

Board Policy 227.1

BLUE MOUNTAIN SCHOOL DISTRICT

PURPOSE

The Board recognizes that the use of illegal and/or nonprescribed drugs by students has a serious and negative effect on students' motivation, memory, judgment, coordination, reaction time, and respect for authority, and negatively affects students academically, physically and emotionally. These concerns, in conjunction with the heightened health and safety risks associated with students participating in extracurricular/cocurricular activities or operating motor vehicles to and from school and school-related activities while impaired, and the recognition that drug use and abuse is particularly dangerous to students who participate in such activities, have compelled development of this policy. In developing this policy, the Board wishes to follow the lead of other school districts within and outside Schuylkill County which have developed and implemented similar policies. The Board wants to deter students from consuming or using drugs, and to provide assistance to students who have problems with such substances.

DEFINITIONS

Sample - includes a urine sample, oral sample, or any other approved sample of bodily fluid for the purpose of determining the presence of drugs in a person's system.

Alter the Integrity of a Sample - 1) alter the outcome of a drug test by adding a substance to a sample; 2) substitute a sample; 3) interfere with the detection of drugs in a urine sample; 4) over-hydrating oneself in an attempt to dilute the urine to decrease the possible detection of drugs; 5) possession, distribution, or possession with intent to distribute a substance or fluid that will alter the integrity of a sample; 6) any other similar intention or action.

Approved Contractor - a certified person, corporation or agency selected by the Board for the purpose of collecting, testing, and maintaining the integrity of the urine samples, and interpreting, reporting and maintaining the confidentiality of test results in compliance with the policy.

Cocurricular Activities - activities that include Board-sponsored activities offered for academic credit toward graduation, and which require a student to attend or participate in activities scheduled during nonschool hours. A list of cocurricular activities shall be created by the Superintendent or his/her designee and may be supplemented during the year as approved by the Superintendent and reported to the Board.

DEFINITIONS

Extracurricular Activities - activities that include Board-sponsored activities that are not offered for academic credit toward graduation. A list of extracurricular activities shall be created by the Superintendent or his/her designee and may be supplemented during the year as approved by the Superintendent and reported to the Board.

Drug - any controlled substance which is prohibited by federal/state law, all “lookalike” drugs, anabolic steroids, all alcoholic beverages, any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy.

Random Selection - a selection process whose alternative outcomes occur with an equal probability. All eligible students will have an equal probability of being selected.

Violation of this Policy or Violates this Policy - the findings of a confirmed positive drug test, refusal to take a mandatory, random drug test or an attempt to alter the integrity of a sample.

Medical Review Officer (MRO) - a licensed physician trained and certified in the process and interpretation of drug testing results.

Student Assistance Program - program administered by the PA Department of Education’s Division of Student and Safe School Services designed to assist students in overcoming issues including alcohol, tobacco, other drugs, and mental health issues in order that they may achieve, remain in school, and advance.

GUIDELINES

Mandatory Testing Requirements

No student enrolled in grades 7 through 12 shall be permitted to participate in extracurricular/cocurricular activities or obtain a parking permit unless the student and the student's parent/guardian sign a Consent to Mandatory 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 his/her designee receives a signed withdrawal request from a parent/guardian to remove his/her student from the drug testing program. If at any time during the school year a student that is not involved in the random drug testing programs chooses to join a(n) extracurricular/cocurricular activity, that student will automatically be placed in the next testing pool once consent is received by the Superintendent or his/her designee.

GUIDELINES

Voluntary Testing Requirements

Any parent/guardian of a student enrolled in grades 7 through 12 who does not participate in a(n) extracurricular/cocurricular activities or does not obtain a student parking permit 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 his/her 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 his/her designee receives a signed withdrawal request form from a parent/guardian to remove the student from the drug testing program.

