Director of any positive results. A written notification from the Building Principal and Athletic Director, by form letter, will be sent to the parent/guardian/custodian by certified mail. The Building Principal and/or Athletic Director may keep all test results for a period up to one (1) year.
  2. If the parent/guardian/custodian or student wish to contest the results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory certified by SAMHSA for testing. This is done at parent/guardian/custodian or student expense. Such a request must be made to the Building Principal or Athletic Director in writing within five (5) working days from first notification of positive test results.

**Positive Test - First Offense**

1. Notify parent or guardian.
2. A due process hearing will be conducted by the Principal with the parent/guardian and the student.

Student will be given the option of:

* 1. Being required to participate in the District=s Student Assistance Program (SAP), complying with all recommendations made by SAP, and being suspended from further athletic participation until a follow-up urine test is done, via the vendor, and found to be negative.

OR

* 1. Being suspended from participating in athletics/cheerleading for the remainder of the current season and the immediate season for which he/she is eligible and be referred to the SAP process. The student will be retested before beginning the next season for which he/she is eligible.

**Possible Test - Second Offense**

1. Notify parent or guardian.
2. A due process hearing will be conducted by the Principal with the parent/guardian and the student.
3. The student is suspended from participating in athletics/cheerleading for the remainder of the current season and the immediately following season for which he/she is eligible. The student will be retested before beginning the next season for which he/she is eligible.

**Positive Test - Third Offense**

1. Notify parent or guardian.
2. A due process hearing will be conducted by the Principal with the parent/guardian and the student.
3. The student will be prohibited from participating in any of the afore noted activities for the duration of his/her Derry Area School District career.

**Non-Punitive Nature of the Policy**

No student athlete will be punished by suspension or expulsion or be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy will not be documented in any student=s academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the Derry Area School District Board of Education will not solicit. In the event of service of any such subpoena or legal process, the student and the student’s custodial parent, legal guardian, or custodian will be notified at least 72 hours before response is made by the Derry Area School District Board of Education, to the extent permitted by such subpoena or legal process.

**Illicit or Banned Substances**

For the purpose of this Policy, the following drug classes, substances or their metabolites that can be tested for are considered illicit or banned for Derry Area School District student athletes/cheerleaders:

Alcohol Amphetamines Anabolic Steroids

Barbiturates Benzodiazepines Cocaine Metabolites

LSD Marijuana Metabolites Methadone

Methaqualone Nicotine Opiates

Phencyclidine Propoxyphene

**Review Panel**

A review panel consisting of the High School Principal, the Athletic Director, and one member of the Board of Education who has been appointed to the panel by a majority vote of the Board shall review the student drug testing program in order to insure compliance with the policy. All documents including any confidential communications shall be maintained and secured by the \*Principal or Athletic Director. This data shall be considered as Class C data under the district Records Policy.

*Nothing in this policy is intended to conflict with and/or circumvent the requirements set forth in Act 93 of 1989 (35 P.S. 807.1 et seq.)*

**RANDOM DRUG TESTING PROGRAM**

**GENERAL AUTHORIZATION AND CONSENT FORM**

I understand fully that my performance as a student athletic/cheerleader 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 standards, rules, and regulations set forth by Derry Area School District Board of Directors and the sponsors for the activity in which I participate.

I also authorize Derry Area School District to conduct a test on a urine specimen which I the student provide for substances considered illegal or banned by the Derry Area School District Student Athlete/Cheerleader Drug Policy. I also authorize the release of information in accordance with the agency=s guidelines concerning the results of such a test to the Derry Area School District and to my parents and/or guardians.

I understand that I will not be punished by suspension or expulsion from school for a positive test result nor will I be penalized academically, however, I may be disqualified from participation in the activity as outlined in the District=s Student Athlete/Cheerleader Drug Policy. I also understand that I will be required to comply with specific guidelines for further athletic/cheerleading participation as set forth in this policy.

This fully executed form represents my consent and my parents=/guardian consent pursuant to the Family Education Right to Privacy Act for the release of above information to the parties named above.

Student Signature Parent or Guardian Signature

Print Student Name Address

Sport/Cheerleader Date

**DERRY AREA SCHOOL DISTRICT**

**982 N. CHESTNUT ST. EXT.**

**DERRY, PA 15627-7600**

**REFUSAL TO PARTICIPATE IN DRUG TESTING PROGRAM**

I refuse to participate in the mandatory random drug testing program adopted by the Derry Area School Board on September 8, 1998. In doing so I understand that I am no longer a member of any athletic team or the cheerleading squad for the current season and the immediate season for which I am eligible. Also, I may not participate in any of the aforementioned activities until I comply with the drug test and test negative.

Signature Date

**DERRY AREA DRUG TESTING PROGRAM**

**FAILURE TO PRODUCE A SAMPLE**

I have failed to produce a urine sample during the mandatory random drug testing programs adopted by the Derry Area School Board. In doing so I understand that I am suspended as a member of any athletic team or the cheerleading squad until I test negative at a local testing site certified by the Substance Abuse and Mental Health Services Administration or until the next official testing date for the school district.

If I choose to be tested locally, the school district will pay for the test. The site is Quest Diagnostics Patient Service Center, 516 Pellis Road, Greensburg, PA 15601. Please call to make an appointment 724-834-6001. Hours are Monday through Friday 7:00 am - 4:00 pm, Saturday 8:00 am - 12:00 pm (Lunch 12:15 pm - 12:45 pm).

Signature Date

School Official