

LAKE STATION COMMUNITY SCHOOLS RANDOM STUDENT and REASONABLE SUSPICION DRUG TESTING POLICY

Lake Station Community School Corporation (LSCSC) has a responsibility to ensure the safety, health, and well-being of students, faculty, and staff. LSCSC believes that drug and alcohol abuse in the school presents a substantive threat to safety, health and well-being, as well as jeopardizes the quality and the efficiency of our educational programs. LSCSC will implement a Random Student Drug Testing Policy along with Reasonable Suspicion guidelines with the goal of providing a healthy, safe, and secure drug-free learning environment for all students, faculty, and staff.

STATEMENT OF PURPOSE

The primary purpose of the Random Student Drug Testing Policy is to educate our students, and is not intended to be disciplinary or punitive in nature. This testing program is intended as an integral component of the overall LSCSC education process in an effort to direct students away from drug and alcohol abuse and toward a healthy, safe, and drug free life. Its purpose is intended as a diagnostic aid in discovering possible drug and alcohol related problems and as an extension of our education programs. A student who has consumed alcohol or drugs is considered to present a REAL and SUBSTANTIAL THREAT to his/her own health and safety, and to the safety of others, especially within the educational environment of our schools and school activities.

1. Extra-curricular / co-curricular activities are an important aspect of the educational process. Student safety, and the safety of others, must take precedence. Drugs or alcohol may mask the pain of injury causing the participant to over exert his/her body. Drugs or alcohol may reduce one's motor coordination, or alter one's mood to such a degree that participating in activities is unsafe for the individual as well as those around them. LSCSC requires that a student participating in extra-curricular / co-curricular activities remain alcohol and drug free for the safety of themselves and other students, faculty, staff and our community.

2. Many students choose to drive to and from school and school related activities. Operating a motor vehicle after having consumed alcohol or drugs is illegal and can prove to be fatal not only to the impaired operator, but passengers and bystanders as well. LSCSC requires that a student driving to school remain alcohol and drug free for the safety of themselves and other students, faculty, staff and our community.

The Goals of the Random Student Drug Testing Policy are to:

- identify a student with alcohol or drugs present in his/her body
- provide notification to the custodial parent/guardian

- educate, assist, and direct students away from drug and alcohol use and toward healthy, safe and drug-free participation in activities leading toward a healthy lifestyle

OBLIGATION TO GOVERN THE MEDICAL CONDITION OF STUDENTS

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

PARTICIPANTS

Every student in grades 7-12 intending to take part in any extra-curricular/co-curricular activity or driving to school must sign and submit the LSCSC consent form to participate in the Random Student Drug Testing Policy. The extra-curricular/co-curricular activity programs are an integral part of the LSCSC student experience. It is a ***privilege*** offered to students and necessitates that students meet the high standards set by the LSCSC. Driving to school is also a ***privilege*** granted to students under conditions that include operating the vehicle in a safe and legal manner. If selected, students shall submit to the LSCSC testing process or privileges will be revoked.

Who does the policy include?

- Students who drive to school
- Student athletes
- Students who participate in extracurricular/co-curricular activities
- Any other student whose parents wish to enroll them in the program

Each year, 6th grade students will be provided with an educational program to prepare them for participating in the Random Student Drug Testing Policy when they enter the 7th grade at Edison Jr-Sr High School.

Extra-curricular/co-curricular activities include, but are not limited to, the following:

1. All school sanctioned athletics
2. Band, Choir, and Drama
3. All co-curricular and extra-curricular academic teams
4. National Honor Society, Student Council, Class Officers
5. Cheerleaders
6. Homecoming and Prom Court Candidates
7. Extended and/or Overnight Field Trips
8. Any other clubs not listed above