GUIDELINES

Testing Process

- Students selected for testing shall be chosen by a random sampling process by an approved contractor
- Any eligible student selected randomly for drug testing who is not in school on the day of testing will be tested at the next available testing date
- The school district may test a number of the eligible students randomly, at two (2) week intervals during the school year or interscholastic season without regard as to whether the student is then participating in an extracurricular/cocurricular activity
- If a student refuses to submit a 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 sample during the collection process, such conduct will be deemed a violation of this policy
- Any student who attempts to assist or does assist another student in altering the integrity of a sample will be deemed to have also violated this policy
- At anytime during a school day, school activity, or during the random drug testing process, possession of any substances that are meant to alter the sample or interfere with the drug testing policy are deemed to be a violation of this policy

GUIDELINES

Testing Process

- If a student fails to supply an adequate sample when requested, the student must remain in the testing area and will be allowed to drink up to eight (8) ounces of liquid every one-half (thirty (30) minutes) hour for up to two (2) and one-half (thirty (30) minutes) hours. Failure to supply an adequate sample within the allotted time will result in a refusal to submit a sample and will be deemed a violation of this policy.
- If a parent/guardian desires to be present during the student's testing, they must so indicate on the consent form, and provide a phone number for contact purposes. The student's test will then be delayed for one (1) hour from the time of contact, pending arrival of the parent/guardian. Failure to arrive within the allotted time will result in a refusal to submit a sample, and will be deemed a violation of this policy, unless the parent/guardian consents to the testing going forward without his/her presence.

GUIDELINES

Urine Testing Procedures

- The student will be asked to wash his/her hands with soap and water and dry them. The student will be required to pull up his/her pant legs and empty his/her pockets prior to testing.
- No purses, bags, or containers may be taken into the collection area with the student.
- The collector prepares the specimen cup by placing the temperature sticker on the side of the cup.
- The collector adds a bluing agent to the water in the urinal or toilet. When the specimen is collected, the attendant will check to make certain that the specimen has the temperature and appearance of a freshly collected urine specimen. The attendant will tightly secure the container lid and seal the cup with a security seal while simultaneously saying to the student “I am sealing your specimen with your ID on the specimen. Is this the correct ID?”, or words substantially similar.
- The student will then initial the seal in the presence of the collector and the witness will also indicate the date and time on the specimen and initial the specimen.
- The specimen will then be put in a biohazard bag and then placed in a secure area. The courier will then pick up the specimens and deliver them to the approved contractor.

GUIDELINES

Confirmation/Notification of Positive Tests

If it is determined that a violation of this policy has occurred, the student and the student's parent/guardian will be notified by the designee. If student or parent believes the positive drug test is the result of a universally accepted medical treatment, they must report this circumstance at the time of notice of the failed test. In addition, medical documentation must be immediately forwarded to the Superintendent for verification by appropriate personnel. If requested, a student challenge test will be at the expense of the student and/or the student's parent/guardian and will be administered using the original urine/oral sample at the same laboratory. If the student challenge test result is negative, no further action will be taken and the student and/or the student's parent/guardian will be reimbursed by the school district for the cost of the student challenge test. If a student challenge test is requested, the consequences for a violation shall apply until the results of the student challenge test are available.

Consequences for violation of this policy:

First Violation - The student enrolled in grades 7 through 12 will be automatically referred to the Student Assistant Program (SAP) and will immediately be ineligible from participating in extracurricular/cocurricular activities and/or parking privileges. Upon notification of the positive test, the student will be given a consent form for the SAP and a forty-five (45) school day suspension from extracurricular/cocurricular activities and parking privileges will begin upon receipt of the signed and dated SAP permission form. The student must comply with the recommendation(s) of the SAP assessment and team in order to be eligible for continued participation in activities. Failure to comply will result in continued ineligibility for participation in extracurricular/cocurricular activities and/or parking privileges.

The 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 extracurricular/cocurricular activities and/or parking privileges after the period of suspension, the offending student must consent to continued drug testing one (1) time every two (2) weeks 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 using the district's approved contractor. The school district shall also notify the student and the student's parent/guardian of the results of the drug testing.

