Purpose Statement:

The Fremont City Schools Board of Education hereby implements a drug testing program. The purpose of the drug testing program is as follows:

1. Provide for the health, safety and general well-being of students;
2. Encourage students to remain drug free and provide a legitimate reason for students to refuse drugs;
3. Encourage students who use drugs to participate in drug treatment programs.

This policy applies to all student athletes, all students participating in extracurricular/co-curricular activities and all students driving to school and parking on school property in grades 9-12.

The drug testing program does not affect the current policies, practices or rights of the District regarding student drug possession or use where reasonable suspicion is established by means other than drug testing through this policy. The drug testing policy is non-disciplinary; thus, 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.

Additionally, no student will be penalized academically for testing positive for banned substances. The results of a drug test will not be documented in any student’s academic record. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities, absent legal compulsion by valid and binding subpoena or other legal process, which the Fremont City Schools Board of Education will not solicit. All students and parents/guardians/custodians must sign an “Informed Consent Agreement” for drug testing in order to be eligible to participate in athletics, extracurricular/co-curricular activities, and/or drive to school and park on school property.

The principal/designee will make all final decisions regarding any drug testing issues within his/her building.

* Note: For the purpose of this policy, the word “drug” is defined as any illegal/illicit drug and/or alcohol.
1. DEFINITIONS

A. ATHLETICS

Any student participating in a Fremont City Schools athletic program which includes, but is not limited to: Baseball, Basketball, Bowling, Cheerleading, Cross Country, Diving, Football, Golf, Hockey, Soccer, Track & Field, Tennis, Softball, Swimming, Volleyball and Wrestling.

B. EXTRACURRICULAR ACTIVITIES

Any student participating in a Fremont City Schools extracurricular activity, which includes, but is not limited to: AFS-USA, Art Club, Black History Month Committee, Bowling Club, Chess Club, Class Officers & Cabinet Members, Dance Team, Drama Club, French Club, Future Farmers of America, Gamer Club, Health & Wellness, Hispanic Month Committee, Hockey Club, Intramural Sports, Key Club, LINK, Pep Band, National Honor Society, Quiz Bowl, SADD (Students Against Destructive Decisions), Science Club, School Musicals, Spanish Club, Speech & Debate Team, Student Council and Teen Leadership.

C. CO-CURRICULAR ACTIVITIES

Any student participating in a Fremont City Schools co-curricular activity, which includes, but is not limited to the following: Auxiliary Corps, Band, Concert Choir, Jazz Band, Orchestra, Select Vocal Ensemble, Show Choir, Newspaper (Ross Chatter) and Publications (Yearbook).

D. STUDENT DRIVER

Students who drive to school and park on school property.

E. RANDOM SELECTION

A system of selecting 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.

F. ILLEGAL/ILlicit DRUGS

Any substance included in 21 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 steroids, 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.
G. ALCOHOL

Alcoholic beverages means intoxicating liquor, alcohol, wine, beer, mixed beverages, malt liquor and malt beverages as defined in Ohio Revised Code § 4301.01 The term “alcoholic beverages” also means any liquid substance (such as “near beer”) which contains alcohol in any proportion or percentage.

H. DRUG ASSESSMENT AND COUNSELING

A program designed to assess the degree of dependence of a student on mood-altering chemicals or other illegal substances. Such a program shall include an education component designed to teach the harmful nature of the mood-altering chemicals and any follow-up counseling and/or treatment deemed necessary by the assessing agency. The costs of any such chemical assessment, educational component, counseling and/or treatment shall be the responsibility of the student and/or his/her parent/guardian/custodian.

2. TYPES OF TESTING

A. RANDOM TESTING

At the beginning of each season and/or school year, all student-athletes, students participating in extracurricular/co-curricular activities and student drivers parking on school property will be eligible for the random urine drug testing. The collection process will take place on school property or at the Board of Education approved testing facility. The head coach or advisor/instructor for each extracurricular/co-curricular activity and principal/designee are responsible for ensuring that all student athletes, students participating in extracurricular/co-curricular activities, student drivers parking on school property and their parents/guardians/custodians properly sign the “Informed Consent Agreement” for drug testing. Random testing may be done throughout the season (including summer months) and/or school year. In the event of a non-negative result, the specimen will be sent to a laboratory and a certified Medical Review Officer will verify the results.

1. Random selection of students: The drug testing company will utilize a random number generator to select students for testing. Students may be tested more than once per season and/or school year.

2. Scheduling random testing: Random testing will be unannounced. The drug testing date and times will be selected by the principal/designee. The frequency and percentage of students tested each time will be determined by the principal/designee.