ENROLLMENT

1. Enrollment for the drug testing pool must be completed within the first five days of the current school year.
2. Once enrolled in the LSCSC Random Student Drug Testing Policy, the student will remain enrolled for the duration of their time at LSCSC.
3. Current or future student drivers must be enrolled in the pool before they receive a parking permit.
EXAMPLE: A student who receives his/her driving license in the spring must enroll in the Lake Station Community Schools Drug and Alcohol Random Testing Program during the initial enrollment period. He/She must be in the testing pool for the entire school year.
4. All forms for new students at LSCSC will be signed during the enrollment procedure. New students must decide to enroll in the program within five school days of registration.
5. Enrollment in the pool after the deadline will be allowed with a negative test furnished at the parent/student expense. Testing is performed by North Shore Health Clinic, located at Edison Jr-Sr High School. The expense is approximately \$35 dollars.

EXAMPLE: A student who is not enrolled but wishes to join an activity after the initial enrollment period must furnish a negative test at parent/student expense. The student will remain enrolled in the LSCSC Random Student Drug Testing Program.

Self-Reporting. Any student who self-reports for use/abuse in violation of applicable school drug/alcohol policies will be referred to an alcohol and drug abuse program at the expense of the parent. Documentation of enrollment and/or ongoing treatment in a certified counseling program and successful completion must be presented to the building principal. Refusal to follow the above procedure will be treated as a first offense/positive test. The next offense or positive test will count as a second offense/positive test.

PROCEDURES AND POLICIES FOR TESTING

The drug testing may include urinalysis tests, saliva screening and/or breathalyzer to determine if the Student Code of Conduct has been violated. LSCSC will also see that:

- Testing is administered randomly
- Tests will produce consistently reliable results
- The privacy of students is protected during the collection of the sample and disclosure of the test results

Test results will not become a part of the student's permanent record. Test information will not be disclosed to law enforcement authorities unless subpoenaed in a legal proceeding. In the event that LSCSC is legally required to release the information, the student and his/her parents will be notified before the response is made.

A. Students will be assigned a number at the beginning of the school year. On testing days, central administration will provide the building administration a list of random numbers for testing. These students will be released from their class and escorted to the designated area by a building administrator/designee.

B. Persons selected to be tested will have their numbers put back into the pool for the random tests in subsequent weeks.

EXAMPLE: A single individual could be tested each and every testing period if their number is selected.

C. A chemical test of the student's breath, saliva and/or urine will be conducted at the discretion of LSCSC.

D. Students will be given a three hour window to provide a urine sample for testing. If the student is unable to provide a urine sample, testing staff will initiate obtaining a sample using an alternate collection method.

E. Any attempt or effort by any student to alter a urine sample that has been or will be submitted for drug testing will be subject to suspension and/or recommendation for expulsion. This includes possession of chemicals identified as agents known to invalidate such tests.

Refusals. A refusal to provide a specimen is a violation of the Random Student Drug Testing Policy and will result in the same consequences as a second positive test. A decision of the testing staff as to whether the student is unable or is refusing to provide a specimen may be appealed to the building principal and that decision may be appealed to the LSCSC Superintendent. The decision of the LSCSC Superintendent shall be final.

The drugs that could be included but not limited to in the screening process:

1. Amphetamines
2. Barbiturates
3. Benzodiazepines
4. Cocaine
5. Opiates
6. Phencyclidine (PCP)
7. Cannabinoids

8. Ethanol (Alcohol)
9. Cotinine (Nicotine Metabolite)
10. LSD
11. Anabolic Steroids
12. K2 Spice and/or Synthetic Cannabinoids

In addition to testing for drugs, LSCSC will also test each sample for Creatinine. Creatinine is a chemical that is in everyone's body. It is a way to tell if a sample is "normal" or if the person has tried to dilute his/her sample by drinking a large amount of fluid. LSCSC reserves the right to retest an individual who produces a specimen with a Creatinine level of less than 0.2. (mg/ml).

TEST RESULTS

A record of all testing will be kept in a file separate from each students' school records. This file will be destroyed after graduation.

The LSCSC administration will contact the parents and review the test result. Consequences for a positive test result will be applied.

