

Avon Local Schools Drug Testing Policy

The Avon Local Schools desire to implement a policy which will attempt to provide the district with a safe and healthy student environment. This policy reflects the schools' and the community's strong commitment to establish a truly drug and alcohol free school environment. This policy applies to all student drivers with a parking permit, athletes, and participants in any extracurricular activity from grades 7-12.

The program does not affect the current policies, practices, or rights of the District regarding student drug and/or alcohol possession or use, where reasonable suspicion is established by means other than drug testing through this policy.

Students involved in extracurricular activities need to be exemplary in the eyes of the community and other students. The drug testing and education policy is designed to create a safe, drug free environment for students and assist them in getting professional help when needed. Although a student risks the loss of continued participation in extracurricular activities should he/she be found using, no student shall be suspended or expelled from school as a result of any verified "positive" test conducted by his/her school under this program. Co-curricular students will not have an academic grade consequence.

No student will be penalized academically for testing positive for banned substances. The results of drug tests will not be documented in any student's academic record.

Additionally, all students and parents/guardians/custodians must sign an "informed Consent Agreement" for drug testing in order to be eligible to participate in the following:

1. drive a motorized vehicle to school
2. athletics
3. extracurricular activities other than athletics

The principal/designee will make all final decisions regarding any drug testing issues within his/her building.

PURPOSE OF THIS POLICY SHALL BE:

1. To provide a healthy and safe environment to all students participating in athletic and extracurricular programs.
2. To discourage all students from using drugs and alcohol.
3. To encourage students to assume all responsibility for regulating their personal lives in ways that will result in their becoming healthy members of a team and worthy representatives of the school and community.
4. To provide students with the opportunity to become leaders as drug free members of the student body.

5. To provide solutions for the student who uses drugs and alcohol.
6. To provide the school with positive guidelines and disciplinary policies for violations of the drug free policy.
7. To encourage those students who participate in athletic and extracurricular programs to remain drug and alcohol free.

DEFINITIONS

STUDENT ATHLETE

Any student participating in an Avon High School athletic program and/or contests under the control and jurisdiction of the Avon Local Schools and/or the Ohio High School Athletic Association (OHSAA). This policy also includes cheerleaders and other club sports that are approved by the Board of Education.

CO-CURRICULAR

Any activity that functions as an activity, such as marching band and jazz band, that involves a grade. The administration will determine non-grade consequences.

EXTRACURRICULAR

Any activity that is Board of Education approved that does not involve a grade.

ATHLETIC SEASON

In-season start dates will begin as published by the Ohio High School Athletic Association or sanctioning organization and continue until the completion of awards program for that sport for the Avon Local Schools. There are three athletic seasons: Fall, Winter, and Spring.

RANDOM SELECTION

A system of selecting athletes for drug and alcohol testing in which each athlete shall have a fair and equitable chance of being selected each time selections are required.

ILLEGAL/ILLICIT DRUGS

Any substance included in U.S.C. 802 (6), which an individual may not sell, offer to sell, possess, give, exchange, use, distribute, or purchase under State or Federal Law. This definition also includes all prescribed and over-the-counter drugs being used in any way other than for medical purposes in accordance with the directions for use provided for in the prescription or by the manufacturer. Students may also be tested for Nicotine and Steroids.

ALCOHOL/PRESCRIPTION MEDICATION

Any intoxicating liquor, beer, wine, mixed beverage, or malt liquor beverage as defined in the Ohio Revised Code Section 4301.01. The term "alcoholic beverage" includes any liquid or substance, such as "near beer" which

contains alcohol in any proportion or percentage. The term “alcoholic beverage” does not include a substance used for medical purposes in accordance with directions for use provided in a prescription or by the manufacturer and in accordance with school district policy and rules related to the use of prescription and non-prescription drugs, provided the substance is a) authorized by a medical prescription from a licensed physician and kept in the original container, which shall state the student’s name and directions for use or b) an over-the-counter medicine.

TYPES OF TESTING

TEAM TESTING

At the beginning of each season, all eligible students will submit to urine drug and alcohol testing. This testing will be completed within the first two weeks of the season on a specified date and time. The collection process will take place on school property or at a Board of Education approved testing facility. The Head Coach is responsible for ensuring that all student athletes and their parent/guardian/custodian properly sign the INFORMED CONSENT AGREEMENT prior to testing. Any student moving into the District shall be tested prior to the time he/she joins the team.

RANDOM TESTING

In-session random testing shall be done throughout the season. Each team may have up to **50%** of its eligible students tested per random selection. A student may be tested more than once per season. In the event of a positive result, the specimen will be sent to a laboratory for confirmation of results and a certified Medical Review Officer will determine the results.

Random selection of student athletes:

The Athletic Director, or the Principal’s designee supervision, will use a system to ensure that students are selected in a random fashion. This system may include computer generated random numbers or names or by pulling numbers from a pool of numbers equal to the number of eligible student athletes.

