

Milan Community School Corporation

Extracurricular Activities Drug Testing Program

The Mission of Milan Community Schools

Milan Community Schools believes that the public school is to provide the best possible educational opportunities for all the youth of the community and for all adults who desire and want to pursue additional training or re-training. These opportunities must focus on the individual in terms of his/her interests, needs, abilities and capacities. It is the goal of Milan Community Schools to provide experiences which will equip the student to meet the responsibilities required of every citizen in our American democratic society. It shall also be the goal of the school to help the individual to acquire basic skills and attitudes necessary for him/her to live a full, productive and satisfying life.

We also believe the school should make a concerted effort to affect ways of helping all individuals in human understanding and relations, tolerance, and respecting the dignity of a person. Ways must be found to help individuals strive for peace among nations, peoples, and cultures.

Since the schools are only one agency in a community contributing to the education of individuals, the school must join hands with the home and all community agencies and organizations to make a wholesome and healthful environment for all people.

Introduction

The effective date of this program is August 1, 2015. This program does not affect the current policies, practices, or rights of Milan Community Schools with drug and/or alcohol possession or use, where reasonable suspicion is obtained by means other than drug testing through this policy. Milan Community Schools reserves the right to test any student who at any time exhibits cause for reasonable suspicion of drug and/or alcohol usage.

Reasonable Concern

Milan Community Schools has a strong commitment to the health, safety and welfare of its students. Results of studies throughout the United States, and an increased substance abuse problem in Ripley County, Indiana, indicate that education alone, as a preventive measure, is not effective in combating substance abuse. Statistics show that the mission of Milan Community Schools has not been realized. Our commitment to maintaining the extracurricular activities in Milan Community Schools as a safe and secure educational environment requires a clear policy and supportive programs relating to detection, treatment, and prevention of substance abuse by students involved in extracurricular activities.

Purpose

The drug testing program is not intended to be disciplinary or punitive in nature. Students involved in extracurricular activities need to be exemplary in the eyes of the community and other students. It is the purpose of this program to prevent students from participating in

extracurricular activities while he/she has drug residues in his/her body. And it is the purpose of this program to educate, help, and direct students away from drug and alcohol abuse and toward a healthy and drug free participation. No student shall be expelled or suspended as a result of any verified “positive” test conducted by his/her school under this program other than stated herein.

Scope

Participation in extracurricular activities is a privilege. This policy applies to all Milan Community School students in grades 9-12 who wish to participate in extracurricular activities that are listed in the current student handbook *and any other school sponsored extracurricular activities not listed*. It also includes any student who wishes to drive to school, from school or during school.

Legal Obligation

Indiana Code 20-8.1-7 sets forth health measures to be governed by school officials. Most specifically, IC 20-8.7-2 establishes the responsibility of schools to assist children found to be ill or in need of treatment.

Drug Education

The sponsor or coach of each extracurricular activity will require the attendance of all prospective participants at one or more drug education sessions. Each prospective participant shall receive a copy of this policy. The policy will be explained to them at that time. An educational presentation will also be made to educate the student about the harmful effects and consequences of alcohol and other drug abuse. Students will receive information as to where they can seek professional help, if needed, for a use or abuse problem.

Consent Form

It is **Mandatory** that each student who participates in extracurricular activities sign and return the “consent form” prior to participation in any extracurricular activity. Failure to comply will result in non-participation.

Each extracurricular participant shall be provided with a “consent form”, a copy of which is attached hereto, which shall be dated and signed by the participant and by the parent/guardian. In so doing, the student is agreeing to participate in the random drug testing program at Milan High School.

Testing Procedure

1. *The selection of participants to be tested will be done randomly by the principal/administrative designee, and selections will be made from time to time throughout the school year. Names will be drawn from one large pool of those agreeing to be tested. Testing may occur on a different day, Monday through Friday. This variable schedule will keep students conscious of the possibility of being tested at any time during the year. Each student will be assigned to a number that will be placed in the drawing.*

2. *If the student shows signs of reasonable suspicion, the principal/administrative designee may call the student's parent/guardian and ask that the student be tested.* Factors will include but are not limited to, excessive discipline problems and/or excessive absences from school. Also, a parent/guardian may request testing of his/her student.
3. **No student will be given advance notice or early warning of the testing.** In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.
4. Upon being selected for a urinalysis test under this policy, either by random draw, reasonable suspicion, request of a parent/guardian, or a "follow-up test, a student will be required to provide a sample of "fresh" urine according to the quality control standards and policy of the laboratory conducting the urinalysis.
5. All students will remain under school supervision until they have produced an adequate urine specimen. If unable to produce a specimen, the student will be given up to 24 ounces of fluid. If still unable to produce a specimen within two hours, the student will be taken to the principal's office and told he/she is no longer eligible for any of the extracurricular activities. In addition, the parents/guardian will be telephoned and informed the student is unable to produce a sample for the testing procedure and that he/she may be tested at a later date to be reinstated for eligibility.
6. All specimens registering below 90.5 degrees or above 98.8 degrees Fahrenheit will be invalid. There is a heat strip on each of the specimen bottles indicating the validity of the urine specimen by temperature. If this occurs, the student must give another specimen.
7. If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for all the "extracurricular activities" for the remainder of the school year. This will be reported to the parent/guardian.
8. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he/she left the collection site. The principal/administrative designee must time and sign the pass.
9. The specimens will then be turned over to the testing laboratory, and each specimen will be tested for alcohol, nicotine, and "street drugs" (which may include all drugs listed as controlled substances under the laws of the state of Indiana). Also "performance enhancing" drugs such as steroids may be tested.
10. The laboratory selected must follow the standards set by the Department of Health and Human Services. It must be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA) and the Joint Commission of Accreditation of Healthcare Organizations (JCAHO).

