

## ***STUDENT DRUG TESTING***

### **Statement of Policy**

Kansas Christian College maintains a drug-free educational environment and requires all students to remain free of the unlawful and/or inappropriate use of controlled or illegal substances while enrolled as a student. Students will be held accountable for consuming illegal substances, regardless of state or local laws in the location where the substance was used. A student is subject to testing to show proof of a physical condition free from the unlawful and/or inappropriate use of controlled or illegal substances or the use of prescription medication for which the student does not have a valid prescription or which a student is using in a manner inconsistent with a physician's directions.

The Dean of Student Services, or his/her designee, shall be responsible for oversight and implementation of the College's drug testing program.

### **Basis for Drug Testing**

Drug testing will be required whenever the administrator over student services, or his/her designee, has reasonable suspicion that a student may be engaging in the unlawful and/or inappropriate use of a controlled or illegal substance, or the inappropriate use or abuse of a prescription medication, whether on or off campus.

Grounds for developing reasonable suspicion to require a student to submit to a drug test may include, but are not limited to, the following:

- (1) Incoherent communication or inexplicable behavior;
- (2) A pattern of tardiness and/or absenteeism from class;
- (3) Suspicious odors on person, clothing, and/or other property;
- (4) Possession of drug paraphernalia;
- (5) Arrest, citation, or conviction for a substance-related offense;
- (6) Observations of substance abuse or physical symptoms of manifestations of impairment, incoherency, or erratic, inexplicable conduct; and
- (7) A report of substance abuse or use provided by a reliable and credible source.

Such grounds shall be articulable and particularized to the individual student to be subjected to drug testing.

### **Definitions**

*Drug Test* – A scientifically substantiated method to test for the presence of controlled substance or illegal drug as determined by a urine test.

*Illegal Drugs* – The synthetic or generic equivalent or derivative drugs that are illegal under federal, state, or local laws, including but not limited to marijuana, alcohol, heroin, hashish, cocaine, amphetamines, methamphetamines, opiates, hallucinogens, depressants and stimulants not prescribed for the user. This term shall include, but shall not be limited to, all drugs listed on the 65-4105, 4107 Kan. Stat. Ann., and Section 202 of the Controlled Substances Act, 21 U.S.C. § 812.

*Non-Negative Test* – Any test showing an initial positive result that has not been verified.

*Positive Drug Test* – A toxicological test result that is considered to demonstrate the presence of a controlled substance or illegal drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test. This term alternatively may be referenced as a “positive,” a “positive test” or a “positive result.”

### **Confidentiality**

Student health information derived from the results of drug testing is a type of student record that is particularly sensitive and protected by numerous state and federal laws. Student information shall be protected from unauthorized, illegal or inappropriate disclosure by adherence to the principles of confidentiality and privacy. The information shall be protected regardless of whether the information is received orally, in writing or electronically and regardless of the type of record or method of storage. All appropriate laws and KCC policies will be used to enforce violation of confidentiality.

### **Notification and Consent**

Upon enrollment in Kansas Christian College, students shall receive a copy of this policy. Submission to drug testing in accordance with this policy is a condition of enrollment with KCC. Notice of this policy shall be conspicuously placed in student handbooks, on KCC’s website, and provided at student orientation.

This policy does not affect other policies and practices of KCC in dealing with drugs or alcohol use or possession.

### **Testing Procedure**

Any drug test required by KCC under the terms of this drug testing policy will be administered by or at the direction of a professional laboratory chosen by KCC using scientifically validated toxicological methods and certified to conduct drug testing. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control, scientific testing and verification of samples.

The testing method to be administered will be urinalysis. Appropriate steps will be taken to respect the privacy of students while, simultaneously, preventing falsification of testing. Upon receiving notice from the Dean of Student Services and/or his/her designee the Student has been identified, pursuant to the College’s reasonable suspicion standards, to require drug testing, the student will immediately go to a designated laboratory and wait until it is his or her turn to produce a specimen.

The testing lab will follow standard protocols to confirm the student's identity, verify any prescription medications the student is taking that may impact the testing result, and collect a specimen. If the specimen is deemed unacceptable for testing by the designated lab, the student will be required to produce another specimen. If a student is unable to produce a urine sample within three (3) hours, the student must schedule an appointment with a doctor within five (5) days of the test to see if a medical reason exists to explain the inability to produce a urine sample. The doctor's exam will be conducted at the expense of the student. If the student does not have the exam, or if the doctor does not find a valid medical reason, then the test will be deemed positive.

The test results will remain confidential and will only be released to the student and approved KCC officials. All files regarding the participants in any drug testing, as well as test results, shall be kept strictly confidential and will be kept separate from the mandatory KCC files required for each student.

### **Violations/ Consequences**

A positive drug test that confirms a student has engaged in the unlawful or inappropriate use and/or abuse of controlled or illegal substances will result in disciplinary action as outlined in the KCC's Substance Abuse Policy (#2335).

### **Refusal to Submit to Drug Use Test**

Any student who refuses to submit to a request for drug testing from an authorized KCC official, refuses to authorize the release of test results to KCC, or tampers with a drug testing sample will be treated as if the test was positive.

Any student who has a positive initial test and refuses to complete the requirements for a confirmation test will be treated as a refusal.

### **Drugs Subject to Testing**

Any illegal drugs as defined by this policy may be tested for. KCC will pay for all drug screenings and follow-up screenings required by this policy. Any participation in substance abuse evaluation and education/counseling programs is at student expense.