

Drug Testing Procedures**DRUG TESTING PROCEDURES**

The Drug-Free Random Drug Testing shall be conducted as follows:

1. Each participant in the designated extracurricular activities and all students applying for parking permits shall receive copies of the "Student Drug Testing Consent Form" indicating an understanding of random drug testing program; agreement to be bound by the condition of the program; and consent for testing. The Form shall be read, signed, and dated by the student and parent or guardian.

All students wanting to participate in the designated extracurricular activities and/or to park on school property must sign a consent form. This form must be returned to the office within five (5) school days of receipt. Failure to turn in a properly signed consent form within the time limits set forth in this policy will keep a student from participating in the designated activity. Parking permits will not be issued until the signed consent form has been received.

2. Testing shall be done at unannounced times throughout the school year. Students involved in designated extracurricular activities may be tested at any time the team is involved in tryouts, conditioning, training, practice, or competition. Drivers may be tested any time they are in possession of a valid parking permit issued by their school. Students opting into the drug testing pool may be tested at any time during the school year.
3. The testing laboratory shall be responsible for determining which student participants are to be tested and assign a number for identification. The laboratory will use assigned student numbers in identification of specimens.
4. The collection of specimens and the scientific analysis of the collected specimens shall be conducted by a professional laboratory chosen by Henderson County Board of Education, using scientifically validated toxicological methods.
5. Collection procedures for specimen samples shall be developed, maintained and administered by the testing laboratory in an effort to minimize any intrusion or embarrassment for each student, ensure the proper identification of students and the student's specimen, minimize the likelihood of the adulteration of a specimen and maintain the integrity of the collection and test process as well as the confidentiality of test results.
6. Immediately prior to giving a specimen sample, a "Drug Testing Custody and Control Form" shall be completed. This form shall identify the student participant only by a confidential number and be forwarded to the Testing Laboratory along with the specimen.
7. Students will be required to provide samples as follows:
 - a. On a random selection basis, from a list of all students in the testing pool, up to ten (10) students from Henderson County High School, three (3) students from North Middle School and three (3) students from South Middle School may be

drawn at random to provide a urine or oral fluid sample approximately once a week.

- b. At any time requested by the administration, based upon reasonable suspicion.
- c. Principal (or designee) shall be present at the collection area to ensure property student identification.
- d. Immediately prior to entering the bathroom or designated area utilized for the collection process, the student shall be required to leave all personal belongings (including jackets, purses, book bags, pocket contents, etc.) in the custody of the school representative present for student identification
- e. One or more drug laboratory employee shall be present when the specimen is taken.
- f. The following procedures shall be utilized when collecting a urine sample:
 - i. Prior to entering the bathroom facility utilized for the collection process, the Testing Laboratory representative shall treat the water in the private bathroom facility with a coloring substance (frequently referred to by testing laboratories as “blueing the water”) to prevent the participant from attempting to dilute or otherwise adulterate the urine specimen.
 - ii. the student shall be permitted to enter a private stall, with the monitor remaining present in the room.
 - iii. The sample shall be immediately collected by the monitor, labeled, and sealed for retention by the laboratory.
 - iv. Specimen temperature reading may be used as needed. If the specimen is not within acceptable range, the student will be required to produce another urine specimen.
- g. The following procedures shall be utilized when collecting an oral sample:
 - i. The Testing Laboratory representative shall observe the student while the specimen is being produced.
 - ii. An oral swab shall be placed under the tongue and/or along the lower gum of the student for up to five minutes or as directed by the testing protocol.
 - iii. The swab brush will then be placed in a vial in accordance with the instructions for the specific test being utilized.
 - iv. The vial will then be recapped, sealed and labeled for delivery to the laboratory.
- h. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure. At that time the monitor will inform the Principal, who will then determine if a new sample should be obtained. If a new sample is requested, the monitor will be present to collect the sample along with the student and one other witness.

