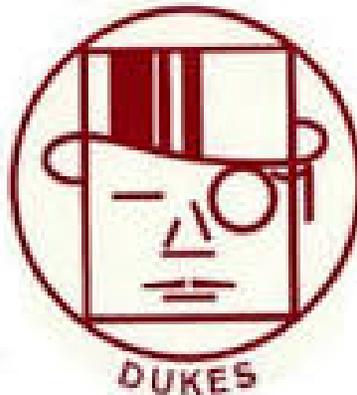


# Wellington Exempted Village School District

## Drug Testing Policy



## **WELLINGTON EXEMPTED VILLAGE SCHOOL DISTRICT DRUG TESTING POLICY**

The Wellington Exempted Village School District (hereafter referred to as Wellington Schools) Board of Education desires to implement a policy which will attempt to provide the district with a safe and healthy student environment. This policy reflects the Wellington Schools Board of Education and the community's strong commitment to establish a truly drug and alcohol free school environment.

This policy applies to all students in grade 7-12 who participate in extra- & co-curricular activities, students who drive to school, and students who, with consent from their parents, volunteer for inclusion in the testing pool. Students involved in extra-curricular activities need to be exemplary in the eyes of the community and other students. This drug testing and education policy is designed to help students understand the negative effects of drug and alcohol use, create a safe, drug free environment, and assist them in getting help when needed.

### **PURPOSE OF THIS POLICY SHALL BE:**

1. To provide a healthy and safe environment to all students.
2. To help educate students on the negative effects of drug & alcohol use and learn to live a healthy, drug-free lifestyle
3. To provide solutions for the student who does use drugs and alcohol.
4. To provide the school with positive guidelines and disciplinary policies for violations of the drug free policy.

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.

No student shall be suspended or expelled from school as a result of any certified "positive" test conducted by his/her school under this program.

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.

No drug test result shall be shared with law enforcement except under order from a court of jurisdiction.

Any action taken due to a positive test result of a student, may be reviewed by the Superintendent and the Board of Education. In the event that action is reviewed and if good cause is shown, the penalties associated with the positive test may be adjusted to appropriate levels. In no event shall penalties be increased beyond those listed in this policy.

## **DEFINITIONS**

### **1. STUDENT ATHLETE**

Any student participating in a Wellington Schools athletic program and/or contests under the control and jurisdiction of the Wellington 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.

### **2. CO-CURRICULAR**

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

### **3. EXTRACURRICULAR**

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

### **4. 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 Wellington Schools. There are three athletic seasons: Fall, Winter, and Spring.

### **5. RANDOM SELECTION**

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

### **6. 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.

### **7. 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.

## **PARTICIPANTS**

Any student in grades seven (7) through twelve (12) and their parent(s)/legal guardian(s) must sign and submit a drug testing policy consent form in order to be eligible to participate in any of the following;

- A. drive a motorized vehicle to school
- B. athletics
- C. extra-curricular & co-curricular activities other than athletics
- D. curriculum related activities, that enrich a class but are not required

Including but not limited to:

Anime Club	Band - Jazz	Soccer - Boys
Baseball	Band - Marching	Soccer - Girls
Basketball - Boys	Cross Country - Boys	Softball
Basketball - Girls	Cross Country - Girls	STEM Club
Bowling - Boys	Drama Club	Student Aides
Bowling – Girls	FFA	Student Council
Builders Club	Football	Track - Girls
Cheerleading	Golf	Tracks - Boys
Chess Club	Math Club	Volleyball
Civil War Club	National Honor Society	Wrestling
Class Officers	SADD	Yearbook Staff
Band - Concert		

**\*And any other activity that is defined as an extra-curricular by the Wellington Exempted Village School District.**

## **ENROLLMENT PROCEDURE FOR RANDOM TESTING**

1. Enrollment for the drug testing pool must be completed within the first five days of the current school year.
2. Once enrolled in the drug testing policy, the student will remain enrolled for the remainder of the school year.
3. Current or future student drivers must be enrolled in the pool before they receive a parking permit.

