EAST STROUDSBURG AREA SCHOOL DISTRICT SECTION: PUPILS

TITLE: VOLUNTARY STUDENT DRUG

AND ALCOHOL TESTING

ADOPTED: April 14, 2003

REVISED:

### 227.1 VOLUNTARY STUDENT DRUG AND ALCOHOL TESTING

1. Purpose

A student under age 18 with parental consent, or a student age 18 or older, may choose to participate in voluntary drug and/or alcohol testing to be conducted under the auspices of the school district.

- 1. The school district recognizes that drugs and/or alcohol, have a serious and deleterious effect on student performance and that continued or long-term usage of these substances can affect the user academically, physically and emotionally. It is not the intention of this policy to penalize a student who is taking a medication prescribed by a licensed physician for treatment of a physical or mental condition.
- 2. The school district wishes to provide a legitimate reason for students to refuse to consume or use drugs and/or alcohol and to provide assistance for those who have a problem with those substances.
- 3. The purpose of this policy is not to punish students. It is not the intention of this policy to authorize school district officials to report test results to law enforcement, or any officials outside the school district, without a subpoena (which the school district will not initiate), unless the student violates other policies, such as bringing prohibited substances or paraphernalia onto school property, being under the influence of prohibited substances while on school property or while participating in school events or activities or aiding in the procurement of prohibited substances while on school property or while participating in school events.

2. Definitions

**Drug** — Any substance considered illegal or controlled by the Commonwealth of Pennsylvania, the United States Government, The Food and Drug Administration, the Drug Enforcement Administration (DEA); or any controlled substance which has as one of its effects, the enhancement of athletic performance, including but not limited to steroids. For purposes of this policy, the definition includes the use of tobacco products, which are prohibited by the school district for all students. This policy includes beer, wine, and/or liquor and any substance containing ethyl alcohol to the extent that it can impair judgment or function if taken in sufficient quantities.

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**Student** – Any student choosing to participate in voluntary testing lieu of suspension or expulsion and under the controlled jurisdiction of the school district.

**Vendor** – The medical office or company selected by the Board to carry out the policy and procedure.

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

**GC/MS** – Gas Chromatography/Mass Spectroscopy; a scientific process to identify specific chemical compounds. A molecular fingerprint is obtained that identifies a chemical compound with 100% accuracy.

#### 3. Guidelines

# Random Testing

Testing will be done without prior warning to the student. The dates of testing and the test to be performed shall be determined by the school district in its sole discretion, and may be performed at any time during the school year for the duration. Agreed upon by the student or parent(s)/guardian(s) and the school district.

Testing shall only be performed by the vendor contracted by the school district.

All costs of collection, testing, and interpretation shall be paid by the school district unless other agreements are made for the student or parent(s)/guardian(s) to incur such costs.

All specimens must be initially tested using a highly accurate immunoassay technique, with all presumptive positive results then confirmed by a **Gas Chromatography/Mass Spectroscopy** (GS/MS) confirmatory test.

Laboratory results shall be sent directly to a Medical Review Officer (a licensed physician to review and analyze the test results). The MRO shall then notify the Superintendent of the results of the testing by providing a copy of the laboratory results. Any test results shall result in a letter being sent to the student and parent(s)/guardian(s). In addition, the student and parent(s)/guardian(s) shall receive referral information which shall include in-patient, out-patient and community—based drug and alcohol treatment programs.

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The parent(s)/guardian(s) and/or the student shall be given an opportunity to respond to the test results. Unless some objective evidence proves that the test results were erroneous (or were due to properly prescribed and administered prescription medication), then sanctions, including any suspension or expulsion which has been imposed being reinstituted for the full term thereof is the institution of suspension, expulsion or other available disciplinary proceedings based upon the original infraction resulting in the voluntary drug testing of the student sanctions, will apply. Confidentiality shall be maintained with regard to any positive test results. Test results shall be maintained by the school district for such period or duration as shall be set forth in the consent. Furthermore, if a school official or other representative of the school district witnesses a student in possession of drugs or using drugs, these observations shall provide a valid basis for the school district to charge the student with policy violations.

## Consent

Prior to any student being permitted to participate in voluntary drug and alcohol testing in lieu of suspension or expulsion, the student and his/her parent(s)/guardian(s) must sign a consent form agreeing for the student to participate in drug testing at any time during the school year. For such period or duration as shall be set forth in the consent.

Nothing in this policy shall curtail or render ineffective any other existing policy of this school district with regard to the possession or use of illegal substances or paraphernalia or those policies dealing with expected behavior of students on school property or while engaged in school sanctioned activities.

If a student does not comply with testing procedures, then the student will be considered to have violated any agreements made regarding voluntary student drug and/or alcohol testing. Any such violation may result in any suspension or expulsion, which has been imposed, being reinstituted for the full term thereof or in the institution of suspension, expulsion or other available disciplinary proceedings based upon the original infraction or misconduct and/or any subsequent infractions, misconduct or violations.