

The Board recognizes the importance of protecting the health and safety of students from the abuse of drugs. The procedures developed herein are written for the administration of the Drug Testing Policy 0508.15 for Wahoo Public Schools. The superintendent or designee is directed to adopt these procedures to carry out the intent of the policy.

Definitions

DPA: A national certified Drug Program Administrator, which shall use a certified laboratory in testing of samples.

Drugs: Any substance considered illegal by Nebraska Statute, i.e., Uniform Controlled Substances Act, section 28-401 et seq., or which is controlled by the Food and Drug Administration unless prescribed to the student by any licensed medical practitioner authorized to prescribe controlled substances. For purposes of this policy, drugs shall include the illegal use of alcohol.

Drug Program Coordinator: The Drug Program Coordinator shall be the Wahoo High School Principal or their designee.

School Year: From the first day classes commence in the fall, unless the activity begins prior to the first day of classes, in which event it shall include from the first day of practice through and including the last day of classes as well as the last competitive activity in the following spring.

Activity Programs: Any activity that meets the guidelines of a competitive extracurricular activity at Wahoo Public Schools, which shall include but not be limited to the following: athletic programs, cheerleading, dance team, band, choir, play production, and speech.

Participant: Any student in grades 9-12 who participates in any competitive extracurricular activity as herein before set forth shall be a participant, and his/her name shall be included in the participant pool as a condition of participation in covered activities. Any student that has voluntarily been placed in the pool at the request of their parent/guardian shall also be considered a participant.

Sample Collection: Student participants will be selected for testing on a random basis to be established by the Drug Program Administrator. Samples will be collected as directed by the Drug Program Administrator on the same day the student is selected for testing, or if the student is absent an alternate will be selected, in sequential order, from an alternate list provided by the Drug Program Administrator. If a urine sample is required, all students providing samples will do so alone in an individual bathroom or stall with the door closed.

Drug Program Administrator: The Board will choose a nationally certified Drug Program Administrator (DPA) for the purpose of determining through random selection the student(s)/ participant(s) to be tested. This will be accomplished by the use of a "Student List" identifying the student by number only. The DPA, by use of a certified laboratory, shall also process sample results and maintain privacy with respect to test results and related matters.

Medical Review Officer "MRO": Wahoo High School will utilize an MRO to review all laboratory-reported positive tests. The role of the MRO is critical to protecting the interest of the students. The MRO serves a critical role in determining whether the use of a substance identified by the sample analysis is from illicit use or a legitimate medical use. The MRO will demonstrate his/her knowledge by being certified by an MRO Accreditation body. The parent or the guardian will be contacted by the MRO or his/her assistant. The MRO will report results of verified

positives and/or health and safety issues to the student and to the designated school representative through the DPA.

Scope of Tests: The drug screen tests for one or more illegal drugs and/or alcohol. The Drug Program Coordinator shall determine which illegal drugs shall be screened, but in no event shall that determination be made after selection of students for testing. Student samples will not be screened for the presence of any substances other than an illegal drug or alcohol or for the existence of any physical condition other than drug use.

Non-Punitive Nature of Policy: No student shall be penalized academically for testing positive for illegal drugs or alcohol. The results of drug tests pursuant to this policy will not be documented in any student's academic records. 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 district shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent or legal guardian will be notified as soon as possible by the district.

Expectations Regarding WPS Drug Testing Program

1. Upon signing initial consent to participate in random drug testing, the student will remain in the testing pool for the remainder of their enrollment in the district.
2. Students who wish to withdraw from the random drug pool must have their parent/guardian meet with the DPC or their designee and sign a release stating the desire to withdraw.
3. If the student is 18 years of age and living on his or her own, the student must meet with the DPC or their designee and sign a release stating the desire to withdraw.
4. Students who drop out of the random drug pool will be ineligible to participate in covered activities for 365 days from the date they withdraw from the random drug pool.
5. District employees shall not have the authority to waive the testing of any student selected using the random selection process.

