

- I. Procedure Name: Random Drug Testing of Students
- II. Purpose of the Procedure: To encourage secondary students to make responsible decisions regarding the use of drugs. This component of the comprehensive drug plan is to be implemented as a deterrent to drug use. The intent of the comprehensive drug plan is to create a safe environment for all students and support them in making positive life choices.
- III. Confidentiality: The District/school shall not release records of drug screening or any resulting action to anyone other than the student or the student's parents/guardians without written authorization from the parent/guardian or the student if the student is eighteen (18) years of age or older. The District/school respects the privacy of its students and shall maintain confidentiality regarding any drug screening/testing as a result of this procedure. Access to these records is governed by federal and state law.
- IV. Basic Procedure: The purpose of this procedure is to standardize the methodology for the random drug screening of students who participate in extracurricular activities or who park on campus.
 - A. For the purpose of these procedures, an extracurricular activity may be defined in one or more of the following ways:
 - an activity that is not part of the academic curriculum
 - an activity that is typically scheduled outside the school day
 - an activity that is not graded and does not earn credit
 - an activity that involves a commitment outside the regular classroom
 - an activity that requires travel that extends overnight
 - an activity that is competitive
 - B. An extracurricular activity does not include those activities which enhance and expand the classroom curriculum or are an extension of the classroom experience. These activities, called field trips, are a part of the curriculum of the classroom, require a parent permission form, and are not competitive.
 - C. Extracurricular activities that require random drug screening may include but not be limited to any one (1) or more of the following:
 - clubs
 - band/color guard
 - cheerleading/dance
 - athletics
 - competitive events

- D. Students who register a car to park on campus during school hours are included in the random drug screening pool. The student and the parent/guardian must complete the ***Annual Consent to Student Random Drug Screening Form*** prior to issuance of a parking decal.
 - E. Any question regarding the status of an activity when determining whether it is part of the curriculum or extracurricular should be directed to the appropriate level director.
- V. Procedure for Entering/Exiting the Random Screening Pool:
- A. Students who wish to participate in an extracurricular activity or park on campus will complete an ***Annual Consent to Student Random Drug Screening Form*** at the onset of participation in such activity for that academic school year. The form will be available on the District website and at the school. The parent/guardian will be required to sign the form and have it notarized before returning it to the school. Once completed, the data Specialist will enter the information into the system. The single form will be valid for all activities for the school year in which it is signed or until a ***Withdrawal of Student from Activity Form*** is completed. Any home school student who wishes to participate in a District activity will be subject to random drug screening.
 - B. When an out-of-district overnight activity has been approved by the principal (or designated assistant principal), the sponsor will send home the ***Annual Consent for Random Drug Screening Form***, the ***Off-Campus Field Trip Parental Authorization Form***, and the ***Medical Treatment Authorization Form***. All three forms must be signed by the parent/guardian, notarized, and returned within two weeks of the out-of-district trip.
 - C. The school designee who oversees an extracurricular activity, club/organization, sport, or parking on campus will create a roster. The roster will be populated by selection of the student's name from a drop-down menu if the student's information has been completed and entered into the data base by the data Specialist. If the completed information has not been provided to the data Specialist, the student's name will not appear in the drop-down menu. Until the school designee can include the student in the list for participation, the student may not participate in any part of the activity including try-outs, practice, rehearsal, or identifying with a team or club at an assembly or pep rally. Students who have a consent form on file remain eligible for selection for random screening from the date the consent form is signed throughout the remainder of the school year. The consent form with the parent's/guardian's signature will be housed in a central location in the school for the year during which the form is valid. If the student chooses to withdraw from the random drug screening pool and signs a ***Withdrawal of Student from Activity Form***, the school designee will be notified of the student's decision to opt out of participation with an alert on the designee's email that will be generated when the data Specialist enters the information into the data base.

- D. A student who wishes to opt out of the random drug screening pool must sign and submit a ***Withdrawal of Student from Activity Form*** which must include a notarized signature of the parent/guardian. Once a student has opted out of the random drug screening pool, he/she may not reenter for the remainder of the current school year. The ***Withdrawal of Student from Activity Form*** states that the student no longer wishes to participate in athletics, extracurricular activities, or parking on campus. Any student who files a ***Withdrawal of Student from Activity Form*** after selection for random drug screening is no longer eligible for participation in any activity for which the student is subject to random drug screening. Student participation is suspended for one (1) calendar year from the date on the withdrawal form. The date of withdrawal from participation will be entered into the student's information in the data base and reflect the student's choice to be removed from the random drug screening pool regardless of the school of attendance at the time of withdrawal.
- VI. Random Selection Process: Each school will have a pool of students who have completed the consent form and had the form recorded into a data base by the school's data Specialist. The selection process will create a list of students and assign a uniform random number to each student in the list. The list will then be sorted by the random number, and the selection will be determined by the students who are listed at the top of the sorted list. If, for example, four hundred students are in the pool, and 1% of the students are selected, the top four students in the sorted list will be selected for screening. Each time the selection process is run, a new list will be created that will assign a new random number to each student on the list. The new list will be sorted, and selection determined by the students who are in the pool at that time. This process will be managed by the Instructional Technology (IT) Department.
- VII. Percentage of Students to Be Screened: Once each school has entered all the names of the students who are participating in activities to create its pool at that time, the IT Department using the process outlined above will apply one quarter (.25) of one (1) percent each week, not to exceed one (1) percent per month, to the number of each school's participant pool to arrive at the names of students to be screened. The IT Department will send to the principal (or designated assistant principal) the names of the student(s) to be randomly drug screened for that week.
- VIII. Process for Calling Students for Screening: The principal (or designated assistant principal) working with the school's health technician/nurse will determine the most appropriate time for the drug screening. The principal (or designated assistant principal) will send for the student to come to the administrative office. The principal (or designated assistant principal) will rotate this responsibility to ensure the confidentiality of the student. The school will use the process for calling the student to the office that is used for all other requests for students so the confidentiality of the student will be protected. If the student is absent, the student will be tested on the first day of return. Once the student arrives in the administrative office, he/she will be sent to the clinic for drug screening. A secured bathroom will maximize student privacy. Once the random drug screening is complete, the student's parent/guardian will be notified by the school that the student was selected and screened for drug use.