B. GROUP TESTING

At the beginning of a season and/or school year, all eligible students in a particular group (groups include athletics, extracurricular/co-curricular and drivers) may be required to take a drug test. The collection process will take place on school property or at the Board of
Education approved testing facility. The head coach or advisor/instructor for each extracurricular/co-curricular activity and principal/designee are responsible for ensuring that all student athletes, students participating in extracurricular/co-curricular activities, student drivers parking on school property, and their parents/guardians/custodians properly sign the “Informed Consent Agreement” for drug testing. In the event of a non-negative result, the specimen will be sent to a laboratory and a certified Medical Review Officer will verify the results.

C. REASONABLE SUSPICION TESTING

School officials will have the right to have a student tested for use of drugs when there is “reasonable suspicion”. This applies to all student athletes, all students participating in extracurricular/co-curricular activities and all students driving to school and parking on school property in grades 9-12.

D. “OPT IN” STUDENT DRUG TESTING PROGRAM

Parents/Guardians/Custodians that have students not involved in athletics, extracurricular/co-curricular activities and/or parking privileges may have their students participate in the drug testing program at the expense of the District. Interested parents/guardians/custodians should contact the principal/designee for additional information.

3. DRUGS FOR WHICH STUDENTS MAY BE TESTED:

LSD, alcohol, marijuana, amphetamines, methadone, anabolic steroids, methaqualone, barbiturates, nicotine (tobacco), benzodiazepines, opiates, cocaine, propoxyphene (Darvon), or any substances included in 21 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.

4. REFUSAL TO TEST

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.

5. COLLECTION PROCESS

The following procedures will occur after students report to the collection site:

A. All students must have a picture ID or be identified by the principal/designee. No exceptions will be allowed.

B. The testing area must be secured during testing.
C. Only lab technicians, students and designated school personnel will be present for the testing as privacy must be maintained for all students.

D. The principal/designee is responsible for ensuring that all of the required forms have been completed and signed by parents/guardians/custodians and students. No student is to enter the collection site until forms are completed and proper ID has been presented or student identification has been made by the principal/designee.

E. When students arrive at the collection site and cannot give a sample, they will be asked to drink water or juice provided by the principal/designee.

F. No bags, backpacks, purses, containers or drinks will be allowed to enter the collection area. All extra coats, vests, jackets, sweaters, etc. must be removed before entering the collection site. Any infringement of the rules will result in the student taking the test again.

G. Students processed by the lab technicians who cannot produce a sample will be kept in a secured area to wait until they can test. If they leave this area they will not be allowed to test and this will be considered a refusal. They are not to have contact with anyone until after the sample is given.

H. Students will be asked to hold out their hands and sanitizer will be placed on their hands. The lab technician will add a dye to the toilet.

I. Students will be asked to urinate directly into the collection cup given to them by the lab technician. The lab technician will stand outside the stall/restroom.

J. If any adulteration of the specimen is detected, it will be considered a violation of the drug testing policy and the student will receive consequences as outlined in the policy. (The lab checks every sample for adulteration, such as additives that a student might drink or add to urine to change the sample.) They are not called positives but have the same consequences.

K. Any suspicion of tampering with the sample will be brought to the tester’s attention. The sample will be sent to the lab for immediate confirmation of tampering.

L. The sample must be taken in one attempt and be at least 30 ml in size. The student must return the cup to the lab technician.

M. Students are not to flush the toilets or urinals. In the event that a student flushes the toilet he/she will be required to give a new sample immediately or the sample will be invalid.

N. While the student is watching, the lab technician will recap the sample and return it to the student who must then return it to the intake technician. The student will note the specimen number and sign the specimen intake sheet verifying the specimen number and student identity. 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 given. If the student leaves the collection area
the sample is invalid and the student will have to give another sample. The student will wash
his/her hands prior to returning to the classroom.

O. The specimen will be checked by the lab technicians at the time of testing using a rapid
screen panel. Any “non-negatives” will be placed in a transport bag and sent to a laboratory
and a certified Medical Review Officer will determine the results.

P. This collection procedure is subject to change because of procedural requirements by the
testing agency. The Board of Education reserves the right to change the collection procedure to
coincide with the testing guidelines set forth by the testing agency.

6. PROCEDURES IN THE EVENT OF A POSITIVE TEST

A. The Medical Review Officer will review all “non-negatives“ or suspected adulterations.

B. Depending upon the substances found in the urine specimen, the parent/guardian/
custodian will be contacted to determine if the student is taking any prescribed medication
from a physician.

C. If the student is taking medication, the parent/guardian/custodian will be asked to obtain a
letter within five (5) school days from the prescribing physician verifying the medication.
Failure to provide such requested information will be considered a positive result.

D. The Medical Review Officer will then determine if any of the prescribed medications
resulted in a positive drug screen.