4. Enrollment forms for new students at Wellington Schools will be signed during the enrollment procedure. New students must decide to enroll in the program within five school days of registration.
5. Enrollment in the program after the deadline will be allowed with a negative test furnished at the parent/student expense.
  - a. **EXAMPLE:** A student who is not enrolled but wishes to join an activity after the initial enrollment period must furnish a negative test at parent/student expense. The student will remain enrolled in the drug testing policy after furnishing a negative test.

### **DRUGS FOR WHICH STUDENTS MAY BE TESTED:**

LSD, Alcohol, Marijuana, Amphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, Nicotine\* (Tobacco), Benzodiazepines, Opiates, Narcotics, 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.

\* Positive result from cotinine and nicotine metabolite may not result in loss of privileges for those 18 years of age or older. However, parents will be notified of positive test.

### **TYPES OF TESTING**

#### **1. RANDOM TESTING**

- a. Random testing shall be done throughout the school year. **Up to 20% of eligible students may be chosen to be tested per random selection.** A student may be tested more than once per school year. In the event of a positive result, the specimen will be sent to a laboratory for confirmation of results by a certified Medical Review Officer.
  - i. Random selection of students:
    1. The principal or their designee 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 students.
  - ii. Scheduling of random testing:
    1. Random testing will be unannounced. The day and date will be selected by the building administrator. Random testing may be done weekly.
- b. **Random Testing will be paid for by the Wellington Schools Board of Education.**

## 2. REASONABLE SUSPICION

- a. Wellington Schools is authorized to require any student to submit to a chemical test of the student's breath, saliva or urine if the administration has "reasonable suspicion" (as defined below) that the student is using or is under the influence of alcohol, marijuana, or any other illegal substance or look alike drug (as defined by Ohio law) while:
  - i. On school grounds immediately before, during, and immediately after school hours and at any other time when a school group is using the school.
  - ii. Off school grounds at a school activity, function or event; or
  - iii. Traveling to or from school or a school activity, function or event while in a school owned or operated vehicle.
  
- b. Reasonable suspicion may be established by the following:
  - i. A student's behavior, in conjunction with physical appearance and/or odor, indicates the possible use of alcohol, marijuana or any controlled substance.
  - ii. The student possesses drug paraphernalia, alcohol, marijuana or any controlled substance.
  - iii. Information communicated to an administrator by a teacher, parent, law enforcement personnel, other adult, or a student indicating a student is using, possessing, or under the influence of alcohol, marijuana, or any other illegal substance. Any such report will be investigated by the administration and will be substantiated by other indicators including social media (Facebook, Twitter, texting, etc.), if deemed necessary.
  
- c. **Reasonable Suspicion Testing will be paid for by the Wellington Schools Board of Education.**

### **COLLECTION PROCESS (URINE SCREEN)**

The student will be escorted by the principal or the principal's designee to the collection site. A specimen from the student will be collected as follows, and all students must follow this process:

1. All students must have a picture ID or be identified by the principal or designee. No exceptions will be allowed.
2. The principal/designee will validate and ensure that those randomly selected students have parent approved documents.
3. Drug testing area must be secured during the testing. Privacy of test results will be maintained.
4. 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.
5. Students who cannot produce a sample will be kept in a secured area to wait until they can provide a urine sample. Students will be provided water. If they leave this area, they will not be allowed to test and this will be considered a "refusal to test".

6. 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.
7. 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.
8. 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.)
  - a. 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.
9. 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.
10. 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.
11. 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.
12. 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 positive screens will be sent out with the testing company to a certified laboratory for confirmation. A Certified Medical Review Officer will verify the positive test.

### **REFUSAL OF TESTING**

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.

