



Book	Policy Manual
Section	200 Pupils
Title	Drug/Alcohol Testing For Cocurricular Participation, Driving And Parking Privileges
Code	227.1
Status	Active
Adopted	June 15, 2010
Last Revised	August 16, 2011

Authority

The Tamaqua Area School District considers participation in a cocurricular program, driving to school and the issuance of parking permits for parking upon school property to be privileges and not a right. Participants of cocurricular programs and students who drive to school are expected to exemplify high standards and are held in high esteem by the public and other students. Participants in cocurricular programs and those who drive to school are expected to accept the responsibilities accompanying these opportunities.[1]

Deterring drug/alcohol use by school students is important. School years are the time when physical, psychological, and addictive effects of drugs are most severe. The effects of drugs or drug usage within a school are visited not just upon the users, but upon the entire student body and faculty because the educational process is disrupted.[2]

With regard to school athletes and student drivers, the risk of immediate physical harm to the drug and alcohol user or those with whom s/he is participating in school-based activities or operating a vehicle is particularly high. Apart from psychological effects, which include impairment of judgment, slowing of reaction time and a lessening of the perception of pain, alcohol and the particular drugs screened by this policy pose substantial physical risks to athletes and drivers. Cocurricular participants, whether athletes or not, are student leaders and, as such, serve as role models for their peers and for young children as well. The use of drugs and alcohol by these role models exacerbates the problem of illegal substances in our schools.

Purpose

The purpose of this policy is to:

1. Create and maintain a safe and drug-free environment for all students participating in cocurricular activities and students with parking/driving privileges.
2. Prevent student participants in cocurricular activities and students with driving/parking privileges from using drugs.

3. Protect the health and safety of all students, faculty and the public.
4. Prevent accidents, injuries and property damage resulting from the use of drugs.
5. Provide students with access to assistance and treatment for drug problems.
6. Provide parents/guardians with an opportunity to maintain the safety of their student(s) who choose to participate in a cocurricular activity, access driving or parking privileges, or through voluntary participation in the drug testing programs.
7. Work in conjunction with the Tamaqua Area School District's Drug and Alcohol Policy in order to be proactive, deter, and provide services to students who may struggle with drug and alcohol abuse.[2]

The need for this policy is magnified by the adverse nature drugs and alcohol play in maintaining the unique and special responsibility school districts take on, which is educating and ensuring a safe, hazard-free environment for students. This parental role, in loco parentis, provides reason for a school district in a role as guardian or tutor to undertake testing of eligible students who participate in cocurricular activities and students with driving/parking privileges for drug and alcohol usage.

This policy is adopted in accordance with the authority granted to school boards, permitting school boards to adopt reasonable rules and regulation regarding the management of school district affairs and the conduct and deportment of all students during the time that they are under the supervision of the Board of School Directors and teachers, including the time necessarily spent coming to and returning from school.

Guidelines

Students Eligible For Testing In Grades 7-12

1. Athletic activities (P.I.A.A.-sponsored).
2. Non-athletic clubs (TASD-sponsored).
3. National charters (National Honor Society).
4. Students with driving/parking privileges.
5. Nonparticipants at parental request.

There will be four (4) types of tests:

1. Initial random testing.
2. Voluntary testing.
3. Reasonable suspicion testing.
4. Return-to-activity testing.

Initial Random Testing Requirements

No student (enrolled in grades 7 through 12) shall be permitted to participate in cocurricular activities, have driving privileges or obtain a parking permit unless the student and the student's parent/guardian signs a consent to initial random testing and

authorization for Release of Information form, authorizing the random drug testing of their student. Once the consent has been submitted, it shall remain in effect until the Superintendent or designee receives a signed withdrawal request from the cocurricular activity period. That student will automatically be placed in the next testing pool, if new consent is received by the designee.