Consequences for violation of this policy:

Second Violation - The student enrolled in grades 7 through 12 will be automatically referred to the Student Assistance Program (SAP) and will immediately be ineligible from participating in extracurricular/cocurricular activities and/or parking privileges. Upon notification of the positive test, the student will be given a consent form for the SAP and a one (1) year suspension from extracurricular/cocurricular activities and parking privileges will begin upon receipt of the signed and dated SAP permission form. The student must comply with the recommendation(s) of the SAP assessment and team in order to be eligible for continued participation in activities. Failure to comply will result in continued ineligibility for participation in extracurricular/cocurricular activities and/or parking privileges.

The 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 extracurricular/cocurricular activities and/or parking privileges after the period of suspension, the offending student must consent to continued drug testing one (1) time every two (2) weeks for the one (1) year period following the date of receipt of confirmation of the positive test at the expense of the parent/guardian using the district's approved contractor. The school district shall notify the student and/or student's parent/guardian of the results of the drug screening.

Consequences for violation of this policy:

Third Violation - The student enrolled in grades 7 through 12 will be automatically referred to the Student Assistance Program (SAP) and will immediately be indefinitely suspended from participating in extracurricular/cocurricular activities and/or parking privileges. Upon notification of the third positive test, the student will be given a consent form for the SAP and will be suspended from extracurricular/cocurricular activities and parking privileges for the remainder of his/her enrollment as a student with the Blue Mountain School District. The school district shall also notify the student and/or the student's parent/guardian of the results of the drug testing.

The 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.

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. The coach/advisor will be responsible for reporting uniform/equipment returned to the Athletic Director.

Consequences for violation of this policy:

Alteration-Related Violation - Any student that does not have a prior violation of this policy found to have attempted to alter the integrity of a test sample or to have attempted to assist another student in altering a test sample shall be deemed to have committed a second violation as described above and shall face a one year suspension from extracurricular/cocurricular activities and/or parking privileges. Any student that does have a prior violation of this policy who commits a subsequent act relating to altering the integrity of a test sample shall be deemed to have committed a third violation as described above and shall face a permanent suspension from extracurricular/cocurricular activities and/or parking privileges.

The Board shall empower the Superintendent or his/her designee to establish a "hardship review process" in the event a parent/guardian claims inability to financially afford to pay for subsequent drug tests as required above. The hardship determination shall be analyzed on a case-by-case basis with the determination of the Superintendent or his/her designee being final and binding.

When a student who has voluntarily opted to participate in the drug testing program violates the policy, s/he shall be required 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.

Consequences for violation of this policy:

- No 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 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 the student's parent/guardian as soon as possible.
- The results of the drug tests 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 Blue Mountain School District.
- This Policy will be reviewed every six (6) months or sooner at the discretion of the district in order to make any necessary additions, corrections or modifications to the Policy.

**BLUE MOUNTAIN SCHOOL DISTRICT
CONSENT TO VOLUNTARY DRUG TESTING AND AUTHORIZATION FOR
RELEASE OF INFORMATION
(Minor)**

I hereby acknowledge that I have received a copy of the Blue Mountain School District Drug Testing Policy. I further acknowledge that I have read the policy and that I fully understand the provisions of the drug testing program and agree to voluntarily comply with the terms and conditions set forth by the policy.

I hereby consent and authorize the School District to collect a urine testing sample from my child-student and to have such sample tested for the presence of certain drugs and substances in accordance with the provisions of the policy. I further authorize the Superintendent of the School District or his/her designee to release the results of the drug testing of my child-student in accordance with the policy, only when necessary, to the school principal, Athletic Director, extracurricular and/or cocurricular head coach/advisor and/or members of the Student Assistance Program.

I hereby acknowledge that this voluntary Consent shall remain valid unless and until I notify the Blue Mountain School District, by completion of the proper forms, of my desire to remove my child-student from the School District's drug testing program.

I hereby release and discharge, for myself and my child-student, the School District and its administrators, directors, officers, employees, and agents from and of all claims, rights, expenses, debts, demands, costs, contracts, liability, obligations, actions, and causes of action of every nature, known or unknown, whether in law or equity, which I or my child-student had, now has, or may have which is in any way connected with, or arises out of the drug testing process of the policy.