- IX. Collection of Samples and Notification Process: The school's health technician/nurse shall be responsible for the collection of urine samples according to the protocol adopted jointly by the District and contracted agency providing health services.
- A. The student will be sent to the health technician/nurse in the clinic who will initiate the chain of custody procedures to ensure accuracy and confidentiality of the screening results for the student. The school's health technician/nurse will conduct the initial screening test utilizing a District supplied drug screening test kit. The student submitting to the screening will be asked to confirm the emergency contact information of the parent/guardian that is listed on the emergency card located in the clinic. This information will be documented on the chain of custody form by the health technician/nurse assigned. The student will be asked to enter the secured and prepared restroom area alone to produce a sufficient urine specimen. This specimen will be analyzed in the student's presence for an initial screening. The initial screening results will be verified immediately by the health technician/nurse, and the school designee will acknowledge by initialing the chain of custody form with the screening results listed. If an insufficient sample (shy bladder) is obtained, or if the sample is not within the acceptable temperature range, the student will be retained and supplied up to thirty-ounces and no more than of water until a sufficient sample can be produced. . If a sample is not produced after an appropriate waiting period, then the test will be considered a failure to test and entered as a positive test result.
1. Faulty Test Kit: If the test kit is deemed to be faulty transfer the urine into another test cup in the student's presence.
 2. Negative Results: The principal (or designated assistant principal) will attempt to notify each student's parent/guardian by telephone that the student was selected for screening and the result of the drug screening test was negative. If the parent/guardian cannot be reached, a letter will be sent via United States mail to provide the notification.
 3. Non-Negative Results: All non-negative screening results will be given directly to the principal (or designated assistant principal) immediately. The principal (or designated Assistant Principal must be notified of the non-negative result. The principal (or designated assistant principal) will contact Risk Management and the parent/guardian by telephone to inform him/her of the initial non-negative drug screening results. At this time, the parent/guardian will be notified that the student will be suspended from all extracurricular activities covered under the student drug screening program until an ***Informed Parental Consent/Release of Liability Form*** can be executed by the student and parent/guardian. This completed and notarized consent form will allow the student to continue participation in extracurricular activities until the confirmation testing and final results certificate can be obtained from the Medical Review Officer (MRO). In addition, the principal (or designated assistant principal) will complete the ***Student Consent to Release Medical Information to Parent/Guardian for Random Drug Screening*** form. This form authorizes the MRO to speak directly with the parent without the presence of the minor student. Note: the MRO will

not be able to speak with the parent without this form, so have this completed and faxed by the school to the numbers shown on the form in order to expedite the final results certificate.

4. Confirmation Testing of Non-Negative Result: The non-negative urine screening will be documented on the chain of custody form, packaged, and shipped overnight to the confirming laboratory by the school designee. The overnight shipping package will be supplied by Risk Management from the District-approved collection testing facility. All non-negative results shall be sent to the Lab/MRO the same day as testing unless both the student and parent signs the ***Positive Drug Screen Self Disclosure*** form on the same day of testing. This is the only time a non-negative sample would not be shipped the same day.
- B. The Medical Review Officer (MRO) will receive the report of non-negative drug tests and will be supplied with the chain of custody form with the pertinent contact information supplied by the student. Prior to verifying and/or releasing a positive drug test result, the MRO shall contact the student and/or his/her parent/guardian to afford them the opportunity to discuss the test results, medical history, and any other relevant biomedical information that would assist the MRO in determining whether he/she should verify the drug test results as positive or deem that results are negative. If the MRO determines the results are negative, no further action shall be taken, and the student's final results will be reported to the District's Risk Management Department who will communicate the results to the principal (or designated Assistant Principal) as a negative result. If the MRO determines the results are positive, the MRO will offer to the student/parent/guardian the opportunity to have the original sample tested by another laboratory at the student's/parent's/guardian's expense. The opportunity for a retest is available at this time only. The MRO shall submit any positive drug test results to the Risk Management Department so the appropriate action and notifications can be conducted. The Risk Management department will notify school principal (or designated Assistant Principal) of the final "positive" result and the administrator will enter the final results of the student into the drug testing system of record (database or student record system).
- C. The cost of the confirmation drug testing will be the responsibility of the parent/guardian if it renders a positive reading. The cost of a negative reading will be the responsibility of the District. The District will establish an account with the laboratory. The student who has a positive result will have to reimburse the District with a check made payable to the Escambia County School District and forwarded to Risk Management for the cost of the test prior to reentry into any activity or parking on campus. If the parent/guardian requests to have the original sample tested by another laboratory, this test will be at the student's/parent's/guardian's expense.
- D. Any refusal of a student to participate in testing when selected or any student who tampers with the specimen or the specimen collection process will cause the specimen result to be deemed as a positive and subject the student to the consequences outlined in the sanctions section of this procedure. The principal (or designated assistant principal) will be notified immediately.
- E. The school principal (or designated Assistant Principal) will meet with the

