



Student Drug Testing Draft Policy

Justin Milner, Chief Operating Officer
Holly Nevels, Assistant Superintendent of Student Services
June 27, 2018

TIMELINE

- | | |
|----------------------|---|
| June 2016 | <i>Recommendation from the School Climate and Culture Task Force</i> |
| November 2016 | <i>Development of draft policy by the School Climate and Culture Advisory Committee</i> |
| Spring 2017 | <i>Presentation of draft policy to Citizens' Advisory Committee</i> |
| May 2018 | <i>ThoughtExchange with Athletics and Fine Arts Faculty</i> |
| June 2018 | <i>Presentation of draft policy to Board of Education for information</i> |
| July 2018 | <i>Board of Education consideration for approval</i> |

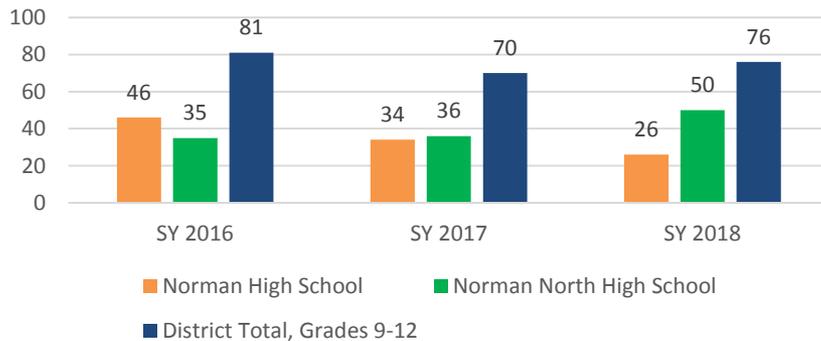


DATA

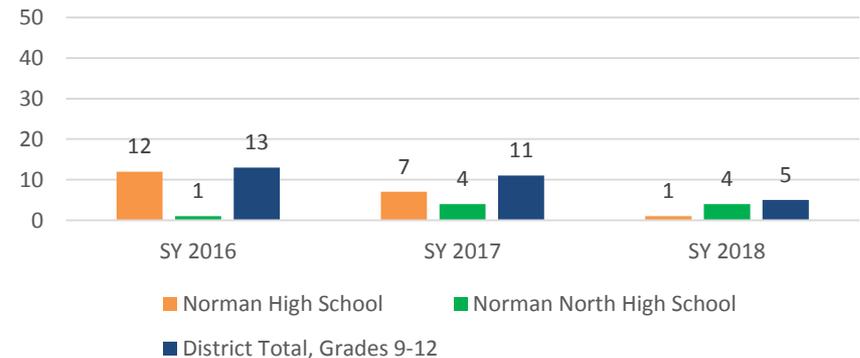
Deciding to randomly drug test is not necessarily about how bad the drug problem is in your schools, but it is about how much you are willing to provide a deterrent for students, grades 9-12.

- *Policies/Procedures*
- *Additional Interventions/Deterrents*

Drug and Alcohol Possession and/or Use,
Grades 9-12
Suspension Data: 2016-18



Drug and Alcohol Distribution
Grades 9-12
Suspension Data: 2016-18



PRECEDENCE

Supreme Court Case: Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls (Tecumseh, Oklahoma) – 2002

- *US Tenth Circuit Court of Appeals*
- *Question: Is the Student Activities Drug Testing Policy, which requires all students who participate in competitive extracurricular activities to submit to drug testing, consistent with the Fourth Amendment?*
- *Decision: Held that Tecumseh's Policy is a reasonable means of furthering the School District's important interest in preventing and deterring drug use among its schoolchildren. (Judge Clarence Thomas)*

Metro School Districts

Edmond
Deer Creek
Mid-Del
Mustang
Putnam City
Yukon



PURPOSE

Activities/Athletics

- *NPS Approximate Total: 4,000 students in grades 9-12*

Primary emphasis in administering this program:

- *Prevention (reason to resist and have an “out”)*
- *Deterrence (minimize use, especially during school day)*
- *Intervention (treatment)*

Program is NOT a punishment for students who test positive for non-prescribed medications, illegal drugs, or their metabolites (classification).