POSITIVE TEST RESULT PROCEDURE

No individual shall be expelled or suspended from school as a result of a positive test from the Random Student Drug Testing Policy. No policy enforcement shall occur until the administration has had a conference with the parents/guardians of the student.

FIRST POSITIVE TEST RESULT

- Exclusion from participation in extra-curricular/co-curricular activities, and driving privileges for **30 consecutive calendar days**. Involvement in activities over the summer will be at the discretion of the sponsor. Furthermore, any exclusion not completed prior to the end of the school year will carry over to the beginning of the next school year.
- Enter a school recommended drug treatment/counseling program at parent/student expense.
- Return to participation in extra-curricular/co-curricular activities and reinstatement of driving privileges upon completion of **all** the following requirements:
 - Successfully completing a drug treatment/counseling program and shown to be non-dependent.
 - Negative drug screening test at parent/student expense.
 - Time requirement is completed.

- Positive result from cotinine and nicotine metabolite will not result in loss of privileges for those 18 years of age or older. However, parents will be notified of positive test.

SECOND POSITIVE TEST RESULT

- Exclusion from participation in extra-curricular/co-curricular activities, and driving privileges for **365 calendar days**. Exclusion will be carried over from one school year to the next.
- Enter a school recommended drug treatment/counseling program at parent/student expense.
- Return to participation in extra-curricular/co-curricular activities and reinstatement of driving privileges upon completion of **all** the following requirements:
 - Successfully completing a drug treatment/counseling program and shown to be non-dependent.
 - Negative drug screening test at parent/student expense.
 - Time requirement is completed.
- Positive result from cotinine and nicotine metabolite will not result in loss of privileges for those 18 years of age or older. However, parents will be notified of positive test.

THIRD POSITIVE TEST RESULT

- Exclusion from participation in extra-curricular/co-curricular activities and driving privileges for the remaining time they are a student in LSCSC
- Any student who is under the penalty for the third violation of the substance abuse policy may request a review after 2 years by a committee composed of administration and guidance counselors. The student will present just cause for reinstatement. The decision of the committee must be a majority vote for reinstatement to occur. Students who are reinstated will submit to testing for drugs, alcohol, and nicotine at their personal expense. If a positive test is obtained, the student will be banned from extra-curricular/co-curricular activities and driving for the remainder of their school career.
- Positive result from cotinine and nicotine metabolite will not result in loss of privileges for those 18 years of age or older. However, parents will be notified of positive test.

Students who transfer to another school district while under the exclusionary period and then return to LSCSC MUST fulfill any remaining requirements of that exclusionary period.

FINANCIAL RESPONSIBILITY

1. Under this policy, LSCSC will pay for all random drug tests. Any “follow-up” drug test due to a positive result will be paid for by the student or his/her parent/guardian.
2. On appeal of a “positive” urine specimen, further testing 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 LSCSC 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. This will underscore the LSCSC commitment to confidentiality with regards to the program.

The implementation of this program will not affect the policies, practices, or rights of the Lake Station Community Schools in dealing with drug and alcohol use where ‘reasonable suspicion’ is obtained by means other than the random sampling provided within this program.

REASONABLE SUSPICION

LSCSC is authorized to require any student to submit to a chemical test of the student's breath, saliva or urine if the administration has "reasonable suspicion" (as defined below) that the student is using or is under the influence of alcohol, marijuana, or any other illegal substance or look alike drug (as defined by Indiana law) while:

- On school grounds immediately before, during, and immediately after school hours and at any other time when a school group is using the school.
- Off school grounds at a school activity, function or event; or
- Traveling to or from school or a school activity, function or event.

Reasonable suspicion may be established by the following:

- A student's behavior, in conjunction with physical appearance and/or odor, indicates the possible use of alcohol, marijuana or any controlled substance.
- The student possesses drug paraphernalia, alcohol, marijuana or any controlled substance.
- Information communicated to an administrator by a teacher, parent, law enforcement personnel, other adult, or a student indicating a student is using, possessing, or under the influence of alcohol, marijuana, or any other illegal substance. Any such report will be investigated by the administration and will be substantiated by other indicators including social media (Facebook, Twitter, texting, etc.), if deemed necessary.