E. The Medical Review Officer may use quantitative results to determine if positive results on
repeat testing indicate recent use of illicit or banned substances or the natural decline of levels
of illicit or banned substances from the body. If the Medical Review Officer believes the
quantitative levels determined to be above the established cutoffs do not reflect current use
but natural decay, then a negative result may be reported.

F. Finally, the Medical Review Officer, based upon the information given, will certify the drug
test results as positive or negative. Positive results will be reported to the principal/designee
by telephone.

G. The principal/designee, within one (1) school day of receiving the test results from the drug
testing company, will attempt to notify the parent/guardian/custodian (first and preferably by
telephone) of the positive results. Once the parent/guardian/custodian is notified, the student
will then be informed of the positive results. The principal/designee will then provide a written
notification to the parent/guardian/custodian via U.S. mail.

H. If the parent/guardian/custodian or student wishes to contest the results, the drug testing
company will arrange for a retest of the specimen to be submitted to either the same
laboratory or a different laboratory (if requested by the parent/guardian/custodian) approved by the principal/designee. The parent/guardian/custodian or student must pay for this expense. Such a request must be made to the principal/designee in writing within five (5) school days from the first notification of the positive test results.

Note: Consequences for violations of the Drug Testing Policy are immediate, unless specified otherwise in this policy, and cannot be delayed due to the contesting of drug testing results.

7. SELF-REFERRAL

A self-referral occurs when a student asks a coach, advisor, director, counselor, administrator or other school personnel for help and an assessment prior to any known violations of this policy. A second method of self-referral occurs when a coach, advisor, director, counselor, administrator or other school personnel confronts a student about a possible drug violation (i.e., the student has not been reported to a coach, advisor, director, counselor, administrator or other school personnel by an eye witness) and the student admits to the violation. A self-referral will not be subject to any disciplinary action provided that:

A. The student completes a drug assessment and counseling program and verification 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.

B. The student agrees to submit to five (5) follow-up drug tests within six (6) months at the District’s expense. 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 offense consequences.

A self-referral will become a first offense and subject to consequences if:

A. A law enforcement agency is involved in the investigation of a potential violation or either formal or informal charges have been filed before the student attempted to self-refer.

B. Evidence of a violation is known by any staff member before the student attempted to self-refer. A self-referral may be used only once during the 9-12 academic career of a student and may not be used after the student becomes a first offender.

8. CONSEQUENCES FOR VIOLATIONS OF THE DRUG TESTING POLICY

A. First Violation

1. The student will make an appointment with a chemical dependency counselor for drug assessment and then follow the recommendations of the counselor. 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 will be denied 20% of participation in athletics, extracurricular/co-curricular activities and driving/parking privileges. For example:

   **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 team during home contests only. The student may not wear a team uniform during this denial of participation.

   **AND**

   **Extracurricular/Co-curricular Activities:** The student will be denied participation in 20% or 36 school days of all extracurricular/co-curricular activities, with any remaining percentage/days of the 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. In the case of performing arts, a student may continue to practice with group and sit with group during home events only. The student may not wear a uniform during this denial of participation.

   **AND**

   **Driving/Parking:** The student will be denied 20% or 36 days of driving/parking privileges.

3. The student shall forfeit all leadership roles.

4. The student shall perform twenty (20) hours of community service as approved by the principal/designee. Community service timeframe will be determined by principal/designee.

5. In order for participation and privileges to be reinstated after the 20% penalty, the student must agree to submit to five (5) follow-up drug tests within six (6) months at the District’s expense. The drug testing dates will be determined by the principal/designee.

6. Failure to complete these requirements may result in denial of participation and privileges for one year.

B. **Second Violation**

1. The student will make an appointment with a chemical dependency counselor for drug assessment and then follow the recommendations of the counselor. 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 is denied participation in athletics, extracurricular/co-curricular activities and driving/parking privileges for one calendar year. For athletics, extracurricular activities and driving/parking privileges, the calendar year begins from the date of notification of the violation. The principal/designee will determine the beginning date for co-curricular activities.

3. The student shall perform forty (40) hours of community service as approved by the principal/designee. Community service timeframe will be determined by principal/designee.

4. In order for participation and privileges to be reinstated after the one calendar year penalty, the student must agree to submit to five (5) follow-up drug tests within twelve (12) months at the parent/guardian/custodian’s expense. The drug testing dates will be determined by the principal/designee.

5. Failure to complete these requirements may result in permanent denial of participation during the student’s career at Ross High School.

C. Third Violation

The student may be permanently denied participation in athletics, extracurricular activities and driving/parking privileges immediately. The principal/designee will determine the beginning date for denial of participation in co-curricular activities.