

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED:	July 15, 1999	FILE SECTOR:	STUDENTS
DATE REVISED:	August 16, 2004	POLICY TITLE:	CO-CURRICULAR
DATE REVISED:	January 15, 2009		DRUG TESTING
DATE REVISED:	December 18, 2014		
DATE REVISED:	April 25, 2016		
DATE REVISED:	October 30, 2017		

Medford Area Public School District (MAPSD) Board of Education has a strong commitment to the health, safety and welfare of our students. Studies throughout the United States, Wisconsin, and Taylor County indicate that education alone, as a preventative measure, is not totally effective in combating substance abuse. The district's commitment to maintaining co-curricular programs in a healthy, safe, and secure educational environment requires a clear policy and supportive programs relating to the detection, treatment and prevention of substance abuse.

Participation in co-curricular programs is a privilege. Students involved in co-curricular programs need to be exemplary in the eyes of other students and the community. Furthermore, the district needs to be proactive in ensuring the safety of students participating in co-curricular programs. Therefore, it is the purpose of this policy to prevent students from participating in co-curricular programs while having alcohol or drug residues in their body and it is further the purpose of this policy to educate, help and direct students away from drug and alcohol use toward a healthy and drug free life style. This program seeks to provide needed help for students who have a verified "positive" test. The student's health, welfare, and safety are the reason for preventing students from participation in co-curricular programs.

This drug testing policy is not intended to be disciplinary or punitive in nature. No student shall be expelled or suspended from school as a sole result of any verified positive test conducted by the school under this program, other than stated herein.

This policy applies to all MAPSD students in grades 9-12 who participate in co-curricular programs which are approved by the board of education and listed in the current student handbook. Such students are hereafter referred to as "student participants."

**CONSENT FORM FOR DRUG TESTING**

Each student participant shall be provided with a copy of this policy and the consent form which shall be dated and signed by the student participant and by his/her parent(s)/guardian(s). It is mandatory that each student participant sign and return the consent form within ten days of participation in the activity. Signing the consent form, and adherence to its conditions thereafter, shall be a condition of participation in the co-curricular activity. The signed consent form constitutes express permission and agreement that the student will submit to drug testing as set forth in the board of education's policy.

## **CONFIDENTIALITY**

The results of any test administered under the terms of this policy shall be confidential and disclosed only to the student participant, his/her parent(s)/guardian(s) and school officials designated by the district administrator, or as otherwise required by law.

Drug testing result sheets will be returned to the principal/administrative designee identifying students by number and not by name. Names of students tested will not be kept in open files or on any computer. Result sheets will be secured in a location that only the principal/administrative designee have access to.

This policy does not affect other current policies, practices or rights of MAPSD in regard to drug and/or alcohol possession and/or use where reasonable suspicion is obtained by means other than drug testing through this policy. MAPSD reserves the right to test any student who at any time exhibits cause for reasonable suspicion of drug and/or alcohol usage.

Apart from this co-curricular drug testing program, MAPSD and coaching staff have their own training rules and requirements above and beyond drug testing. Coaches/Advisors have the necessary authority to enforce these rules. Any student who violates a rule or requirement as a member of a team or activity will be subject to the consequences as defined in those rules and requirements.

**CROSS REFERENCE: JFCH, JFCHA, Co-Curricular Code of Conduct**

**LEGAL REFERENCE:**

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**SELECTION OF STUDENTS FOR TESTING**

Student participants will be selected for drug testing by one of the following methods:

- A selection of student participants to be tested will be done randomly by the principal/administrative designee. This random testing will occur three times during each of the co-curricular seasons. The day of the week in which students will be tested will change and will not be in any predictable order. Each student participating in a co-curricular program during that season will be assigned a number and five of those numbers will be drawn from the total pool of co-curricular participants available to be tested during that co-curricular season.
- If a student participant displays behavior or if other reliable evidence exists that causes the principal and/or administrative designee to have reasonable suspicion that the student participant may be a user or under the influence of controlled substances, the principal/administrative designee will cause the student participant's name to be added to the list of student participants randomly drawn under number 1 above. The reasonable suspicion conduct will be documented in writing within 24 hours of the observed conduct. If feasible, the reasonable suspicion conduct will be witnessed by at least two staff members. The principal/administrative designee will receive proper training in the detection and objective evaluation of reasonable suspicion conduct.