Chain of Custody

1. The certified laboratory will provide training and direction to those who supervise the testing program, set-up the collection environment, and guarantee specimens and supervise the chain-of-custody. To maintain anonymity, the student's number, not name will be used.

2. The principal/administrative designee will be responsible for escorting students to the collection site. The student should bring all materials with him/her to the collection site and should not be allowed to go to his/her locker. (The administrator should not bring all the students drawn from the pool to the collection simultaneously. Calling four or five students at a time allows the collections to be carried out quickly and will not cause students to wait a long time, thereby creating a loss of important time from class. Athletes may be called after school, perhaps during practice time).
3. Before the student's urine sample is tested by the laboratory, the student will agree to fill out, sign and date any form which may be required by the testing laboratory. If a student chooses, he/she may notify the administrator that he/she is taking a prescription medication.
4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle. The student will sign that the specimen has been sealed. *The seal may be broken only by the lab testing the specimen.*
5. If the seal is tampered with or broken, after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible. The student will remain eligible for extracurricular activities subsequent to a retest.
6. The supervisor obtaining the urine specimen will be of the same gender as the student. Students will be instructed to remove all coats and wash their hands in the presence of the supervisor prior to entering the restroom. The door will be closed so that the student is by himself/herself in the restroom to provide a urine specimen. The supervisor will wait outside the restroom. The student will have two minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restrooms will be shut off.
7. After it has been sealed, the specimen will be transported to the testing laboratory by lab personnel. The testing laboratory will report the results back to the principal/administrative designee.
8. In order to maintain confidentiality, the container which contains the urine specimen to be tested will not have the name of the student on the container. Instead, the student's random identification number will appear on the container. Also the results sheet for the urinalysis will be mailed back to the principal/administrative designee with no name attached; only the student's random identification number will appear on the results sheet.

Test Results

1. This program seeks to provide needed help for students who have a verified "positive" test. The students' health, welfare, and safety will be the reason for preventing students from participation in extracurricular activities.

2. The principal/administrative designee will be notified of a student testing “positive” (that is, if the test shows that drug residues are in the student’s system after using at least two different types of analysis). The principal/administrative designee will notify the student and his/her parent/guardian. The student or his/her parent/guardian may submit any documented prescription, explanation, or information which will be considered in determining whether a “positive” test has been satisfactorily explained.

In addition, the student or parent/guardian may appeal by requesting that the urine specimen be tested again by the certified laboratory at a cost to the student or his/her parent/guardian.

3. If the test is verified “positive”, the principal/administrative designee will meet with the student and his/her parent/guardian at a school corporation facility. The student and parent/guardian will be given the names of counseling and assistance agencies that the family may want to contact for help. The student will be prevented from participating in extracurricular activities until after a “follow-up” test is requested by the principal/administrative designee and the results are reported. *A follow-up” test will be requested by the principal/administrative designee after such an interval of time that the substance previously found would normally have been eliminated from the body. If this “follow-up” test is negative, the student will be allowed to resume extracurricular activities.* If a second “positive” result is obtained from the “follow-up” test, or any later test of that participant, *the same previous procedure* shall be followed. In addition, the Milan Community Schools 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.
4. Information on a verified “positive” test result will be shared on a “need to know” basis with the student’s coach or sponsor. The results of the “negative” tests will be kept confidential to protect the identity of all students being tested.
5. 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 locked and secured in a location that only the principal/administrative designee has access to.

Financial Responsibility

1. Under this policy, Milan Community Schools will pay for all initial random drug tests, all initial reasonable suspicion drug tests, 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 test that must be conducted will be paid for by the student or his/her parent/guardian*).
2. A request on appeal for another test of a “positive” urine specimen is the financial responsibility of the student or his/her parent/guardian.
3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student or his/her parent/guardian.

Confidentiality

Under this drug testing program, any staff, coach or sponsor of Milan Community Schools who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved, other than in the case of a legal subpoena being made upon that person in the course of a legal investigation. Once again, this will underscore the Milan Community Schools commitment to confidentiality with regards to the program.

