

# REGULATION

VERNON TOWNSHIP  
BOARD OF EDUCATION

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Voluntary Student Random Alcohol  
and Drug Testing (Grades 7 – 8)  
Dec 08

## R5530.2 VOLUNTARY STUDENT RANDOM ALCOHOL AND DRUG TESTING (GRADES 7 – 8)

Procedures for student testing:

### **Testing Coordinator**

The Principal or his/her designee will coordinate and supervise the Random Drug and Alcohol Testing Program for students.

### **Eligibility for Testing – Glen Meadow Middle School**

Glen Meadow Middle School students who volunteer to participate in the Program shall be allowed to enter the Testing Pool at any time once they submit a Consent to Test Form signed by the student and parent(s)/guardian(s).

Glen Meadow Middle School students remain eligible for random drug testing from the date the Consent to Test Form is turned in through an entire calendar year. Should a student and his/her parents wish to remove the student from the voluntary testing program, they must submit an Voluntary Testing Drop form signed by both the student and parent(s)/guardian(s).

The district will test up to 25% of the total number of Glen Meadow Middle School students in the Voluntary Testing Pool annually.

### **Testing Procedure**

A confidential testing schedule will be created by the administration prior to the initiation of the voluntary program to ensure that the testing of eligible students is conducted in a manner that is random.

Testing will only occur on student contact days during the academic year.

Selection of eligible students for testing will be conducted in a purely and entirely random basis, which will be carried out as follows:

- The students eligible for testing will be assigned random identification numbers in order to maintain confidentiality and to ensure the integrity of the randomness of the testing program. These numbers will be changed periodically to further ensure randomness.
- The testing coordinator will utilize a random number generator to select random numbers for each testing day. The coordinator will select a sufficient number of students to ensure

that an adequate number of tests can be performed on that testing day. This accounts for student absences from school or other contingencies.

- The testing coordinator or designee will notify the individuals selected for testing (Participants) and escort the Participants to a secure testing site in the Nurse's Office or other bathroom facility in the building. The Testing Site will have a secured bathroom that will maximize the privacy of the participant and ensure the integrity of the sample collection process. Water sources shall be turned off and toilet water will be blue to prevent adulteration of test specimens.
- In the event of a student absence, an alternate selection will be made from the testing pool.
- Every effort will be made to minimize the disruption to the academic progress of classes and to maintain the confidentiality of students selected for testing.

### **Collection of Testing Samples**

All aspects of the Program, including the taking of specimens, will be conducted so as to safeguard any and all personal and/or privacy rights of the Participant to the maximum extent possible. The Policy treats a participant's test results as a confidential health record pursuant to both federal and state regulations. 42 CFR, 2.1 and 2.2; NJAC 6A:16-1.4. As such, any information obtained by the Program which would identify the Participant as a drug or alcohol user may be disclosed only for those purposes and under those conditions permitted by federal regulations in accordance with 42 CFR – Part II. No testing record of any Participant will be used to initiate or substantiate any criminal charges against a Participant or to conduct any investigation of him or her, and the district shall not share Participant's individual test results with law enforcement authorities.

Any information transmitted to an approved outside agency for testing or processing will not contain any personally identifiable information of the Participant. The approved outside agency will consult with and guide the school nurse in the collection of specimens in accordance with federal Substance Abuse and Mental Health Services Administration (SAMHSA) standards.

In administering the Program, the district will test for the presence of certain substances that may include, but are not limited to the following substances or their metabolites: alcohol, amphetamines, barbiturates, benzodiazepines, cocaine, marijuana, MDMA (a/k/a Ecstasy), methadone, methamphetamines, opiates, oxycodone, PCP, anabolic steroids, tricyclic antidepressants, and/or any other substance defined as a “controlled substance” by either New Jersey or Federal law.

The Participant shall submit a urine and/or saliva screen according to the Consent to Test Form.

The Participant shall complete a specimen control form that bears the assigned identification number. Only designated school personnel shall know the assigned identification number. Only designated school personnel shall know the assigned number for each participant.