No student will be given advanced notice or early warning of the testing by any school district employee or any person contracted to provide or facilitate this testing.

**TESTING PROCEDURES**

The laboratory selected to perform the testing must follow the standards set by the Department of Health Services and must be certified under the auspices of the Clinical Laboratory Improvement Amendment (CLIA) and Joint Commission of Accreditation of Health Care Organizations (JCAHO).

The certified laboratory will provide training and directions to those who supervise the testing program, set up the collection environment, and guarantee specimens and supervise the chain-of-custody.

**The principal/administrative designee will be responsible for escorting student participants to the collection site. The student participant will bring all materials currently in his/her possession with him/her to the collection site and will not be allowed to go to his/her locker.**

Upon being selected for testing under this policy, a student participant will be required to provide a specimen which may include hair, saliva or urine according to the quality control standards and policies of the laboratory conducting the test. The 5 Panel test may include Amphetamines, Cocaine, Opiates, PCP and THC in addition to a Cotinine (Nicotine) test.

Before the student participant's specimen is tested by the laboratory, student participants will agree to fill out, sign and date any form which may be required by the testing laboratory. If a student participant chooses, he/she may notify the administrator and the testing facility that he/she is taking a prescription medication.

If it is proven that tampering or cheating has occurred during the collection, the student participant will become ineligible for all co-curricular programs for the remainder of the school year. The reason for this ineligibility will also be reported to the parent(s)/guardian(s).

### **TESTING NEGATIVE**

The certifying laboratory will contact the principal/administrative designee within ten days of the testing date if the results are negative. The parent(s)/guardian(s) of a student participant who tests negative will be notified by mail within five days of the district's receipt of the information.

### **TESTING POSITIVE**

Any positive tests will be screened by the contracted facilitator's Medical Review Officer. Following that, the principal/ administrative designee will be notified of a student participant's testing "positive". The principal/administrative designee will notify the student participant and his/her parent(s)/guardian(s). The student participant or his/her parent(s)/guardian(s) may submit any documented prescription, explanation, or information which will be considered by the Medical Review Officer in determining whether a "positive" test can be satisfactorily explained.

The certifying laboratory will contact the principal/administrative designee as soon as possible (usually within 48 hours) but not to exceed ten days of the testing date if the results are positive. The parent(s)/guardian(s) of a student participant who tests positive will be notified personally and confidentially by the principal/administrative designee within five days of the district's receipt of the information. In addition, the student participant or parent(s)/guardian(s) may, within five days of the notification of the positive test result, request that the urine specimen be re-tested by the certified laboratory at full cost to the student participant or his/her parent(s)/guardian(s).

If the test is verified "positive," the principal/administrative designee will meet with the student participant and his/her parent(s)/guardian(s) at a school facility as soon as reasonable after the parent(s)/guardian(s) is first notified of the positive test result by the principal/administrative designee. At this meeting, the student and parent(s)/guardian(s) will be given the names of counseling and assistance agencies that the family may want to contact for help.

## **CONSEQUENCES**

**See Page 7 of the Co-Curricular Code of Conduct.**

In addition, MAPSD reserves the right to continue testing at any time during the remaining school year any participating student who tested “positive” and did not make satisfactory explanation.

## **REGAINING ELIGIBILITY**

**See Page 10 of the Co-Curricular Code of Conduct.**

## **FINANCIAL RESPONSIBILITY**

Under this policy, MAPSD will pay for all initial random drug tests, all initial reasonable suspicion drug tests, the initial parent(s)/guardian(s) requested test, and all initial “follow up” drug tests. (Once a student has a verified positive test result and has subsequently tested negative from a “follow up” test, any future “follow up” drug tests that must be conducted, as required above, will be paid for by the student or his/her parent(s)/guardian(s).)

A request for a re-test of a “positive” specimen is the financial responsibility of the student participant or his/her parent(s)/guardian(s).

Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student participant or his/her parent(s)/guardian(s).