- i. All scientific analysis of the collected specimens shall be conducted by a Substance Abuse and Mental Health Services Administration (SAMHSA) Certified Laboratory utilizing the SAMSHA cutoff concentrations for initial and confirmatory drug tests.
- j. Initial positive results must be confirmed by gas chromatography/mass spectrometry ("GC/MS"). If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed negative.
- k. The Testing Laboratory shall be responsible for reviewing the test results and confirming that the individuals testing positive have used illegal or unauthorized drugs, including synthetic illegal substances; adulterated the specimen or substituted the specimen in violation of the drug testing policy.
- l. *Written confirmation of all tests shall be forwarded by the Testing Laboratory to the building principal. The Testing Laboratory shall be responsible for contacting the student's parent/guardian with the positive result and conducting a telephone interview to confirm any prescription medications and to rule out any possible false positives due to over the counter medication. The Testing Laboratory then confirms the prescription medication with the prescribing physician and/or pharmacy. The final report is then sent to the building principal. All test results are confidential and shall be maintained by the principal under strict security.*

Test results forwarded to the principal shall indicate information about the test to include the name of the individual for whom the test results are being reported, the type of test, the date and location of the test collection; the identity of the persons or entities performing the collection and analysis of the specimens and reporting the test results and the verified results of the controlled substance test and if positive, the identity of the controlled substances.

- e. The building principal and/or Head Coach/Sponsor shall notify the student participant and the student's parents or guardian to disclose and discuss the test results.
- f. In the event of a positive result, the principal shall contact the athletic director, head coach/sponsor, student, and parent/guardian to schedule a conference. The student's parent or legal guardian, may contest the test result by informing, in writing, the Principal within 72 hours of receipt of notice of the positive test result. The student and parent/legal guardian shall be entitled to present any evidence they desire to defend the charge of isolation of this Policy 09.432 prior to implementation of sanctions. The Principal may require written documentation (such as a doctor's statement) of any evidence the student may wish to present that affects the test results. Failure to present written documentation to support the student's defense of the case shall result in the student being subject to the sanctions provided in this Policy. Further laboratory analysis shall be conducted with the student participants remaining urine specimen preserved by the Testing Laboratory and shall be conducted at the student's expense.
- g. The school district will rely on the professional opinion of the laboratory that performed the confirmation test in determining whether the positive test result

was produced by something other than the consumption of an illegal drug, performance-enhancing drug, or alcohol. A decision shall be made by the principal, athletic director, and coach/sponsor within three (3) working days of the conference.

- h. This decision may be appealed in writing to the Superintendent within five (5) working days. The Superintendent will review the matter for any procedural errors. The Superintendent shall make a written decision within five (5) working days of receiving the appeal. During the time of this appeal, the student will not be eligible to attend, participate in, or compete in extracurricular activities.
- i. The Superintendent's decision may be appealed in writing to the Henderson County Board of Education within ten (10) working days after the Superintendent's decision. Upon receipt of the appeal, the Board, after consultation with legal counsel, may elect to call a special meeting to hear the appeal or may hold an informal hearing at the next regularly scheduled Board meeting after it receives the appeal. During the time of this appeal, the student will not be eligible to attend, participate in, or compete in extracurricular activities.
- j. A student who has tested positive for illegal or performance-enhancing drugs will be required to undergo one or more additional drug tests to confirm that the student is no longer using illegal or performance-enhancing drugs. A student may participate in activities and/or have parking privileges reinstated after his/her initial suspension is served. However, the student will need to pass a second test within thirty (30) days of the positive test result to maintain participation privileges.
- k. All parents/guardians of students who do not test positive for illegal drugs or performance-enhancing drugs in the initial screening will be contacted by Henderson County personnel within ten (10) working days after testing.
- l. One (1) year after the student's graduation or transfer to another school district, all records in regard to this Policy 09.423 concerning each student participant shall be destroyed and at no time shall these results or records be placed in the student participant's academic file or be voluntarily turned over to any law enforcement agency, or used for any purpose other than stated herein.