

Before You Begin

A great deal of preparation goes into developing a successful drug-testing program. Before you begin testing, it is important that you cover all the bases and take these necessary first steps:

- Collect data to determine the scope and nature of your school's drug problem
- Consult legal counsel
- Enlist support within the school and local community
- Develop a clear, written policy
- Obtain the approval of an Institutional Review Board, if necessary
- Provide access to student assistance

Collect data

Would your school really benefit from a drug-testing program? For some schools, prevention and education programs may be sufficient responses to the drug threat. For others, more powerful tools are needed to help reduce student drug use.

A school might begin a drug-testing program to confront an escalating drug problem, for example, or when overdose deaths among the student body prompt action to avert more tragedy. The Capistrano Unified School District in California launched a student drug-testing program after requests from the community for a program that would help students say “no” to drugs. The voluntary program, which started in 2002 at San Clemente High School with the support of the school board, principal, and parents, now has a participation rate of more than 50 percent.



The needs assessment should be done in the early stages, when you are considering whether your school's drug problem warrants a drug-testing program. Collecting data is important to help you determine the scope and characteristics of your drug problem and to establish a baseline from which to measure the effectiveness of your testing program later on. Some schools find it helpful to establish an advisory committee or task force. Such a group could be comprised of school administrators, students, teachers, parents, student assistance counselors, coaches, club advisors, and representatives from local treatment programs and police departments.

The advisory committee can be helpful in many ways, including the collection and assessment of data. Reports by teachers, staff, and parents can yield useful information about the nature and extent of your school's drug problem. Keep data about drug paraphernalia or residue found in or around the school. Look at indirect evidence, such as local police reports and overdose data in the aggregate, to help fill out the picture. Local treatment programs can also provide useful information about drug use by students without breaching the confidentiality of their individual patients.



Government-funded surveys such as the National Survey on Drug Use and Health, Monitoring the Future, and The Youth Risk Behavior Survey all have questions regarding drug use that can be adapted for a school survey. A number of states, as well as several private, non-profit organizations, can also provide support and survey materials designed to reflect student drug and alcohol use. Student surveys can pinpoint which drugs your students are using and, in turn, can help you decide which drugs to target in your test panel.

Consult legal counsel

In June 2002, the U.S. Supreme Court upheld a drug-testing program for students involved in competitive extracurricular activities, thereby expanding the authority of public schools to test students for drugs. Although the ruling allows schools to drug-test greater numbers of students, it is not a blanket endorsement of drug testing for all students. Schools therefore should engage legal counsel familiar with Federal, State, and local law regarding drug testing before implementing a testing program. It is important to obtain a full legal review of your drug-testing policy and program before you begin testing.

Enlist community support

A key part of the development of an effective testing program is building partnerships and trust with those in the community who would be affected: parents, students, the Board of Education, the Superintendent, local health care agencies, local businesses, legal counsel, community coalitions, and others.

For some, student drug testing is an emotional and controversial issue—all the more reason to keep everyone informed and listen to every point of view, including the voices of opposition. Addressing concerns whenever possible will strengthen your program. Holding focus-group or town-hall meetings gives you an opportunity to share the information that led to your decision to implement a drug-testing program. You may find that some who were in denial about the drug problem will become convinced when they see the results of the data you have collected.

There's no guarantee that everyone will agree with the concept of random drug testing, of course. But with careful preparation—educating parents and students, and by assuring them that the program will not be punitive, that confidentiality will be closely maintained, and that they may freely voice their opinions—you can greatly improve your chances of success. For those who will not be swayed, point out that no student will be forced to submit to a drug test. Although children whose parents refuse to give their consent may lose the privilege of taking part in extracurricular activities, parents must always have the ability to opt out of the drug-testing program.

Once your school’s leadership has understood and agreed to implement a drug-testing program, and once parents, students, teachers, and other school personnel have been fully informed, widen the circle of influence by including local officials, merchants, and owners of area businesses. In some areas, companies give incentives, such as discounts or preferential employment status, to students who take part in student drug-testing programs.

Develop a clear, written policy

The committee or task force you have formed can help you decide whether the tests will be administered by school staff or by someone hired from outside the school. Many schools use the staff nurse to administer the tests. Others, including those in Polk County, Florida, hire staff from the local drug court who are trained in collection procedures and chain-of-custody issues. Your advisory committee can weigh the pros and cons of the various types of tests—urine, hair, sweat, and saliva—and also offer advice, based on the data you collected, on which drugs to include in your test panel. A test normally targets a standard group, or “panel,” of drugs—marijuana, cocaine, opiates, amphetamines, and PCP. If steroids or other drugs outside the standard panel are a problem in your school, you can decide to include them in your list of target drugs. Once such decisions are made, the committee can help you develop your school’s drug-testing policy.

There is no single model policy that will fit every school’s particular needs. However, effective policies do share a number of common elements that you should incorporate in yours. First of all, it should be a written policy, rendered in clear, concise language that allows no ambiguity in what you are proposing.