**IF A POSITIVE TEST OCCURS:**

**1. 1st Violation**

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

Meeting with a district-approved prevention educator/specialist for chemical dependency screening and then follow the recommendations of the educator/specialist. If the student is referred to a certified chemical dependency counselor (certified by The Ohio Department of Mental Health and Addiction Services) for an assessment, the student must follow the recommendations from the counselor. The parent/guardian/custodian is responsible for all expenses and for providing the school with documentation that the student completed all recommendations set forth.

The student will be denied participation for a minimum of **20%** of the season beginning immediately after confirmation of the positive test and not ceasing until the term of non-participation is complete. 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 180 calendar days.

i. For Example:

1. **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.
  2. **Extracurricular & Co-curricular 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.
  3. **Driving and Parking:** The student will be denied 20% or 36 school days of driving/parking privileges.
- ii. **In order for participation and privileges to be reinstated after the 20% penalty, the student must agree to submit to a follow-up drug test. The drug testing dates will be determined by the principal/designee and will be completed within 30 days of the positive test**

OR

- b. Denial of participation in all activities as listed in the “PARTICIPANTS” section above for 365 calendar days.

## **2. The 2nd Violation**

The student is denied participation in all activities for 365 calendar days beginning immediately after confirmation of the positive test and not ceasing until the term of non-participation is complete. The parent/guardian and student will meet with the Athletic Director/Coach/Club Sponsor and a building administrator to determine reinstatement. The student WILL be required, at parent/guardian 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 district-approved prevention specialist (or at an agency certified by the Ohio Department of Health or the Ohio Department of Alcohol and Drug Addiction Services) for chemical dependency screening and then follow the recommendations of the specialist. The parent/guardian/custodian is responsible for all expenses and for providing the school with documentation that the student completed all recommendations set forth by the specialist.

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

## **3. The 3rd Violation**

The student may be subject to any penalties stated under 1<sup>st</sup> and 2<sup>nd</sup> violations as well as risk permanent denial of participation in athletics, extracurricular & co-curricular activities and driving/parking privileges immediately.

Violations are cumulative throughout the student's school career. (Grades 7-12)

## **SELF REFERRALS**

A student may give a self-referral, which may be done only twice in 6 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:

1. The student completes a drug assessment and begins the counseling program within 30 days of the self-referral; verification of the assessment and progress in the counseling program 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.
2. The student agrees to submit to two 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.

If you have any questions or concerns regarding substance abuse, contact any of the following agencies:

Alcohol and Drug Addiction Services Board of Lorain County  
[www.lorainadas.org](http://www.lorainadas.org)  
440.282.9920

Communities That Care of Lorain County  
[www.ctcloraincounty.org](http://www.ctcloraincounty.org)  
440.282.9920

SOLACE of Lorain County  
440-282-9920

The LCADA Way  
2115 West Park Drive  
Lorain, Ohio 44053  
440-282-4777 (Lorain Office)  
440-323-0860 (Elyria Office)

Let's Get Real, Inc  
Recovery Community Organization  
440-963-0147

The Nord Center  
6140 South Broadway  
Lorain, Ohio 44053  
440-233-7232

WELLINGTON EXEMPTED VILLAGE SCHOOL DISTRICT

**RANDOM DRUG TESTING CONSENT FORM**

I have received, read, and understand a copy of the “Wellington Exempted Village School District Drug Testing Policy”.

\_\_\_\_\_  
(Print student name clearly)

**VOLUNTARILY AGREES to be subject to its terms and conditions of the program for the duration of the 2017-18 school year.**

**This consent is given pursuant to all State and Federal Privacy Statutes, and is a waiver of rights to nondisclosure of such test records and results only to the extent of the disclosures in the program.**

Date: \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Parent Signature

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**XXXXX Non-Consent XXXXX**

\_\_\_\_\_  
(Print student name clearly)

**DOES NOT agree to be subject to the terms and conditions of the program. This student will not be eligible to participate in any WEVSD extracurricular activities/driving privileges for the remainder of this school year.**

Date: \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Parent Signature