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# Students and Parents Attend High School Chemical Abuse Policy Meeting

OCTOBER 24TH 2017 BY DEE LOFLIN

## Students and Parents Attend High School Chemical Abuse Policy Meeting

Dexter, Missouri - On Monday, October 23, 2017 the Dexter R-XI School District held a mandatory meeting at the Bearcat Event Center for students and parents who wished to participate in MSHSAA related activities and sports to discuss the new Student Chemical Abuse policy which was passed by the School Board earlier this year. The new policy will go into effect on January 1, 2017 and is spelled out in its entirety in this article.

Since the June 1995 the U. S. Supreme Court ruled in support of random interscholastic student athlete drug testing, more schools than ever before have begun either mandatory, reasonable suspicion or voluntary types of drug testing as they battle drug abuse by their students. This is not a new deterrent, it's been around for almost 23 years in both public and private schools.

In Oregon in 1995, Veronia School District 47j v. Acton (1995) , the Supreme Court upheld a local school board policy in Oregon that validated the constitutionality of a random drug testing regime implemented by the local public schools. Student athletes were required to submit to random drug testing before being allowed to participate in sports. During the season, 10% of all athletes were selected at random for testing. The Supreme Court held that although the tests were searches under the Fourth Amendment, they were reasonable in light of the schools' interest in preventing teenage drug use (Skidmore, 2004).

There have been a few court cases over the year, but the U.S. Supreme Court and each state's Supreme Courts have always upheld the fact that students who volunteer to participate in extracurricular activities can be subjected to random drug testing with proper policies in place.

In June 2002, the U.S. Supreme Court broadened the authority of public schools to test students for illegal drugs. The court ruled to allow random drug tests for all **middle** and high school students participating in competitive extracurricular activities. Again nothing new to school districts as this law has been in place for nearly 16 years.

Mr. C.A. Counts, Superintendent of Dexter Public Schools welcomed a nearly packed Bearcat Event Center and discussed the new policy reassuring the audience that this was a not punitive policy, but a way for students to seek help from a counselor or to help students say "no" when under severe peer pressure to try new drugs.

"Most of the schools in this area already have a plan in place," commented Counts. "We are actually one of the last schools in our area to do so and there is only one other school in Stoddard County that does not have a plan in place."

"For those students who are under extreme peer pressure, this is a nice release," continued Counts. "The student can say, 'I can't do this because I am in a Sport, Scholar Bowl or Band.'"

Gavin Miller, Assistant Superintendent went over the Random Drug Testing selection process, testing, and if students are under medical treatment.

"If your student is taking prescribed medicine from a doctor, we don't need that information right now," stated Miller. "Only if the test comes back positive, then we will need something from the doctor stating what medication is prescribed. So there is no need to contact the nurse or our office every time you get a prescription, only if the test is positive."

Aaron Pixley, Athletic Director/Activities Director spoke next about confidentiality of the policy and consequences if a positive test occurs.

"The test results will NOT become part of the student's permanent record nor on their transcript. We won't be getting the police involved for a positive result as well," Pixley said. "I have two children in a school that has random drug testing. One has never been tested the other has been tested 4 times, so it is very random."

"The drug testing company will not even know your child's name. They are given a number and those numbers are selected by a computer," continued Pixley. "All tests will

be kept confidential and will be kept separate from the mandatory school files required for each student."