Other Rules

Apart from this drug testing program, Milan High School Athletic Association and the coaching staff/sponsor of each sport/activity have their own training rules and requirements. Coaches/sponsors have the necessary authority to enforce those 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.

Milan Community School Corporation

EXTRA CURRICULAR CONSENT FORM

Please read and complete form. Turn this sheet in to the main office.

I have received and have read and understand a copy of the “Milan Community Schools Extracurricular Activities Drug Testing Program”. I desire that

_____ (*Print name clearly*)

Participate in this program, and in the extracurricular program of Milan Community Schools, and hereby, voluntarily agree to be subject to its terms for the entire high school career (grades 9-12). I accept the method of obtaining urine specimens, testing, and analyses of such specimen, and all other aspects of the program. I agree to cooperate in furnishing urine specimens that may be required from time to time.

I further agree and consent to the disclosure of the sampling, testing and results provided for this program. 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 _____

CONSENT

Student Signature

Parent Signature

******* Non-Consent *******

I, _____ (*print clearly*), have decided not to participate in any extracurricular activities sponsored by Milan Community Schools for the remainder of this school year. In order for me to participate in the extracurricular activity program at a later date, I understand that I must submit to a urinalysis.

Student Signature

Date

Parent/Guardian Signature

Date

Consequences for Violation's

First Violation

The student shall be put on probation from all extracurricular activities for 365 days (one calendar year) from the day that the violation is verified. The student may resume activities 4 weeks from the date a positive test is verified or (2 weeks if a student or the student's parents or guardians report the violation to a Milan High School administrator, coach or sponsor prior to the independent verification of a violation) if the following conditions are met.

1. *Counseling Program.* The student must agree to an appropriate program. The program must have approval by Milan Community Schools and will include a recommendation for parent or guardian participation. The cost of the program is the responsibility of the student and/or his parents or guardian. Failure to complete the program will result in the student's original suspension of 365 days being enforced.
2. *Drug Free.* The student must supply the school with a negative test at the cost of the student and/or his/her parents or guardian. The follow-up test must be taken at the high school. The results of the test will be sent directly to the parents/guardian of the student.
3. *Administrative Drug Test.* The student agrees to be tested once eligibility has been reinstated (steps 1 and 2 completed). The test will take place at the discretion of the administration. The cost of the test is the responsibility of the school. If the student tests positive during this test, it will be treated as a second violation and the student will be excluded from all extracurricular activities for 365 days from the verification of the second positive test.

*If the student cannot complete the Counseling Program requirement within the 4 weeks, (2 weeks if self-reported) the student could be allowed to resume all activities if the student is involved in the counseling program process and the student has produced a negative drug specimen. If the student is allowed to return to activities under these conditions but then fails to complete the counseling program, the original suspension will occur for the remainder of the 365 days. This decision will be made by the Principal.

Second Violation

The student shall be excluded from all extracurricular activities for 365 days (one calendar year) from the day the second violation is verified. The student may resume activities after 365 days and only if the following conditions are met:

1. *Counseling Program.* The student must agree to an appropriate counseling program. The program must have approval by the Student Assistance Counselor and will include a recommendation for parent or guardian participation. The cost of the program is the responsibility of the student and/or his parents or guardian. Failure to complete the program will result in the student's original suspension being enforced.
2. *Drug Free.* The student must supply the school with a negative test at the cost of the student and/or his/her parents or guardian. The follow-up test must be taken at the high school. The results of the test will be sent directly to the parents/guardian of the student.

3. *Administrative Drug Test.* The student agrees to be tested once eligibility has been reinstated (steps 1 and 2 completed). The test will take place within 365 days following reinstatement. The date of the test will be at the discretion of the administration. The cost of the test is the responsibility of the student and/or his parents or guardian. If the student tests positive during this test it will be treated as a third violation and the student will be excluded from all extracurricular and co-curricular activities for the remainder of the student's career.

Third Violation

The student shall be excluded from athletics, extracurricular, and co-curricular activities as well as driving to school and attending dances/prom for the remainder of the student's high school career.

*** During the suspension, as long as the student is working to complete the conditions set forth to re-establish eligibility, the individual may continue to be a part of practices and/or meetings, but will not be allowed to participate as an active participant in any games, contests, performances or be allowed to drive to school or school activities. The coach, teacher or club sponsor may require the student to perform duties at games, contests or performances other than active participation in the event.*

A student who violates this policy after the last day of a school year and prior to Monday of week number five of the I.H.S.A.A. calendar will begin their suspension starting on Monday of week number five of the I.H.S.A.A. calendar.

SELF REPORT

Students will be able to self-report any violation to a Milan High School administrator, coach or sponsor prior to the independent verification of a violation and within 48 hours of the violation. Students will not be able to self-report once they have been notified of their selection to be tested through the random drug testing program. Students who self-report may resume activities two weeks from the date of confirmation if requirements (stated above) are met. No student will have the opportunity to exercise the self-reporting option more than once during attendance at Milan High School.