

Substance Abuse Prevention Committee
6:30 p.m. Wednesday, January 4, 2012
Andover Public Schools District Office

Attendees: SRO Buck Buchanan, Keturah Austin, Dr. Andy Koenigs, Linda Wells, Donna Whiteman from KASB, Dale Graham, Max Hamblin, Brent Jones, Lori Moran, Deb Regier, Hunter Weddington, Gary Merritt, Kellie Bamford, Melinda Fritze, Kristi Peterson, Doug Carr, Christy Rogers

Dr. Koenigs introduced Donna Whiteman, Attorney for Kansas Association of School Boards (KASB)

Donna handed out some information to attendees.

Notes from Donna's presentation:

1. What is in our handbook takes the full effect of law. Be careful about "shall" versus "may" in policies and handbooks.
2. "Reasonable suspicion" allows a search at any time by a principal (at school, on school property or at a school sponsored event). Reasonable suspicion includes speech, behavior, smell, or eyes show they aren't focusing.
3. There is a right to attend public schools, but extra curricular activities are not a right. It is considered a privilege.
4. Testing of bodily fluids constitutes a "search." Make sure the same rules apply to all activities and athletics in the same way with the same disciplines.
5. We should look at our justification for testing – is it to protect the health, safety and well being? This should be included in the policy.
6. Define specifically what we will be testing for – this is a cost issue as well. The more we test for, the higher the cost will be (per student cost).
7. Some boards believe with the authority we have right now with reasonable suspicion, is this really unnecessary to do random drug testing.
8. Some argue the money would be better by hiring another administrator to deal with discipline/supervision.
9. Graduated sanctions: the best policy deals with prevention, the health issues of the student, and allows graduated sanctions. (perhaps first offense meet with administrators and agree to counseling then nothing else will happen, second or third offense suspended from team, etc.)
10. Any random drug testing policy should include no academic penalties.
11. Extracurricular activity discipline is completely separate from academics.
12. Appeal on a false positive – be prepared. Some show medications, etc.
13. Confidentiality is a very high priority. Only those people with a need to know should be notified. Parents, principal, nurse, counselor.
14. Donna Whiteman said a positive drug test will not show up on a transcript, job application, college application, etc.

15. Goal is prevention, health and safety – not to penalize them, but to help them and stop the abuse.
16. For dances and random breath checks, take into private room first and then call the parents if they test positive. Keep everything confidential. The handheld breathalyzers need regular calibration and training for the operator.
17. It is not necessary to contact SRS if there is a positive test – unless abuse or neglect is involved. You do need to notify parents.
18. Documentation must be kept separate from student's discipline file. It's a medical record. We must designate who has those records, where they are kept, and they must be secured. These must be district level records – not kept at the building.
19. Extra-curricular must be specifically defined. Debate, forensics, bands, choir, theater, newspaper, etc., have grades as well. They may be excluded from some performances or such, but the teacher must still grade them – they cannot be penalized academically.
20. Mr. Graham asked if KSSHAA had ever considered making drug testing part of the physical exam to participate in athletics. There are policy concerns – fewer kids may go out for athletics. It is more costly than a traditional physical. Drug testing simply records a moment in time that the kids would know was coming up. It also tests only athletes.
21. Donna Whiteman noted that even random drug testing does not mean the problems are gone. It is a moment in time.
22. She recommends we keep a very narrow definition of extra curricular. Only put in the policy what we have the money and the staff to enforce.
23. Melinda Fritze asked if parents can opt in. Whiteman said yes, they can.
24. Our authority is very limited.
25. Schools can tie first offense to counseling – at parents' expense (must specify in policy). Should also give a list of area resources.
26. Should have separate policies for reasonable suspicion versus random testing.
27. Policy would need to be in BOE policy, a short version perhaps in student handbook, and a separate random drug testing policy (possibly in a separate brochure).
28. There will need to be thorough education and communication with parents and students regarding the policy.
29. Dale Graham noted that policies have not proven effective in studies. Whiteman agreed. It is also time consuming and costly. She said she will send us the studies for our own review.
30. There is no KASB policy regarding random drug testing. They do not recommend it. Too many possible litigation opportunities.
31. Dale Graham recommended we not have random drug testing.
32. Dr. Koenigs noted that the committee will have an opportunity to discuss and develop potential recommendations at the February meeting.
33. What are other things we could do that would be more effective as random drug testing?

34. Melinda Fritze noted teacher and administrator training that Whiteman mentioned would be interesting – perhaps we could offer it to parents as well so that they know the signs.

The next committee meeting is 6:30 p.m. February 1, 2012.