Printed Student Name Student Signature Date

Printed Parent/Guardian Name Parent/Guardian Signature Date

Parent/Guardian Contact Number _____

Extracurricular/Cocurricular Activities

**BLUE MOUNTAIN SCHOOL DISTRICT
CONSENT TO VOLUNTARY DRUG TESTING AND AUTHORIZATION FOR
RELEASE OF INFORMATION
(Adult Student)**

I hereby acknowledge that I have received a copy of the Blue Mountain School District Drug Testing Policy. I further acknowledge that I have read the policy and that I fully understand the provisions of the drug testing program and agree to voluntarily comply with the terms and conditions set forth by the policy.

I hereby consent and authorize the School District to collect a urine testing sample from me and to have such sample tested for the presence of certain drugs and substances in accordance with the provisions of the policy. I further authorize the Superintendent of the School District or his/her designee to release the results of my drug testing in accordance with the policy, only when necessary, to the school principal, Athletic Director, extracurricular and/or cocurricular head coach/advisor and/or members of the Student Assistance Program.

I hereby acknowledge that this voluntary Consent shall remain valid unless and until I notify the Blue Mountain School District, by completion of the proper forms, of my desire to remove me from the School District's drug testing program.

I hereby release and discharge the School District and its administrators, directors, officers, employees, and agents from and of all claims, rights, expenses, debts, demands, costs, contracts, liability, obligations, actions, and causes of action of every nature, known or unknown, whether in law or equity, which I had, now have, or may have which is in any way connected with, or arises out of the drug testing process of the policy.

Printed Student Name Student Signature Date

*Printed Parent/Guardian Name *Parent/Guardian Signature Date

*Parent/Guardian Contact Number _____

Extracurricular/Cocurricular Activities

***This signature is not required but is provided as a courtesy to parents/guardians of adult students to insure their knowledge of this agreement.**

**BLUE MOUNTAIN SCHOOL DISTRICT
 CONSENT TO MANDATORY DRUG TESTING OF SAMPLES AND
 AUTHORIZATION FOR RELEASE OF INFORMATION
 (Minor)**

I hereby acknowledge that I have received a copy of the Blue Mountain School District Drug Testing Policy. I further acknowledge that I have read the policy and that I fully understand the provisions of the drug testing program and agree to comply with the terms and conditions set forth by the policy.

I hereby consent and authorize the School District to collect a testing sample from my child-student and to have such sample tested for the presence of certain drugs and substances in accordance with the provisions of the policy. I further authorize the Superintendent of the School District or his/her designee to release the results of the drug testing of my child-student's sample in accordance with the policy, only when necessary, to the school principal, Athletic Director, head coach and/or advisor of any extracurricular/cocurricular activity in which my child-student participates and/or members of the Student Assistance Program.

I hereby acknowledge that this Consent shall remain valid unless and until I notify the Blue Mountain School District, by the completion of the proper forms, of my desire to remove my child-student from the School District's drug testing program.

I hereby release and discharge, for myself and my child-student, the School District and its directors, administrators, officers, employees, and agents from and of all claims, rights, expenses, debts, demands, costs, contracts, liability, obligations, actions, and causes of action of every nature, known or unknown, whether in law or equity, which I or my child-student had, now has, or may have which is in any way connected with, or arises out of the drug testing process of this policy.

 Printed Student Name Student Signature Date

 Printed Parent/Guardian Name Parent/Guardian Signature Date

Parent/Guardian Contact Number _____

 Extracurricular/Cocurricular Activities

**BLUE MOUNTAIN SCHOOL DISTRICT
CONSENT TO MANDATORY DRUG TESTING OF SAMPLES AND
AUTHORIZATION FOR RELEASE OF INFORMATION
(Adult Student)**

I hereby acknowledge that I have received a copy of the Blue Mountain School District Drug Testing Policy. I further acknowledge that I have read the policy and that I fully understand the provisions of the drug testing program and agree to comply with the terms and conditions set forth by the policy.

