WINDSOR CUSD #1
RANDOM DRUG TESTING POLICY
APPLICABLE TO STUDENTS PARTICIPATING IN COMPETITIVE EXTRACURRICULAR ACTIVITIES AND DRIVING TO SCHOOL

Substance abuse is a common occurrence in our society and community, which can endanger the welfare of students who participate in competitive extracurricular activities and of students who drive to school requiring adherence to various health and safety standards. There is great concern regarding the increase in substance abuse taking place within the community. Students who avail themselves of the privilege of participating in competitive extracurricular activities and those who exercise the privilege of driving to school within the Windsor Community Unit School District # 1 act as representatives of the District, and are viewed as leaders within the community.

To protect the health and safety of students engaging in competitive extracurricular activities, students who drive to school, and students with whom students engaged in competitive extracurricular activities and students driving to school, as well as to insure that student leaders and District representative maintain high standards of conduct, it is the policy of the District to require that students submit to random drug testing as a condition of participation in competitive extracurricular activities and as a condition of being able to drive to school. The Administration shall establish rules and regulations implementing this policy.

Nothing in this policy precludes administering a drug test to a student participating in competitive extracurricular activities or a student who drives to school, based on reasonable suspicion that the student is violating the Board of Education's policy prohibiting drug use. Any drug test on the basis of reasonable suspicion conducted shall be performed in accordance with the test procedures specified in the rules implementing this policy. Positive tests based on reasonable suspicion may result in consequences under the Student Discipline Code as well as under the Extracurricular Code of Conduct.

Legal References:

Bd. of Educ. of Indep. School Dist. No. 92 v. Earls, 122 S. Ct. 2559 (2002).
Joy v. Penn-Harris-Madison School Corp., 212 F. 3d 1052 (7th Cir. 2000)
Todd v. Rush County Schools, 133 F.3d 984 (7th Cir. 1998), cert. denied 119 S.Ct. 68 (1998).
Vernonia School Dist. 47 J v. Acton, 515 U.S. 646 (1995).
Schaill by Kross v. Tippecanoe County School Corp., 864 F.2d 1309 (7th Cir. 1988).

ADMINISTRATIVE RULES
RANDOM DRUG TESTING OF STUDENTS PARTICIPATING IN COMPETITIVE EXTRACURRICULAR ACTIVITIES AND STUDENTS WHO DRIVE TO SCHOOL

I. Purposes

The purposes of the Random Drug Testing Policy of Windsor Community Unit School District # 1 are 1) to protect the health and safety of students participating in competitive extracurricular activities; 2) to protect the health and safety of all students from students who drive vehicles to school and park on school property; and 3) to maintain high standards of conduct for students who participate in competitive extracurricular activities as role models and representatives of the District.

II. Definitions

A. Competitive Extracurricular Activities include the following:
HS Baseball, HS Boy's Basketball, HS Girl's Basketball, HS Dance, HS Golf, HS Softball, HS Track, HS Volleyball, HS Cheerleading, HS FFA, HS Scholastic Bowl, HS Academic Competitions, HS Special Olympics, JH Baseball, JH Boy's Basketball, JH Girl's Basketball, JH Softball, JH Volleyball, JH Cheerleading, JH Track, JH Scholastic Bowl, JH Academic Competitions, JH Special Olympics

Competitive Extracurricular Activities do not include graded courses and classes or activities for which academic credit is receive.

B. Prohibited Substances are substances that are prohibited under the District's Parent/Student Handbook listed under "Prohibited Student Conduct" (Student Discipline 6.30).

C. Students, for the purposes of this policy, mean students who participate in competitive extracurricular activities and student who drive to school.

D. Reasonable Suspicion is a reasonable belief that a student is violating a school rule regarding the possession or use of drugs or alcohol, based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the student. The observations may relate to the chronic and withdrawal effects of controlled substances.

III. Consent

All students, and parent(s) or legal guardian(s) of minor students, must sign the District-approved consent form as a condition to participating in any competitive extracurricular activities and as a condition of being permitted to drive to school. By signing and returning the consent form to the District, the student and parent(s) or guardian(s) agree that the student will comply with the random drug testing policy and these rules. If a student, and parent(s) or legal guardian(s) of minor students, refuse to sign the consent form the student will be suspended from participating in all competitive extracurricular activities and from driving to school for one calendar year.

IV. Testing Protocols

A. The District shall select a qualified testing facility and comply with the testing protocols of the selected facility.

B. The selected laboratory will provide training and direction to those who supervise the testing proram, set up the collection environment and supervise chain of custody of the specimens.

C. After it is collected and turned over to the testing laboratory, each specimen will be tested for the presence of prohibited substances.

V. Testing Procedures

A. Students participating in competitive extracurricular activities and students who drive to school will be subject to random testing for drug use throughout the school term. Students will not be given advance notice of the drug test.

B. Each student will be assigned a number. The principal or the principal's designee will select up to 20% of the students from time to time for drug testing.

C. Each student selected will be required to provide a urine sample according to the quality control standards and policy of the laboratory conducting the urinalysis. The designated monitor will escort the student to the collection site. The student selected will not be allowed to go to his/her locker prior to testing.

D. Before submitting a specimen, the student will fill out, sign, and date any form which may be required by the testing laboratory. The form shall state that if a student chooses, he/she may notify the laboratory administrator of any medications legally prescribed for the student in the preceding thirty (30) days, or

of other circumstances which may affect the results of the test. The parent(s)/guardian(s) shall be able to confirm the medication list submitted by their child during the twenty-four (24) hours following any drug test. The medication list shall be submitted to the laboratory in a sealed and confidential envelope and shall not be viewed by District employees.

E. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed on the bottle.