There are four primary areas of concern that should be addressed in a school drug-testing policy: First, the policy should contain a statement about the need for a drug-free school. Second, it should have an introduction/position statement on substance use and student health, safety, confidentiality, and implementation of your student drug-testing program. Third, the policy should address the key components of the drug-testing program, such as which categories of students will be tested, how they will be selected for a drug test, what drugs will be tested for, specimen collection and chain-of-custody issues, how consent for

testing will be obtained, how confidentiality of student information will be maintained, how drug-test results will be protected, and what consequences will follow a positive test result or refusal to take the test. Finally, the policy should provide a list of student rights, as well as an explanation of the school's responsibilities to the students.

Those who read your policy should be able to understand the testing procedure, and that positive test results will undergo further review by qualified medical personnel to determine the likelihood of legitimate medications causing the positive reading. Make sure your policy indicates whether the school or the parents will pay for the confirmation test.



The policy should explain what recourses are available to a student if he or she believes a positive result was an error, and it must articulate the consequences of a true positive test. If students who test positive are suspended from extracurricular activities until they provide a negative test, the policy should make this clear, as well as whether graduated sanctions will be imposed with repeated positive tests.

By the same token, the policy should state clearly that no academic consequences will follow as a result of a positive drug test. Your drug-testing policy should clearly state the permissible use of test results, indicating precisely who may (and may not) see them, and it should underscore, above all, that school administrators will maintain strict confidentiality.

Working with your advisory committee, develop consent forms for parents and students to sign indicating they have read your policy, understand it, and agree to take part in the drug-testing program. Announce the policy at least 90 days before testing begins. When collecting information from students on drug use, be mindful of the

U.S. Department of Education’s regulations on confidentiality and release of information. The two primary regulations are the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). See the Resources section for more information. Also listed among the Resources are links to Internet sites offering samples of student drug-testing policies, as well as contact information for non-profit organizations that can provide technical assistance on developing a policy.

Obtain the approval of an Institutional Review Board, if necessary

If your school district receives Federal funds to develop, enhance, or implement a student drug-testing program, the project may be subject to the approval of an Institutional Review Board (IRB), a special panel charged with protecting the rights and welfare of human research



subjects. Projects that are designed to test or demonstrate the effectiveness of drug testing are considered “research” by some agencies under a Federal policy governing human subjects. Not all student drug-testing programs fall within the scope of this policy. But it is essential

that you determine early in the process, before you begin drug-testing students, whether your project requires IRB review. Check with your funding agency to see if it has adopted the Federal policy for the protection of human subjects. Some agencies, including the U.S. Department of Education, offer guidance to grant recipients on finding an IRB and obtaining the necessary approval. (See the Resources section for more information, including lists of IRBs and a complete list of agencies that have adopted the Federal policy regarding the protection of human subjects.)

Provide access to student assistance

Some schools may be reluctant to initiate a testing program for lack of understanding what to do with those students who test positive for drugs. Indeed, it is essential for any school contemplating a student drug-testing program to have some sort of mechanism in place for working with students whose test results are positive. For those who have just started using drugs or use them only occasionally, a few words from a counselor and/or parents—coupled with the prospect of future drug tests—may be enough to discourage further use. The counselor may refer the student for recovery support services, which can be an intermediary step for those not requiring clinical treatment services. Frequent users or those in danger of becoming chemically dependent will likely need clinical treatment.

One good way to assure these young people receive the appropriate level of counseling or treatment is to provide access to a student assistance program. Operating in much the same way as employee assistance programs in the workplace, student assistance programs have a long history of helping schools remove barriers to learning. Some schools use a core team of trained staff to provide student assistance services. Others designate a single counselor as the student assistance counselor, while still others contract with outside non-profit mental health or substance abuse agencies to provide student assistance services. Whatever the arrangement, student assistance programs help young people improve their success in school by connecting them with the most appropriate resources for the many issues that interfere with learning, such as family problems, peer conflicts, depression, isolation, illness, and substance abuse.

Student assistance services typically include linking students and their families to appropriate community resources and school-based support services. A positive drug test may result in referral to ongoing drug testing, educational classes, attendance in a chemical awareness group, or treatment for chemical dependency. Some students with positive test results are referred through the student assistance program to a behavioral health assessor, a professional counselor who specializes in working with chemically dependent youth. Maintaining strict confidentiality throughout the process, the assessor can determine whether the student's alcohol or drug use requires recovery support or clinical treatment

services, or can be dealt with in less intrusive ways. For students who have completed treatment and who are in recovery striving to stay “clean,” returning to the school environment can be a difficult experience. Student assistance eases the re-entry process by offering aftercare and other support services, then stays in touch with the students to monitor their progress over time.

Studies have found that students who were referred through a student assistance program to behavioral health specialists show improved attendance, fewer discipline problems, and better performance in school. For more information, call the National Student Assistance Association at 800-257-6310 or visit the group’s Web site at www.nsaa.us.