A student's refusal to submit to the chemical test will result in the administration proceeding as if the test were positive. If a parent or guardian refuses to allow the test to be administered to his/her child, a disciplinary action will be recommended as if the test were positive.

TESTING RESULTS

If a student is tested for 'reasonable suspicion' and tests positive for any substance for which the test is designed to screen, that student will be considered to be in violation of the LSCS rules and Board Policy against illegal drug use. The student will be disciplined in accordance with the guidelines established in the LSCSC Discipline Code and Board Policy.

DRUGS, NARCOTICS, AND ALCOHOLIC BEVERAGES

GROUNDS FOR SUSPENSION AND/OR EXPULSION

The Board of School Trustees of the Lake Station Community Schools declare as school board policy that the only two general grounds for a suspension or expulsion are student misconduct and substantial disobedience. Examples of student misconduct and substantial disobedience as found in the student handbook include, but are not limited to:

- A. Knowingly possessing, using, transmitting any substance which he/she represents to be a narcotic drug (look-alike drug), hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind.
- B. Engaging in the unlawful selling of narcotics or other violation of the criminal law, which constitutes and interference with school purposes.
- C. No student may possess or use any substance which the student has reason to believe is or which has been represented to her/him as a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind.
- D. Students are prohibited from possessing, using, transmitting, or being under the influence of caffeine-based pills, substances containing phenylpropanolamine (PPA), or stimulants of any kind be they available with or without a prescription.

The following conduct is criminal under Indiana Code (IC 35-48-1) and school officials are required to report such conduct - on school grounds, or within 1000 feet of school grounds - in writing to a law enforcement officer.

- 1. Knowingly or intentionally manufacturing or delivering cocaine, a narcotic drug, or other controlled substances including marijuana, hash oil, or hashish; or possessing with intent to manufacture or deliver, the above named substances, including marijuana, hash oil, or hashish.
- 2. Knowingly or intentionally delivering any substance that is represented to be a controlled substance.
- 3. Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a controlled substance.
- 4. Knowingly or intentionally possessing a controlled substance.

5. Knowingly or intentionally creating or delivering a counterfeit substance or possessing, with intent to deliver, a counterfeit substance.
6. Knowingly possessing, without a valid prescription, cocaine or a narcotic drug.
7. Knowingly possessing, without a valid prescription, a controlled substance, except marijuana or hashish.
8. Knowingly or intentionally manufacturing, designing, keeping for sale, offering for sale, delivering, or possessing an instrument, device, or other object that is intended to be used primarily for introducing a controlled substance into the human body, testing the strength, effectiveness or purity of a controlled substance, or enhancing the effect of a controlled substance.
9. Knowingly or intentionally manufacturing or delivering, or possessing, with intent to manufacture or deliver, marijuana, hash oil or hashish.
10. Knowingly or intentionally possessing marijuana, hash oil, or hashish.

(Violation of any part of this policy will result in a ten day out of school suspension and a recommendation for expulsion).

**LAKE STATION COMMUNITY SCHOOLS
EXTRA CURRICULAR CONSENT FORM**

I have received, read, and understand a copy of the “Lake Station Community Schools Random and Reasonable Suspicion Drug Testing Program”.

(Print student name clearly)

voluntarily agrees to be subject to its terms and conditions of the program for their entire junior-senior high school career (grades 7-12).

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 _____

Student Signature

Parent Signature

XXXXX Non-Consent XXXXX

(Print student name clearly)

does not agree to be subject to the terms and conditions of the program. This student will not be eligible to participate in any LSCSC extracurricular activities/driving privileges for the remainder of this school year.

Date: _____, 20 _____

Student Signature

Parent Signature