***Here are some questions that were answered during the meeting:***

1. Why can't you test the entire school population? Answer: By law we can not test the entire school, teachers, or coaches. If they are in an extracurricular activity we can. Teachers and coaches are subject to a drug test when they are hired.
2. What happens if the test is positive? Answer: Each urine sample is divided into two samples. The first one is an immediate response of positive or negative. If positive, the other sample will be sent off to a lab for further testing. This further ensures that there is not a false positive result. It will take about 2 days to get those results back. If that is also positive then the parents/guardians will be notified.
3. Will the parents/guardians be called the day of the test or before my child is tested? There was nothing in the policy that pertained to that and C.A. Counts did say they could put that in the policy; however if the parents were not able to get off work, etc and come up to the school in the appropriate time then the testing would resume. Parents seemed to agree with that decision.
4. Who is doing the testing and where? The testing is done by a company out of Portageville. It is a man and woman and they do the testing for a majority of the schools in this area and are well experienced with the bootheel and the policies in many of the schools. The name of the company is BCS, Bootheel Collection Specialist.
5. What if the test is positive and I want my child retested? Retesting can be done at the expense of the parents and the test must be performed within a certain time frame. For example if the other test comes back within 2 days, another sample needs to be taken that day. However it was reassuring to know that false positives are very rare in drug testing at the lab facility level.

With far too much at stake when it comes to the lives of any student, or student athlete, we must make a commitment to the health and well being of each child, and help to educate them not only to the long-term dangers of illegal drug use, but the short term dangers as well.

It is in the best interest of the schools, athletic departments, coaches, teammates and parents of these individuals who may be tempted by illegal drug use to make them fully aware of the inherent risk of use. The problem needs to be combated and not just brushed aside.

*Below is the complete Dexter High School Student Chemical Abuse Policy:*

## **Student Chemical Abuse**

The Dexter R-XI School District recognizes that student drug abuse is a significant health and safety problem for schools. Among the problems, substance abuse negatively affects students' health, behavior, learning, reflexes, and the overall development of students, including those participating in extracurricular activities. Chemical abuse includes, but is not limited to, the use of illegal substances, substances represented to be controlled, and misuse of legal drugs, and medications.

The purpose of the Dexter R-XI Chemical Abuse Policy include:

1. To establish standards of conduct for district students.
2. To identify students who are misusing drugs so that intervention plans can be implemented by home and school.
3. To establish a safe environment for student athletes during competition and generally for all students.
4. To provide a vehicle for parents to become aware of chemical abuse problems involving their children so that corrective action may be taken.
5. To provide referrals for students who need evaluation and counseling.
6. To deter chemical abuse or misuse by all students.
7. To send a clear message that the District is committed to eliminating student chemical abuse and to help students experience chemical abuse and to helping students experiencing chemical abuse problems.
8. To work cooperatively with the parents by assisting them in keeping their children free from chemical abuse.

It is not the purpose or intent of the District's Chemical Abuse Policy to identify students for punishment under the District's discipline code of conduct.

This program does not affect other policies and practices of the District, which deal with drug possession or use where reasonable suspicion is obtained by means other than random sampling provided in this policy.

## **Random Drug Testing**

Participating in MSHSAA related extracurricular activities is a privilege that carries the responsibility to adhere to high standards of conduct, including refraining from the use of illegal drugs, anabolic steroids and alcohol. To assist students in making healthy and safe choices, the district will conduct random drug testing of students in grades 7 - 12 as a condition of participation in those MSHSAA related sports or activities.

Prior to a student's participation in a MSHSAA related sport or activity, the school will require the attendance of all potential participants and a custodial parent or guardian at one drug awareness session. At the session, each student and parent/guardian will receive information about the problems of drug use and will be advised of the requirements that all participants will be subject to random drug tests. Each student will also receive information regarding the method of testing to be used in the program. During each session, parents and students will have the opportunity to ask any questions, they may have regarding the program.

At the conclusion of each session, students who wish to participate in any MSHSAA related sport and or activity (Band, Choir, Speech/Debate, Scholar Bowl) and their parents will be required to sign a form indicating their attendance at the mandatory education session and agreeing to participate in the random drug testing program. This consent form will be kept on file in the drug testing coordinator's office (At this time it is Aaron Pixley, AD). **Students who fail to return a fully completed consent form will not be eligible to participate in MSHSAA related extracurricular activities.**

### **Selection Process**

Once a student is listed as an eligible participant for a MSHSAA related extracurricular activity, that student will be subject to random drug testing for a year until the start of the following season/school year. If a student continues to participate the following season/school year, they will remain subject to random drug testing according to this Policy. Other than when the initial consent form is completed, the consent form must be updated when students enter 9th grade.

