

<p>2. Authority SC 510, 511 Pol. 218, 227.2</p> <p>3. Guidelines</p> <p>Pol. 227.2</p>	<ol style="list-style-type: none"> 2. To deter student drug use. 3. To prevent disruptions that would impair extracurricular activities resulting from student drug use. 4. To protect the health, safety and welfare of students. 5. To prevent accident and injuries resulting from student drug use. <p>This policy is adopted in accordance with the authority granted to the Board of School Directors under Sections 510 and 511 of the Pennsylvania Public School Code of 1949, as amended. The law permits school boards to adopt reasonable rules and regulations regarding the management, supervision and control of extracurricular activities and for imposing disciplinary penalties against students violating those rules and regulations.</p> <p><u>Testing Requirement And Consent</u></p> <p>Every participant in extracurricular activities offered by Middletown Area School District must consent to a random urine test during the duration of the activities that the student is participating.</p> <p>Each school year, students and their parents/guardians will be required to sign a permission form authorizing the school district to request and collect a urine sample for drug testing as a condition for the student’s continued participation in extracurricular activities. No student will be permitted to participate in any extracurricular activities until a fully executed permission form is submitted to the school district. A copy of the permission form is attached to Policy 227.2 as Appendix B.</p> <p><u>Types Of Testing</u></p> <p>Random testing of urine samples shall be conducted without prior student and/or parent/guardian warning, during each interscholastic athletic season (fall, winter and spring) for twenty percent (20%) of the students who are currently participating in extracurricular activities. The school district, in its sole discretion, may schedule a single day or multiple dates to collect student urine samples in order to collect samples from twenty percent (20%) of the extracurricular participants. Students selected for testing shall be chosen by a random sampling process. A student notified that s/he has been selected for random drug testing will be transported to the designated test site.</p>
--	--

The test is to determine the presence of marijuana, phencyclidine (PCP), propoxyphene, amphetamines, cocaine, opiates, barbiturates, methaqualone, methadone, and benzodiazepine in the student's urine sample. A test result indicating the presence of any of these substances will be considered a positive test. A positive test will be considered an offense which will result in the student being suspended from participating in extracurricular activities for a period of time as outlined in this policy.

If any student refuses to submit a urine sample for testing, the refusal will be deemed a positive test for purposes of this policy. The student will also be prohibited from participating in any extracurricular activity until the student submits to a drug test and the test result is negative.

If any student attempts to alter the integrity of a urine sample during the collection process, that conduct will be treated as a positive test for purposes of this policy. The student will also be prohibited from participating in any extracurricular activity until the student submits to a drug test and the test result is negative.

If the drug testing company rejects a urine specimen at the time of collecting the urine specimen or when screening the specimen at the drug testing laboratory, the rejected specimen will be treated as a positive test for purposes of this policy. The student will also be prohibited from participating in any extracurricular activity until the student submits to a drug test and the test result is negative.

Test Procedures

Drug testing shall be conducted by urine samples. Trained personnel shall collect samples, in a manner that conforms to industry standards and properly balances the values of privacy and confidentiality with the accuracy of the drug test. A properly certified laboratory selected by the school district shall analyze the urine samples. The testing process shall utilize appropriate chain of custody procedures. Test results will be provided to the designated school administrator.

The district will provide students who are selected for testing a copy of the Protocol for Drug Testing. Prior to the initial specimen being collected or a second specimen being collected, the student will be asked to lift his/her pant legs above the sock line (not above the knee line), lift his/her shirt (not above the belly button), and empty his/her pockets. This procedure will be monitored by two females (district administrator and/or staff person) for a female student and two males (district administrator or staff person) for a male student. A copy of the protocol is attached to this policy as Appendix A.

All costs associated with the testing and any necessary drug and alcohol evaluations shall be paid by the school district.

All test results shall be reported to the building principal or designee, who shall not disclose the results except to the Superintendent and other individuals provided in this policy.

Confirmation Of Test Results

If a student's sample tests positive, the school district/medical review officer for the testing company will confirm the test result. Confirmation of the positive test may include communications between the medical review officer, school district and student's parent or guardian to determine if the student is taking any medication pursuant to a valid prescription that may have resulted in a positive test result. After the confirmed positive result from the medical review officer, the building principal or designee will provide written notification to the parent/guardian. If the test result is negative, no further action will be taken.

Split Specimen Testing

All specimens shall be collected and split into two (2) vials (split specimen collection). Students testing positive may request to have the split specimen tested at another certified laboratory. The testing of the split specimen will be for the presence of the drug that was deemed positive, with no cut-off levels. If the result of the split specimen test is negative, the medical review officer for the testing company will cancel the test. Such requests must be made within seventy-two (72) hours of the individual being notified of the positive result. The split testing is done at the expense of the parent/guardian.