PRIVACY

Results:

- *not disclosed to law enforcement*
- *destroyed when the student graduates or leaves Norman Public Schools*

Process:

- *All positive drug tests will be reviewed by a certified Medical Review Officer (MRO) before the school is contacted.*
- *If the MRO determines that there is a legal reason for the positive result (i.e. prescribed medication), a positive result is NEVER reported to the school.*

Important

There are no academic consequences resulting from positive testing under this policy.



WHO WILL BE TESTED

Any student participating in high school extra-curricular organizations

- *Includes any student participating in inter-scholastic competition that is sponsored by Norman Public schools*
- *Includes any student that represents Norman Schools in any extra-curricular activity requiring registration with the OSSAA*

Additionally

Testing of non-activity students will be done at parent request.



PROCEDURES

Student Drug Testing Consent Form – filled out by parents at the beginning of the school year

Random Selection of Students – chosen monthly from a list of students in off-season or in-season activities/athletics

Oral Fluid Test – Administered by a professional laboratory chosen by Norman Public Schools



DRUG TESTING PROCESS

Specimen Collection:

- Typically performed on-site using school facilities.
- Complete Chain of Custody form accompanies each specimen.

Initial Screening Analysis:

- Screener used to identify true “negative” samples.
- Oral fluid results typically available within 24 hours.
- If a sample screens negative, the testing is complete and the results are reported.

Confirmation Testing:

- Quantitatively identifies drug at the molecular level. Confirmation testing performed by Federally Certified Reference Laboratory and results are typically available in 48-72 hours.
- Both initial screen and confirmation test must be positive before sample is considered positive.

Medical Review Officer (MRO) Review:

- MRO is a physician with special training in drug testing.
- MRO office will contact student’s guardian(s) to discuss confirmed positive laboratory results and verify Rx medications.
- If the student has a valid Rx medication that provides an alternative explanation for the test result, the MRO can rule the drug test negative.



TESTS FOR THE FOLLOWING DRUGS:

Marijuana

Alcohol

Cocaine

Amphetamines

Phencyclidine

Opiates

Synthetic Opiates

Benzodiazepines

Barbiturates

Propoxyphene

Methadone

MDMA (aka: Ecstasy/Meth/Molly)



CONSEQUENCES

First Positive Result

- Conference set up with the student, parent/guardian, site athletics and activities coordinator, and/or principals designee.
- Drug assessment required within 5 days of parent conference from a licensed practitioner must be turned into the site athletic director.
- The cost of the counseling, education, or treatment is the sole responsibility of the student or student's parents.
- Student must voluntarily submit to a second drug test.



CONSEQUENCES

Second Positive Result

- Suspension from participation in all activities for 14 calendar days
- and*
- Proof of successful completion of 4 hours of substance abuse education/counseling from a licensed alcohol/drug counselor, agency, treatment center, or hospital must be turned into the AD before the student may participate.
 - The cost of the counseling, education, or treatment is the sole responsibility of the student or student's parents.
 - The student will be tested monthly for the remainder of the school year.



CONSEQUENCES

Third Positive Result

- Suspension from participation in all extra-curricular activities including all meetings, practices, performance, and competitions for the remainder of the school year.
- The disbarment of participation in activities will not be reduced, however students will still be encouraged to complete a counseling program from a licensed alcohol/drug counselor, agency, treatment center, or hospital.



CONSEQUENCES

Refusal to Test

Students who refuse to submit to a drug test authorized under this policy shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performances, games, and competitions for the remainder of the school year.



APPEAL

- A parent/guardian or student, if 18 years of age or older, may request a re-confirmation test
 - The reconfirmation test will use the confirmed positive sample.
 - The reconfirmation test must be requested at the time of notification of the positive result by the MRO.
- The student or student's parent/guardian may choose from a list of approved independent federally certified laboratories, provided by the MRO.

The cost of the re-confirmation test shall be the sole responsibility of the student or student's parent/guardian. However, the district will reimburse the student or student's parent/guardian if the re-confirmation test results are negative.



QUESTIONS

Questions?





THANK YOU