parent/guardian of any student with a positive final test result to discuss consequences and treatment options and will provide the student and parent with the HIPAA release and Program Completion Form in order to have these presented to the substance abuse evaluator for handling.

X. Sanctions:

A. First Offense/First Positive Drug Test: The student shall be removed from participation in all athletic and/or extra/curricular activities (including practices) and from parking on campus and be referred to a District-approved drug assessment and rehabilitation program. The student will attend his/her academic classes while enrolled in the program unless he/she is under any other unrelated disciplinary action set forth by the student code of conduct. The length of the suspension from athletic/extracurricular participation or parking on campus shall be no fewer than thirty (30) days from notification of the test results. After the student has completed the program and supplied the Program Completion form to the school principal (or designated assistant principal), the principal (or designated assistant principal) should forward both the Program Completion form and signed HIPAA release to Risk Management to validate and to schedule a follow-up drug screening from a local collection facility prior to the student's return to normal activities. The student may resume participation under a probationary status with the following conditions:

1. The student shall be required to comply with any recommendations resulting from the assessment/counseling conducted as part of the assessment.
2. The student must pass a second drug test before participation in any activities covered in the policy. The cost of this test will be the responsibility of the student/parent/guardian.
3. The student will be subject to recurring random drug screening at times that would not be previously disclosed to deter the student from committing a subsequent violation of this policy as prescribed by District procedure.
4. The student will remain on probation throughout the remainder of the time that he/she is enrolled in District schools. Students who transfer to other District schools will remain on probation.
5. The student may not return to any leadership position including but not limited to captain of a squad, club officer, or class officer for the remainder of the school year.

B. Any student who fails to participate in and complete an approved drug treatment program will forfeit his/her opportunity to resume participation in any of the activities covered in this policy.

1. An approved program may include but not be limited to any one of the following:
 - substance abuse programs
 - licensed mental health counselors
 - faith-based programs
 - outpatient treatment programs

- inpatient treatment programs
- another recognized provider

Questions regarding the approval of a provider shall be directed to the principal (or designated assistant principal). A list of approved providers will be maintained in the principal's (or designated assistant principal) office. Providers who are not on the list may be approved through the Office of Risk Management by having the principal (or designated assistant principal) submit the name of the provider to the Director of Risk Management for approval.

2. A form will be given to the parent to provide to the professional for an authorized signature before reentry to the activity can occur.

XI. Subsequent Offense/Drug Test: A student who has a second or subsequent positive drug test shall be prohibited from participation in all athletic and/or extracurricular activities and from parking on campus. In addition, the student shall be removed from all leadership positions. The length of this removal from participation/leadership is one (1) full calendar year from the date of the second positive test. A subsequent negative drug test must be provided before participation may be reinstated. During the time the student is suspended from extracurricular activities or parking on campus, participation in a drug rehabilitation program is required. To be eligible for reinstatement to all privileges at the end of one (1) calendar year, the student must submit proof of completion of such program.

XII. Appeal Process: In addition to the opportunity afforded to the student and the parent/guardian to discuss a confirmed drug test with the MRO, a student whose test results have been verified and forwarded to the principal (or designated Assistant Principal) for removal from participation in an activity/parking on campus shall be entitled to a procedural due process hearing as follows:

- Notice: The principal (or designated assistant principal) shall notify the student and the parent/guardian that the student's positive drug test result has been verified by the MRO, describe the action to be taken, and advise the student and the parent/guardian of the right to a due process hearing that may challenge only the procedures followed, not the test results that have been verified by the MRO.
- Hearing: If requested by the student or the parent/guardian, the principal (or designated assistant principal) shall conduct a procedural due process hearing within a reasonable period of time. The principal (or designated assistant principal) shall render a decision and provide the student and parent/guardian with a written record of that decision at the hearing or within three (3) days of the hearing, and sanctions shall begin immediately. The principal (or designated assistant principal)'s decision shall be final and shall not be subject to any further administrative appeal.

XIII. All forms that may be required to implement this policy will be housed on the District website and will be available at the school.