The District's drug testing coordinator will review the list of participants and update the list before each random selection is done. Each participant will have an assigned number that is a unique identifier for that student. The drug testing coordinator will keep the cross-reference log showing each name and number confidential. Utilizing the drug testing company's selection process, the district will inform them of how many tests are to be drawn from the list of numbers on the cross referenced list. The random selection process will result in an equal probability that any participating student could be chosen, both during season or out of season.

## **Testing**

The superintendent, assistant superintendent and/or activities director will determine the dates for testing. Once the test pool has been selected randomly by the selection process, students will be escorted by the drug testing coordinator, along with the drug testing company to a restroom or a locker room where a urine sample will be obtained. Samples may be tested for THC/marijuana, benzodiazepines, cocaine/benzoylecgonine, amphetamines, barbiturates, phencyclidine, methamphetamine, opiates/morphine, alcohol, and anabolic steroids. Samples will not be screened for the existence of any physical conditions other than prohibited drug or alcohol use.

## **Medical Treatment**

In the event a student has a positive test and is being treated by a physician, the student's parent/guardian may provide proof of such treatment. There will be no consequences to the student for the positive test, provided the student's positive test is solely for a controlled substance prescribed by his or her physician.

## **Confidentiality**

Appropriate steps will be taken to respect the privacy of students while, at the same time, preventing falsification of testing. The test results will remain confidential and will only be released to the student, his or her parent(s)/guardian(s) and approved school officials. In addition, the test results will not become part of the student's permanent record/transcript. All files regarding the participants in the program, as well as test results, shall be kept strictly confidential and will be kept separate from the mandatory school files required for each student. If the student tests positive, the results will only be used to determine eligibility for participation in covered extracurricular activities.

## **Consequences**

Upon the occurrences of the first positive test, the Building Principal and Activities Director will schedule a conference with the student's parent/guardian to explain the results. Counseling, at the student's expense, will be strongly recommended for every student who tests positive. The consequences are as follows:

Refusal by a student to be tested when randomly selected will be considered by the district to be a positive test result and will subject the student to consequences as outlined within this policy.

*First Offense - Exclusion from all covered sports or activities for a minimum of 28 school days and must pass a drug test at the expense of the student/parent, prior to*

*participating in covered activities again.*

*Second Offense- Exclusion from all covered sports or activities for a minimum of 365 calendar days and must pass a drug test at the expense of the student/parent, prior to participating in covered activities again.*

*Third Offense- Excluded from all covered sports and activities for the rest of the student's enrollment in the school district.*

For the purpose of this policy, a "school day" is a scheduled calendar day when students are scheduled for school attendance. A positive test through this random testing program will not result in suspension from school or academic sanctions. This district will not report results to law enforcement.

## DEXTER R-XI SCHOOL DISTRICT

### STUDENT CHEMICAL ABUSE POLICY

#### ACKNOWLEDGEMENT/CONSENT FORM

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Student (Print)	Grade	Parent/Guardian (Print)
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By means of my signature, I hereby acknowledge that as a result of my attendance at a school-sponsored drug awareness session, I have information regarding drug use among school-aged youth. I hereby acknowledge that I have been made aware of the Student Chemical Abuse Policy as it is currently being implemented by the Dexter R-XI School District. I also hereby consent to participate in the Dexter R-XI student drug testing program as defined by the District's Student Chemical Abuse Policy. I also acknowledge that I have had an opportunity to ask questions of school officials and/or the outside drug-testing agency with regard to the district's student drug testing program. I also acknowledge that by signing this document- that it will remain in effect throughout my child's participation in MSHSAA related extracurricular activities at the Dexter R-XI School District.

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Student Signature

Date

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Parent/Guardian Signature

Pictured from left to right are Melissa Hahn, Asst. Principal, C.A. Counts, Superintendent, Gavin Miller, Asst. Superintendent, and Aaron Pixley, Activities/Athletic Director.

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