Voluntary Testing Requirements

Any parent/guardian of a student (enrolled in grades 7 through 12) who is not an eligible student for testing may voluntarily include their student in the drug testing program. The parent/guardian must sign consent to voluntary testing and authorization for Release of Information form, authorizing the drug testing of his/her student. After the Superintendent or designee has received the consent, the student's name will be included in the list of students eligible for random selection. Once the consent has been submitted, it shall remain in effect until the Superintendent or designee receives a signed withdrawal request form from a parent/guardian to remove the student from the drug testing program.

Reasonable Suspicion Testing Requirements

Testing shall be conducted when the sponsor of a the cocurricular activity or student assistance program team member has reasonable suspicion that an eligible student is using or has used alcohol or controlled substances in violation of this policy. Reasonable suspicion shall be based on specific and contemporaneous observations of appearance, behavior, speech, or body odors when a student is at school, at a school-sponsored event or taking part in a cocurricular program.[3]

Return-To-Activity Testing Requirements

Testing shall be required of an eligible student (enrolled grades in 7 through 12) who previously had violated the Drug/Alcohol Testing policy. Students who are in violation must submit to a return-to-activity test that requires a negative drug/alcohol screen for controlled substances in order to resume participating in privileged activities. [4]

All drug testing of urine samples shall be conducted without additional student or parent/guardian notification, during the school year, for a predetermined percentage of the students participating in the drug testing programs. Students will report for initial random testing prior to the beginning of the school year in early August. After initial testing, students selected for testing shall be chosen by a random sampling process by an approved means. Any eligible student selected randomly for urine drug testing who is not in school on the day of testing will be tested at the next available school day. The school district may test a portion of eligible students at random intervals during the school year or interscholastic season without regard as to whether the student is then participating in a cocurricular activity.

A urine sample screened for drugs will be administered to determine the presence of some or all of the following: anabolic steroids, amphetamines, barbiturates, cocaine, codeine, depressants, heroin, marijuana, morphine, methamphetamine, opiates, PCP, stimulants, Valium, and alcohol, or other drugs added at the discretion of the Superintendent prior to the start of the school year. A test result indicating the presence of any of these substances will be considered a violation of this policy.

If an eligible student refuses to submit a urine sample for testing, the refusal will be deemed a violation of this policy. If a student attempts to alter or alters the integrity of a urine sample during the collection process, such conduct will be deemed a violation of this policy and the will result in a double suspension per section Pol.233

Testing Procedure

Testing shall take place when the student is at school, when any eligible student is participating in cocurricular programs or designated otherwise by this policy. A third party witness may or may not be present during testing.

1. Eligible students will arrive with an acceptable identification (ID), ex. photo license, etc. If they cannot provide a photo ID, the building principal will identify the student.
2. The student will be asked to wash his/her hands with soap. The student will be asked to pull up pant legs and empty pockets prior to testing.
3. No purses, bags, or containers may be taken into the collection area with the student.
4. The Chain-of-Custody form will be filled out and a list of all medications or over-the-counter drugs the student has consumed in the past thirty (30) days will be noted. The student will be asked whether or not s/he has eaten any poppy seeds in the past seven (7) days. The second copy of the Chain-of-Custody form which includes the students' name will be kept by the school designee. The student is never out of the supervision of the test administrator with the Chain-of-Custody form.
5. The test administrator prepares the specimen cup by placing the temperature sticker on the side of the cup.
6. The test administrator adds a bluing agent to the water in the urinal or toilet. When the specimen is collected, the test administrator will check to make certain that the specimen has the temperature and appearance of a freshly collected urine specimen. The test administrator will insure the container lid and cup are secured and verified and connect the sample to the student.
7. The student will then sign the Chain-of-Custody form.
8. The test administrator, in the presence of the student, will read and validate the results of the drug test.
9. If the student is unable to complete the testing, the student can be required to remain in administrative presence until the testing is complete.