I hereby consent and authorize the School District to collect a testing sample from me and to have such sample tested for the presence of certain drugs and substances in accordance with the provisions of the policy. I further authorize the Superintendent of the School District or his/her designee to release the results of my drug testing sample in accordance with the policy, only when necessary, to the school principal, Athletic Director, head coach and/or advisor of any extracurricular/cocurricular activity in which I participate and/or members of the Student Assistance Program.

I hereby acknowledge that this Consent shall remain valid unless and until I notify the Blue Mountain School District, by the completion of the proper forms, of my desire to be removed from the School District's drug testing program.

I hereby release and discharge the School District and its directors, administrators, officers, employees, and agents from and of all claims, rights, expenses, debts, demands, costs, contracts, liability, obligations, actions, and causes of action of every nature, known or unknown, whether in law or equity, which I had, now have, or may have which is in any way connected with, or arises out of the drug testing process of this policy.

Printed Student Name Student Signature Date

*Printed Parent/Guardian Name *Parent/Guardian Signature Date

*Parent/Guardian Contact Number _____

Extracurricular/Cocurricular Activities

*This signature is not required but is provided as a courtesy to parents/guardians of adult students to insure their knowledge of this agreement.

**BLUE MOUNTAIN SCHOOL DISTRICT
DRUG TESTING PROGRAM WITHDRAWAL FORM
(Minor)**

I hereby wish to withdraw my child-student from any and all extracurricular/cocurricular activities and parking privileges which require my child-student's participation in the Blue Mountain School District Drug Testing Program.

I am completing and submitting this form to the Superintendent or his/her designee as acknowledgement for my desire to withdraw my child-student from all aspects of this program. My child-student's name will be withdrawn from the random testing pool on the date this form is received. Completing this will impact my child-student's participation in all extracurricular/cocurricular activities and/or parking privileges. I understand that by withdrawing my child-student, my child-student can no longer participate in any of the extracurricular/cocurricular programs or activities. My child-student may re-enter the testing pool after a period of one (1) calendar year from the date of this Withdrawal by completing a new Consent to Mandatory Drug Testing of Urine Samples and Authorization for Release of Information Form.

STUDENTS HAVE 5 CALENDAR DAYS TO RECONSIDER THEIR DECISION AND RE-ENTER THE POOL WITH NO CONSEQUENCES.

Printed Student Name

Student Signature

Date

Printed Parent/Guardian Name

Parent/Guardian Signature

Date

Printed School Designee

Designee Signature

Date

Extracurricular/Cocurricular Activities

Parking Privilege Number

**BLUE MOUNTAIN SCHOOL DISTRICT
DRUG TESTING PROGRAM WITHDRAWAL FORM
(Adult Student)**

I hereby wish to withdraw from any and all extracurricular/cocurricular activities and parking privileges which require my participation in the Blue Mountain School District Drug Testing Program.

I am completing and submitting this form to the Superintendent or his/her designee as acknowledgement for my desire to withdraw from all aspects of this program. My name will be withdrawn from the random testing pool on the date this form is received. Completing this will impact my participation in all extracurricular/cocurricular activities and/or parking privileges. I understand that by withdrawing, I can no longer participate in any of the extracurricular/cocurricular programs or activities. I may re-enter the testing pool after a period of one (1) calendar year from the date of this Withdrawal by completing a new Consent to Mandatory Drug Testing of Urine Samples and Authorization for Release of Information Form.

STUDENTS HAVE 5 CALENDAR DAYS TO RECONSIDER THEIR DECISION AND RE-ENTER THE POOL WITH NO CONSEQUENCES.

Printed Student Name Student Signature Date

*Printed Parent/Guardian Name *Parent/Guardian Signature Date

Printed School Designee Designee Signature Date

Extracurricular/Cocurricular Activities

Parking Privilege Number

*This signature is not required but is provided as a courtesy to parents/guardians of adult students to insure their knowledge of this agreement.