The Test Administrator will collect specimens from the selected student and conduct an initial on-site test on the specimen. If the specimen produced is determined to be a “non-negative”, the specimen will be forwarded to a licensed laboratory for confirmatory testing. Any information transmitted to a licensed laboratory for testing or processing will not contain any personally identifiable information of the Participant.

Any attempt by a Participant to tamper with the specimen collection process will be deemed and constitute the specimen as positive.

Refusal of a Participant to provide a sample will be interpreted as a positive result.

All efforts will be made to minimize the instructional impact of testing and to maintain the confidentiality and privacy rights of Participants. All urine testing will be conducted in a closed-door restroom without direct observation by adult monitors.

### **Notification of Testing and Testing Results**

Parent(s)/guardian(s) of students selected for testing will receive a phone call or message following a participant’s completion of the testing process with information concerning the preliminary results. Parent(s)/Guardian(s) will be notified if the screen is negative. If the screen is non-negative the parents will be informed that the sample is being sent for further evaluation.

Where a Participant’s test is confirmed positive, the Participant’s parent(s) or guardian(s) will be contacted directly by a Medical Review Officer (MRO) to conduct a consultation. The

consultation will address the reasons for the positive test and a decision will be made by the MRO regarding the legitimacy, validity, or accuracy of a positive test. The MRO will determine if that substance has been taken pursuant to a legal prescription.

Results of the Participant's test confirmed by the MRO will be provided to the designated personnel within twenty-four (24) hours of the MRO's consultation with the Participant and his/her parents(s)/guardian(s).

Participant's test results will be kept in confidential files separate and apart from his/her other educational records, and shall be disclosed only to those personnel who have a need to be informed regarding the result of the test in order to implement or oversee implementation of the

program or the consequences of violating the policy. Student drug testing information resulting from the Program will not be turned over to any law enforcement authorities except under circumstances in which the district is legally compelled to surrender or disclose such test results. NJAC 6A:16-3.2

The district respects the privacy of its students and shall maintain confidentiality regarding any alcohol and drug testing for this Program. The results will only be released to parent(s) or guardian(s) of the student and the SAC (Student Assistance Counselor). All records and subsequent actions shall be kept in a file separate from the student's regular file. The district personnel will not release records of drug and alcohol tests or any resulting action to anyone other than the pupil and/or his/her parent/guardian without the written authorization from the pupil and/or his/her parent/ guardian in accordance with 42 CFR – Part II.

When a student graduates or permanently withdraws from the school district, all records for that student which pertain to the Random Drug Testing Program will be destroyed.

### **Consequences – Glen Meadow Middle School**

Consequences will result from the following:

- A confirmed positive alcohol or drug test,
- Refusal to participate in testing when selected, and/or
- Tampering with the specimen collection process.

The Participant shall have a minimum of six (6) visits with the Student Assistance Counselor (SAC), one of which must occur within the week immediately following the confirmed positive test.

The Participant shall attend an Early Intervention Program. If one is not available in school, the Participant shall attend at an agency approved by the Department of Health and Senior Services

as an appropriate substance abuse treatment center. The Participant must enter an approved program within one (1) week of the receipt of the confirmed positive test result.

The parent(s)/guardian(s) are responsible for the cost of the treatment program.

A Participant who submits a confirmed positive drug tests a second or third time must participate in a substance abuse evaluation and follow any recommendations made by the evaluator. This evaluation must be performed by a substance abuse professional approved by the Department of Health and Senior Services or Department of Education as appropriate substance abuse treatment provider.

### **Appeal Procedure**

A Participant or his/her parent(s)/guardian(s) may request a retest of his/her specimen at his/her own expense at a laboratory approved by the district and which follows federal Substance Abuse and Mental health Services Administration (SAMHSA) standards concerning drug testing protocols and procedures. Written requests must be received by the school administration within forty-eight (48) hours of receiving the results of their drug test. The specimen previously submitted will be forwarded to the approved lab in cooperation with the district-approved outside agency responsible for confirmatory testing.

Adopted: December 08