Procedure

1. **Random Testing**
The Board authorizes random unannounced screening of all students participating in competitive extracurricular activities or those students that have been voluntarily placed in the pool by their parent/guardian. The list of students that make up the pool will be updated upon receipt of a signed consent form. Students who have been selected will be required to report to the designated collection site for testing.
2. **Consent**
Each student participant shall consent in writing to drug testing pursuant to the district's drug testing program. Written consent shall be in the form attached to this policy as EXHIBIT A. No student shall be allowed to participate in any extracurricular activity absent such consent.
3. **General Guidelines**
The Board and the DPA shall rely, when practical, on the guidance of the Federal Department of Transportation, Procedures for Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40.39, and on the further guidance of the

Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392 and 395.

4. ***Substances Included For Testing***

Substances that student participants may be randomly tested for: alcohol, amphetamines, cannabinoids, cocaine, opiates, synthetic opiates and PCP, and other substances, such as but not limited to steroids, barbiturates, and benzodiazepines without advance notice as part of tests authorized by the Board for safety purposes. Such tests will be coordinated with the Drug Program Coordinator.

5. ***Testing Procedure***

The Board reserves the right to utilize breath, saliva or urinalysis testing procedures. Urine and oral fluid samples which screen positive will be confirmed by GC/MS. Positive saliva or breath alcohol tests will be confirmed by EBT (Evidential Breath Tester).

6. ***Collection Sites***

The Drug Program Coordinator will designate a collection site(s) where individuals may provide specimens.

7. ***Collection Procedures***

The Board and the DPA have developed and will maintain a documented procedure for collecting, shipping and accessing all specimens. The Board and the DPA will utilize a standard Custody and Control Form for all student participants. A tamper proof sealing system, identifying numbers, labels, and sealed shipping containers will be used for specimen transportation. Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure that is reasonable. All alcohol testing will be performed by a certified Breath Alcohol Technician (BAT). Where the Board has an employee collect the specimen, the Board will provide instruction and training to that employee.

8. ***Return of Results***

The DPA will transmit by a secure method the results of all tests to the DPA's MRO. The MRO will be responsible for reviewing test results of students. Prior to making a final decision, the MRO shall give the individual an opportunity to discuss the result either face-to-face or over the telephone. The DPA shall then promptly tell the principal of the high school which student(s) tested positive.

9. ***Request for Retest***

A split specimen will be collected for all testing methods, with the exception of alcohol testing. A positive alcohol test will be confirmed with an EBT device. Students involved in the program may, upon a non-negative test result, request that the split sample be tested (within 72 hours of being notified of the final testing result) at a second nationally certified laboratory from a list provided by the MRO. The request for the test must be submitted in writing to the MRO. Student participants are required to pay the associated

costs for an additional test in advance. However, the costs will be reimbursed if the result of the split sample test is negative.

10. ***Positive Results***

Refusal to participate in testing when selected is considered a positive test result. Whenever a student has a confirmed positive test, the custodial parent or legal guardian will be notified and a meeting will be scheduled with the Wahoo High School Principal (Drug Program Coordinator), the student, and the custodial parent or legal guardian.

Consequences

1. Offenses shall be cumulative from grades 9-12.
2. If any student, regardless of whether or not consent was given to participate in random drug testing, tampers with the specimen collection process, he or she will immediately be excluded from participating in extracurricular activities for 365 calendar days. Additionally, such action will count towards the cumulative total and the student will be required to pass a drug screening before becoming eligible to participate in activities covered by this policy.
3. During the "off season" or during a time the student is not participating in an activity covered by this policy, the student will remain in the testing pool and be subject to random testing. Should a student test positive during the "off season" or during a time the student is not participating in an activity covered by the policy, the exclusion from participation will not carry over into the next season. However, the offense will count towards the cumulative total and the student will be required to pass a drug screening before becoming eligible to participate in activities covered by this policy.
4. Follow-up drug testing, a minimum of once a month, will commence after the required parent meeting as result of a positive test for the next 12 months or the end of their final school year. Follow-up testing will be directed according to DPA recommendations.
5. Students who test positive through this random testing program will be excluded from participation in covered extracurricular activities as follows:

First Offense – Exclusion from all covered activities for a minimum of 30 calendar days and must pass a drug test approved by the district prior to being reinstated to participate in covered activities. A student under exclusion may attend practice sessions and sit with fellow participants during contests; however, the student is not permitted to directly participate in any activity, or to dress in uniform.

Reduction of Exclusion – This exclusion can be reduced to 15 calendar days if the parent/guardian obtains, at the parent/guardian's expense, an evaluation through a certified department of mental health program.

Second Offense – Exclusion from all covered activities for a minimum of 90 calendar days and must pass a drug test approved by the district prior to being reinstated to participate in covered activities. As with the first offense, a student under exclusion may attend practice sessions and sit with fellow participants during contests; however, the

student is not permitted to directly participate in any activity, or to dress in uniform.

Reduction of Exclusion – This exclusion can be reduced to 30 calendar days if the parent/guardian obtains, at the parent/guardian’s expense, an evaluation through a certified department of mental health program.

Third Offense – Excluded from all covered activities for the rest of the student’s enrollment in the district.

Reduction of Exclusion – This exclusion can be reduced to 365 calendar days if the parent/guardian obtains, at the parent/guardian’s expense, an evaluation and treatment through a certified department of mental health program.

Fourth Offense - Excluded from all covered activities for the rest of the student’s enrollment in the district with no opportunity for reduction.

In the event a student or the student’s parent or guardian wish to challenge a positive test result on a basis other than the veracity of the test result, an appeal may be made in accordance with the policy on extracurricular activity discipline.

Suspicion-Based Drug Testing

Suspicion-based drug testing, unlike random drug testing, may only be used when there is reasonable suspicion that the student is under the influence of or has recently consumed alcohol or any drug prohibited by district policy. Students testing positive will be disciplined in accordance with the district’s discipline policy and may also be excluded from extracurricular activities as determined by the district. A student who refuses to submit to testing may still be disciplined under the district’s discipline code for being under the influence of alcohol or drugs or insubordination.

Adopted: 05/21/2014

**WAHOO PUBLIC SCHOOLS
Wahoo, Nebraska**

SENIOR HIGH SCHOOL

CERTIFICATION OF UNDERSTANDING

I have read and understand the contents of the Wahoo Public Schools' Mandatory Drug Testing Policy for Students Involved in Extracurricular Activities. I understand by signing this document and also the General Authorization Form that I will abide by the terms and conditions of the Wahoo Public Schools District's Mandatory Drug Testing Policy for Students Involved in Extracurricular Activities

Student Name Printed

Date

Student Signature

Date

Parent or Guardian Signature

Date

Sport or Activity: _____

_____ I am volunteering to be placed in the testing pool.

Grade: _____

**WAHOO PUBLIC SCHOOLS
Wahoo, Nebraska**

SENIOR HIGH SCHOOL

GENERAL AUTHORIZATION FORM

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the policies, standards, rules and regulations set forth by the Wahoo Public Schools. I also authorize the Wahoo Public Schools District to conduct a breath, saliva, or urinalysis to test for drugs and/or alcohol use. I also authorize the Wahoo Public Schools District to conduct random tests. I also authorize the release of information concerning the results of such a test to the Wahoo Public Schools District, designated MRO and to the parents or guardians of the student. This shall be deemed a consent pursuant to the Family Education Right to Privacy Act for the release of above information to the parties named above.

Student Name Printed

Date

Student Signature

Date

Parent or Guardian Signature

Date

Sport or Activity: _____

Grade: _____