F. The monitor will escort each student to a private restroom. Each student will be instructed to empty their pockets and to wash his/her hands. The student will enter the private restroom by himself/herself to provide the specimen. The toilet will contain a colored dye so the water cannot be used to dilute the sample. The monitor will wait outside of the private restroom with the door closed. When finished, the toilet is not to be flushed until the specimen is given to the monitor. The monitor will verify the normal warmth and appearance of the specimen.

G. Selected students will remain at the collection site until each student has produced an adequate specimen. If unable to produce a specimen, the student will be given up to 24 ounces of fluid. If still unable to produce a specimen within two hours, the student will be taken to the principal's office and told that he/she is no longer eligible to participate in competitive extracurricular activities and no longer permitted to drive and park at school. In addition, the parent/guardian will be telephoned and informed that the student is unable to produce a sample for the testing procedure and that he/she may be tested at a later date to be reinstated for eligibility.

H. After the student has produced a specimen, lab personnel will seal and transport the specimen to the laboratory. The student will sign a form stating that the specimen has been sealed. The seal may be broken only by the laboratory personnel testing the specimen.

I. A specimen will be deemed invalid if its seal is tampered with or broken after leaving the student's possession and before arriving at the lab. The student will be requested to provide a second specimen as soon as possible. The student will remain eligible for competitive extracurricular activities and will be permitted to drive to and park at school pending completion of testing.

J. For retesting purposes pursuant to section VII.B of this Policy, the unused portion of a specimen that tests positive shall be preserved by the laboratory for a period not exceeding six months.

VI. Confidentiality

A. In order to maintain confidentiality, urine specimens will not be identified by the name of the student who provided the specimen. The container will be identified through a random identification number. The results of the urinalysis will be mailed or faxed back to the principal or principal's designee with no student name attached; only the random identification number will appear on the results sheet.

B. Positive test results will be disclosed to the principal or principal designee. Other school personnel will be informed on a "need to know" basis. The results of negative tests will be kept confidential to protect the identity of all students being tested.

C. School personnel with knowledge of drug test results shall not disclose the test results except as may be required to enforce this policy.

VII. Notification of Test Results

A. The principal or principal's designee will provide notice of positive test results to the affected student and to his/her parent(s) or guardian(s) if the student is a minor. Upon notification of the test results, the principal or principal's designee will review with the student and his/her parent(s)/guardian(s) the consequences of a positive drug test as identified in Section VIII of this Policy and inform the student and his/her parent(s)/guardian(s) that such consequences will be implemented immediately. Also at this time, the principal or principal's designee will schedule a conference to be held within the next two school days to discuss the test results with the student and his/her parent(s)/guardian(s) if the student is a minor.

B. The student will remain subject to the consequences identified in this Policy pending any retest of the student's urine specimen or challenge by the student or the student's parent(s)/guardian(s).

C. If at any time during the testing the student refuses to submit to the urinalysis and/or follow the procedures and abide by the consequences provided for in this policy, the student will be suspended from participating in all competitive extracurricular activities and from driving to school for one calendar year and until after a test is conducted and the student tests negative.

VIII. Consequences

A. 1st Offense:
   1. Miss 1/3 of the contests and complete counseling (5 hours) and community service (10 hours).
      a. If you do not complete the requirements you cannot participate in any other activity.
      b. Individuals cannot go out for a sport that they have never played before, unless you are a freshman, to complete requirements.
      c. Individuals must participate in all practice activities, attend all games and pay all fees while serving suspension for athletics.
   2. The student will be suspended from driving to school and parking at school for thirty (30) calendar days.
   3. The student will be required to participate and complete, at the student's expense, in a school-selected drug assistance program.

B. 2nd Offence:
   1. Suspended from extra-curriculars for one year with counseling (10 hours) and community service (20 hours).
      a. Suspension of 1 calendar year is from the date of enforcement of the penalty.
   2. The student will be suspended from driving to school and parking at school for sixty (60) calendar days.
   3. The student will be required to participate and complete, at the student's expense, in a school-selected drug assistance program.

C. 3rd Offense and Subsequent Offences:
   1. Student is suspended from extra-curriculars for the remainder of career.
   2. The student will be suspended from driving to school and parking at school for one calendar year.
   3. The student will be required to participate and complete, at the student's expense, in a school-selected drug assistance program.

IX. Financial Responsibility

A. The District will pay for all initial random drug tests, all initial reasonable suspicion drug tests, and all initial follow up drug tests necessitated by an invalid specimen.

B. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student and/or parent(s)/guardian(s).

X. Compliance with Other Rules

A. Rules issued by athletic associations, school sponsored organizations, or other entities which regulate the Windsor CUSD #1's competitive extracurricular activities shall be enforced in conjunction with this policy. Any student who violates a rule or requirement as a member of a team or an activity will be subject to the consequences as defined in the applicable rules.

Windsor CUSD #1

Drug Testing Consent Form

I, _____ (student's name) have been provided a copy of the Windsor CUSD #1's Random Drug Testing Policy and its implementing rules. I understand that as a condition of participating in _____ (name of competitive extracurricular activity) I will be subject to random urinalysis tests for detection of prohibited substances and specimens, testing and analysis of the urine specimens, and all other rules of the Board of Education which involve random drug testing of students involved in competitive extracurricular activities. I understand that I may be asked to provide to the testing laboratory a confidential list of my prescribed medications in order to ensure accuracy in interpretation of the results. I agree to fully cooperate with the testing procedures.

I consent to the limited disclosure of the sampling, testing, and results of the testing as provided for in the policy and the rules, and to that extent I waive any right to non-disclosure provided for by state or federal statute.

_____	_____
Student Signature	Parent/Guardian Signature
_____	_____
Date	Date