Scheduling of random testing:

Random testing will be unannounced. The day and date will be selected by the Athletic Director and confirmed with the principal/designee. Random testing may be done weekly.

“Opt In” Student Drug Testing Program

Parents/Guardians/Custodians that have a student not involved in extracurricular activities, athletics or have a parking pass, may have their students participate in the drug testing program at the expense of the Avon Local Schools. Interested Parents/Guardians/Custodians should contact the principal/designee for additional information.

Reasonable Suspicion Testing

School officials have the right to have a student tested for use of drugs when there is the “reasonable suspicion.” This applies to all student-athletes, all students participating in extracurricular activities and all students driving to school and parking on school property.

DRUGS FOR WHICH STUDENTS MAY BE TESTED:

LSD, Alcohol, Marijuana, Amphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, Nicotine (Tobacco), Benzodiazepines, Opiates, Cocaine, Propoxyphene (Darvon), or any substance included in U.S.C. 802 (6), which an individual may not sell, offer to sell, possess, give, exchange, use, distribute, or purchase under State or Federal Law. This definition also includes all prescribed and over-the-counter drugs being used in any way other than for medical purposes in accordance with the directions for use provided for in the prescription or by the manufacturer.

REFUSAL TO TEST

Refusal to submit to a random or reasonable suspicion test will constitute a violation of the drug testing policy and will be treated as a positive test result.

COLLECTION PROCESS (Urine Screens)

The student will be notified to report to the collection site. A specimen from the student will be collected as follows, and all students must follow this process:

- All students must have a picture ID or be identified by the principal or designee. No exceptions will be allowed.
- Drug testing area must be secured during the testing.
- Privacy of test results will be maintained.
- The principal/designee will validate and ensure that those randomly selected students have parent approved documents.
- When a student arrives and is unable to produce a sample, he/she will be provided water.
- No bags, backpacks, technology, purses, cups, containers or drinks will be allowed to enter the collection area. All coats, vests, jackets, sweaters, hats, scarves or baggy clothing must be removed before entering the collection site. Any infringement of the rules will result in the student taking the test over.
- Students who cannot produce a sample will be kept in a secured area to wait until they can test. If they leave this area, they will not be allowed to test and this will be considered a "refusal to test."
- Prior to providing a urine sample, students will be asked to hold out their hands and a sanitizer will be put on their hands or they will be asked to wash hands with water. The bathroom personnel will add a dye to the toilet. These precautions are taken to eliminate the tampering of collection.

- Students will be asked to urinate directly into the collection cup given to them by the lab personnel. The lab technician will stand outside the stall and listen for normal sounds of urination. Students will have privacy while urinating.
- Any and all adulterations of the specimen will be detected and considered the same as a test refusal or first time infraction. (The lab checks every sample for adulteration, such as additives one may drink or add to urine to change, alter, or tamper the sample.)
- Adulterations: The district will treat adulterations and diluted samples as first time offenses. These samples are not called positives but have the same consequences. A retest will be required within 24 hours.
- Any suspicion of tampering with the sample will be brought to the tester's attention. The sample will be screened or sent to the lab for immediate confirmation of tampering.
- The sample must be taken in one attempt and be at least 30 ml in size. The student must hand the cup to the lab technician.
- Students are not to flush the toilets or urinals. In the event that a student flushes the toilet, he or she will be required to give a new sample immediately or the sample will be invalid.
- With the tested student watching, the lab technician will recap the sample and hand it back to the student who must then return it to the intake technician. In the event that the student does not hand the cup directly to the intake technician, the sample is invalid and a new sample must be taken. If the student leaves the collection area or has contact with anyone, the sample will be invalid and the student will have to give another sample.

All above practices are routine, industry-approved procedures to prevent tampering and ensure privacy.

This collection procedure is subject to change because of procedural requirements by the testing agency. The School Board reserves the right to change the collection procedure to coincide with the testing guidelines set forth by the testing agency.

When using rapid screens, all non-negative screens will be sent out with a chain of custody to a certified laboratory for confirmation. A Certified Medical Review Officer will verify the positive test.

Any student that tests positive will have to be tested weekly for the term of a five week program with drug counseling at the expense of the student and or parent. Testing will be done by Great Lakes Biomedical or another Board of Education approved company.

RESULTS OF A POSITIVE TEST

Any positive urine drug test results will be made known to the building administrator, who in turn will notify the parents/guardians/custodians and student.

IF A POSITIVE TEST OCCURS:

The 1st Violation

For the first positive result, the student athlete will be given the option of:

The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the Athletic Department with documentation that the student completed all recommendations of the counselor. The student will be denied participation for a minimum of **20%** of the season. The parent/guardian/custodian and student will meet with the Athletic Director, the coach/advisor, and a building administrator to determine reinstatement. The student may be required, at parent/guardian/custodian expense, to submit to weekly or random testing for the remainder of the current athletic season. The student shall forfeit all leadership roles.

For Example:

Athletics: The student will be denied participation of current season, with any remaining percentage of the denial of participation applied to the next season of participation if needed. NOTE: The student may continue to practice with the team and sit with the team during home and away contests. The student may not wear a team uniform during this denial of participation.