If a student tests positive for alcohol or controlled substances, the following responses shall be initiated:

1. The eligible student's parent(s)/guardian(s) will be notified.
2. The eligible student has the right to contest the test results at his/her request. The student's parents/guardians will be notified about the contested results. A retest of the original sample will require a fee to proceed at the expense of the student who is contesting the results. It is noted that the original urine sample will be retested at a certified laboratory.
3. The eligible student's parents/guardians can contest the results. A retest of the original sample will require a fee to proceed at the expense of the student who is contesting the results. It is noted that the original urine sample will be retested at a certified laboratory.

When an eligible student violates this policy, s/he will be subjected to the following actions:

1. First Violation – The eligible student (enrolled in grades 7 through 12) will be automatically referred to the Student Assistance Program (SAP) and will be suspended from participating in cocurricular activities and/or parking privileges for forty-five (45) calendar days from the date of receipt of confirmation of the positive test or until the school has received notification of positive completion of the recommendations of the SAP team.[5]

The eligible student's belongings, locker, and car may be immediately searched upon notification of a positive test. During the suspension period, the student may also be subject to random searches at the discretion of the administration.

To be eligible for continued participation in cocurricular activities and driving/parking privileges after the period of suspension, the offending student must consent to return to activity testing and continue drug testing randomly for the one (1) year period following the date of the receipt of confirmation of the positive test at the expense of the parent/guardian. The school district shall also notify the student and student's parent/guardian of the results of the drug testing.

2. Second Violation – The eligible student (enrolled in grades 7 through 12) will be automatically referred to the Student Assistance Program (SAP) and will be suspended for participating in cocurricular activities and/or parking privileges for one (1) full calendar year from the date of receipt of confirmation of the positive test and the school has received notification of positive completions of the recommendations of the SAP team.[5]

The eligible student's belongings, locker, and car may be immediately searched upon notification of a positive test. During the suspension period, the student may also be subject to random searches at the discretion of the administration.

To be eligible for continued participation in cocurricular activities and driving/parking privileges after the period of suspension, the offending student continues to be part of the eligible student testing pool. The school district shall also notify the student and student's parent/guardian of the results of the drug testing.

During the suspension, the offending student may not participate in any game, competition, practice, or in any way associate with the team/organization. The student must also hand in any uniforms and/or equipment belonging to the district for the term of the suspension to the principal, assistant principal, Athletic Director, or coach/advisor. The coach/advisor will be responsible for reporting uniform/equipment not returned to the principal, assistant principal, or Athletic Director by the suspended student.

3. Third Violation – The eligible student (enrolled in grades 7 through 12) will be suspended from participating in cocurricular activities and/or parking privileges for the remainder of his/her enrollment as a student with the Tamaqua Area School District. The school district shall also notify the student and/or the student's parent/guardian of the results of the drug testing.[5]

The eligible student's belongings, locker, and car may be immediately searched upon notification of a positive test.

Voluntary Testing Violations

When an eligible student who has voluntarily opted to participate in the drug testing program violates the policy, s/he shall be referred and encouraged to participate in the Student Assistance Program. If a student is referred to the Student Assistance Program for

a violation of this policy, the school district encourages the student's parent/guardian to fully participate in the assessment process.[6]

Testing Results

No eligible student shall be suspended from school, expelled or otherwise penalized academically as a result of a confirmed positive result under this policy. Information regarding the results of the drug tests shall not be disclosed to law enforcement authorities unless the school district is otherwise compelled to do so by valid subpoena or court order. If such disclosure is requested, the school district will notify the student and student's parent/guardian as soon as possible. The results of the drug test under this policy will not be documented in a student's academic records. Positive drug test results will be maintained by the school district solely to administer this policy. Any student's positive drug test results will be destroyed upon time of the student's graduation, completion of year of eligibility, and/or the age of twenty-one (21) by the Tamaqua Area School District.

Legal

1. Pol. 223
 2. Pol. 227
 3. Pol. 122.1
 4. Pol. 227.1
 5. Pol. 233
 6. Pol. 236
- 24 P.S. 510
24 P.S. 511
22 PA Code 12.3
22 PA Code 403.1

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