Positive Test Results/Penalties

When a positive test result is confirmed by the testing laboratory, the student's parent(s)/guardian(s) will be notified and the school principal or his/her designee will convene a meeting with the student and his/her parents/guardians. Any student who tests positive for drugs will be subject to the following procedures:

1. When a positive test result is confirmed, the student will be required to participate in the Student Assistance Program and undergo a drug/alcohol assessment with a certified drug and alcohol evaluator. An assessment must be completed by a licensed drug and alcohol facility within ten (10) days. The evaluator will provide a copy of the student's drug test results. The student's failure to comply with the evaluator's counseling recommendation will result in the student being prohibited from participation in extracurricular activities.

2. **First Offense:** For a first positive test result, a suspension from participating in extracurricular activities will be imposed for thirty (30) calendar days. If a student's extracurricular activity ends before the thirty (30) day suspension is completed, the balance of the suspension will carry over to the next extracurricular activity in which the student participates. A student may be permitted to practice at the coach's/advisor's discretion.
3. **Second Offense:** For a second positive test result, a suspension from participating in extracurricular activities will be imposed for sixty (60) calendar days from the date the incident is verified. If a student's extracurricular activity ends before the sixty (60) day suspension is completed, the balance of the suspension will carry over to the next extracurricular activity in which the student participates. A student may be permitted to practice at the coach's/advisor's discretion.
4. **Third Offense:** For a third positive test result, a suspension from participating in extracurricular activities will be imposed for one (1) calendar year from the date the incident is verified.
5. **Fourth Offense:** For a fourth positive test result, a total prohibition from all extracurricular activities will be imposed for the remainder of the student's years in the school district.
6. **Retesting:** After all positive test results, the student will be required to be retested before being permitted to participate in any extracurricular activity.

Early Reinstatement And Rehabilitation Program

Students who voluntarily elect to participate in a rehabilitation program and successfully complete this program, including the post-reinstatement requirements set forth below, shall be eligible for early reinstatement from suspensions otherwise imposed under this policy.

Students are eligible to participate in the rehabilitation program for first, second, and third positive test results. Students will not be eligible for the rehabilitation program for a fourth positive test result. Students will be offered the opportunity for early reinstatement from their suspension from extracurricular activities after fifteen (15) calendar days for the first offense, thirty (30) calendar days for the second offense, and six (6) months for the third offense.

The student will be offered a rehabilitation program opportunity. Noncompliance with mentoring or student assistance recommendations, after reinstatement in the sport or activity, will result in the balance of the original suspension being applied. The following provisions apply to the rehabilitation program required for early reinstatement:

1. The student must successfully complete a Student Assistance Program referral and assessment, and otherwise complete any treatment/counseling recommendations made through the assessment process.
2. The student will be assigned a mentor in an appropriate sport or activity. The student should meet regularly with the mentor for a period not less than six (6) months for the first offense and one (1) calendar year for the second or third offense.
3. The district is not required to accept drug/alcohol assessment performed by other entities, such as a juvenile probation assessment for treatment or counseling services; a private assessment or treatment service plan initiated by juvenile probation and or the student's parent/guardian as a substitute to the district's Student Assistance Program referral, assessment and treatment/counseling plan.
4. The district will not be responsible to pay the cost for treatment programs recommended by student assistance or outside evaluators.
5. If the penalty imposed is for the use, possession or distribution of controlled substances and/or anabolic steroids, the student must consent to, and otherwise, participate in regularly scheduled drug testing as determined by the administration. The student will be required to be retested before being permitted to participate in any extracurricular activity. The cost for the drug testing will be provided by the district.
6. The student is required to submit a letter or other documentary evidence to the principal verifying the student's progress or completion of the above services prior to reinstatement and/or satisfactory compliance with any recommended counseling or treatment is scheduled to continue after the student's reinstatement.
7. The district administration will determine whether a student has satisfactorily complied with these conditions for early reinstatement to the extracurricular activity.

The building principal or designee will notify the applicable advisor/coach of a student's ineligibility to participate in extracurricular activities.

Positive Test Impact On Student's Academic Status

Because a positive test results does not necessarily mean a student used, possessed or otherwise was under the influence of a drug while on school premises or at a school-sponsored activity, a positive test result will not result in the student's suspension or expulsion from school. All information regarding positive test results will be kept in confidential files separate from the student's cumulative educational record.

No positive test results will be reported to the police.

References:

School Code – 510, 511

State Board of Education Regulations – 22 PA Code 12.3

Board Policy – 122, 123, 218, 227.2, 233