Extracurricular Activities: The student will be denied participation in 20% or 36 school days of all extracurricular activities, with any remaining percentage/days of denial of participation applied to the next season of participation if needed. NOTE: The student may not attend club meetings and or participate in off campus trips or special events. The student may not wear a uniform during this denial of participation.

Driving and Parking: The student will be denied 20% or 36 days of driving/parking privileges.

In order for participation and privileges to be reinstated after the 20% penalty, the student must agree to submit to five follow-up drug tests within six months at no cost to the District. The drug testing dates will be determined by the principal/designee.

OR

Denial of participation in interscholastic athletics for the remainder of the current season and for that year.

The 2nd Violation

The student is denied participation for **50%** of the season. The parent/guardian/custodian and student will meet with the Athletic Director, the coach, and a building administrator to determine reinstatement. The student **WILL** be required, at parent/guardian/custodian expense, to submit to weekly or random testing for the remainder of the current athletic season. This will be at the Parent/Guardian/Custodian's expense.

The student will have to make an appointment with a certified chemical dependency counselor (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency assessment and then follow the recommendations of the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the Athletic Department with documentation that the athlete completed all recommendations of the counselor.

Failure to complete these requirements may result in permanent denial of participation during the student's career at Avon High School.

The 3rd Violation

The student may be permanently denied participation in athletics, extracurricular activities and driving/parking privileges immediately.

Violations are cumulative throughout the student's secondary school career. (Grades 9-12)

SELF REFERRALS

A **student** may give a self-referral, which may be done only once in 4 years. **Self-referrals can only happen before a test is done.**

A self-referral occurs when a student asks a coach, advisor, director, counselor, administrator or any other school personnel for help and an assessment prior to any known violations of this policy. A self-referral will not be subject to any disciplinary action provided that:

The student completes a drug assessment and counseling program and verification is provided to the principal/designee. The counselor and or agency must be certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services. Parents/Guardians/Custodians must pay for this expense.

The student agrees to submit to five follow-up drug tests within six months at no cost to the District. The testing dates will be determined by the principal/designee and testing will be completed by the District's drug testing company. If the student tests positive during the follow-up drug tests, the student will be subject to first-time offence consequences.

**AVON SCHOOLS
PROGRAM INFORMED
CONSENT AGREEMENT**

AS A STUDENT:

- I understand and agree that participation in athletic activities, extra-curricular activities and parking and driving privileges are a privilege that may be withdrawn for violations of the Avon Local Schools Drug Testing Policy.
- I have read the Drug Testing Policy and thoroughly understand the consequences that I will face if I do not honor my commitment to the Drug Testing Policy.
- I understand that when I participate in any athletic program or extra-curricular activity I will be subject to initial and random urine drug & alcohol testing, and if I refuse, I will not be allowed to practice or participate in any athletic activities, extra-curricular, or have parking or driving privileges. I have read the informed consent agreement and agree to its terms.
- I understand this agreement is binding while I am a student in the Avon Local School system.

AS A PARENT/GUARDIAN/CUSTODIAN:

- I have read the Avon Local School district drug testing policy and understand the responsibilities of my son/daughter/ward as a participant in athletic and extracurricular activities in the Avon Local School district.
- I pledge to promote healthy lifestyles for all students in the Avon Local School system.
- I understand that my son/daughter/ward, when participating in any athletic program or extracurricular activity, will be subject to initial and random urine drug and alcohol testing, and if he/she refuses, will not be allowed to practice or participate in any athletic activities, extracurricular activities or be permitted to park or drive on school grounds.
- I have read the informed Consent Agreement and agree to its terms.
- I understand this agreement is binding while my son/daughter/ward is a participant in athletics, extra-curricular activities and or driving or parking privileges in the Avon Local School district.

INFORMED CONSENT AGREEMENT

We hereby consent to allow the student named on the reverse side to undergo urinalysis testing for the presence of illicit drugs, alcohol, or banned substances in accordance with Policy and Procedures for Drug Testing of the Avon Local School District.

We understand that testing will be administered in accordance with the guidelines of the Avon Local School District Drug Testing Policy for student athletes.

We understand that any urine sample taken for drug testing will be tested only by a Board approved company.

We hereby give our consent to the company selected by the Avon Local School District Board of Education, its employees, or agents, together with any company, hospital, or laboratory designated to perform urinalysis testing for the detection of drugs.

We further give our consent to the company selected by the Avon Local School District Board of Education, its employees, or agents, to release all results of these tests to designated School District employees or agents. We understand that these results will also be available to us upon request.

I, the student, hereby authorize the release of the results of such testing to my parent/guardian/custodian.

We hereby release the Avon Local School District Board of Education, its employees or agents from any legal responsibility or liability for the release of such information and records.

This will be deemed a consent pursuant to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g as amended, and the Ohio Revised Code 3319.321, for the release of the test results as authorized by the Informed Consent Agreement or as required by law.