

**Review of District Policies and Procedures
on Random Student Testing of Alcohol or Other Drug Abuse
(N.J.A.C. 6A:16-4.4)**

School District: _____
County: _____
Reviewer name: _____
Date review completed: _____

A. Adoption of Random Drug Testing (RDT) Policies and Procedures

1. The RDT policies and procedures were adopted by the district board of education on:
 _____ . [N.J.A.C. 6A:16-4.4(a)]
Date

2) The public hearing on the proposed RDT policies and procedures was held on:
 _____ . (N.J.A.C. 6A:16-4.4(a)1)
Date

3) Notice of the public hearing on the proposed RDT policies and procedures was provided through the following methods and on the following dates: (N.J.A.C. 6A:16-4.4(a)1i)

	YES	NO
4) The notice of the public hearing specifically identified the proposed RDT policies and procedures as an agenda item for the hearing. (N.J.A.C. 6A:16-4.4(a)1i)		
5) The notice of the public hearing explained that copies of the proposed RDT policies and procedures were available upon request prior to the public hearing. (N.J.A.C. 6A:16-4.4(a)1ii)		
a) There is evidence that copies of the proposed RDT policies and procedures were made available, upon request, prior to the public hearing. (N.J.A.C. 6A:16-4.4(a)1ii)		

B. General Provisions

	YES	NO
1) The RDT policies and procedures apply only to students in grades nine through twelve. [N.J.A.C.6A:16-4.4(a)2]		
2) The RDT policies and procedures apply only to students who participate in extra-curricular activities, including interscholastic athletics, or who possess parking permits. (N.J.A.C. 6A:16-4.4(a)2)		

3) There is evidence that the LEA is responsible for all costs (e.g., purchase orders, expenditure reports, executed contracts, budget line items) of the RDT, including any costs associated with the transportation of students. (<i>N.J.A.C. 6A:16-4.4(a)3</i>)		
4) It is evident, either in the RDT policies and procedures, in literature describing the policy or through district board of education policies and procedures on intervention practices, that the RDT policies and procedures are separate and distinct from any other alcohol or other drug testing that might be administered by the district, including the required medical examination of students currently suspected of being under the influence of alcohol or other drugs. (<i>N.J.A.C. 6A:16-4.4(a)4</i>)		
5) The RDT policies and procedures are included in and consistent with the district board of education's policies and procedures for the intervention of student alcohol or other drug abuse, pursuant to <i>N.J.S.A. 18A:40A-10</i> and <i>11</i> and <i>N.J.A.C. 6A:16-4.1</i> . (<i>N.J.A.C. 6A:16-4.4(a)5</i>)		
6) There is evidence that written notice was provided to all ninth through twelfth grade students and their parents, at the beginning of each school year, that the active written consent of students and parents for RDT is required for these students to participate in extracurricular activities, including interscholastic athletics, or to possess a school parking permit. (<i>N.J.A.C. 6A:16-4.4(a)6</i>)		

7) The written notice of the RDT policies and procedures to all ninth through twelfth grade students and their parents was provided through the following methods and on the following date(s): (*N.J.A.C. 6A:16-4.4(a)6*)

C. Components of RDT Policies and Procedures

The RDT policies and procedures include the following components: [*N.J.A.C. 6A:16-4.4(b)*]

	YES	NO
1) A statement that the purposes of the RDT policies and procedures are to: (<i>N.J.A.C. 6A:16-4.4(b)1</i>)		
a) Deter alcohol and other drug use; and		
b) Provide a means for the early detection of students with alcohol or other drug problems so that referral for evaluation or referral for treatment or other appropriate assistance may be offered.		
2) A description of the procedures for randomly selecting students for RDT, which includes: (<i>N.J.A.C. 6A:16-4.4(b)2</i>)		
a) The manner in which students will be randomly selected for RDT;		
b) An explanation of the sampling statistical principles supporting the random selection process;		

c) An explanation of how implementation of the random selection process will be documented; and		
d) An explanation of how implementation of the random selection process will be verified.		
3) A description of the following procedures for the acquisition and management of student's RDT specimens, as appropriate to the method selected under <i>N.J.A.C. 6A:16-4.4(c)</i> : (<i>N.J.A.C. 6A:16-4.4(b)3</i>)		
a) The monitoring of the students;		
b) The transportation of the students;		
c) The acquisition and handling of student's specimens;		
d) The chain of custody of student's specimens;		
e) The testing and analysis of student's specimens; and		
f) The storage of student's specimens.		
4. The standards for ensuring the confidentiality and scope of authorized disclosure of alcohol or other drug testing information that protect: (<i>N.J.A.C. 6A:16-4.4(b)4</i>)		
a) The identity of students who have been selected to be tested;		
b) The identity of students who have been tested;		
c) The results of the alcohol or other drug tests;		
d) The billing and management reports associated with the alcohol or other drug tests; and		
e) Information, prior to the time of an alcohol or other drug test, that a test is to take place.		
5) A description of the consequences for violating the confidentiality and disclosure standards. (<i>N.J.A.C. 6A:16-4.4(b)5</i>)		
6) Procedures for notifying a parent who provided consent to the alcohol or other drug testing, each time his or her child has been tested under the RDT policies and procedures. (<i>N.J.A.C. 6A:16-4.4(b)6</i>).		
a) Procedures for ensuring the confidentiality of the parent notification.		
7) The procedures for reporting the results of the alcohol or other drug tests, including written notification to students and their parents concerning test findings. (<i>N.J.A.C. 6A:16-4.4(b)7</i>)		
8) A prohibition against the notification of law enforcement authorities of the test results. (<i>N.J.A.C. 6A:16-4.4(b)7i</i>)		
9) The specific actions to be taken against students who test positive for alcohol or other drug use, which are limited to: (<i>N.J.A.C. 6A:16-4.4(b)8</i>)		
a) Removal from or prohibition against participation in extracurricular activities, including interscholastic athletics; or		
b) Disapproval or revocation of student's parking permits.		
10. The procedure or requirement for all positive RDT results to be confirmed by the laboratory using a methodology recommended by the manufacturer of the laboratory instrument, <u>prior to</u> any disciplinary actions being taken against students who test positive for alcohol or other drug use. (<i>N.J.A.C. 6A:16-4.4(b)8ii</i>)		

11. The procedures for students or their parents to challenge a positive result from the alcohol or other drug tests. (<i>N.J.A.C. 6A:16-4.4(b)9</i>)		
12. The guidelines for referral for evaluation, referral for treatment or the provision of other appropriate assistance for students who test positive for alcohol or other drug use. (<i>N.J.A.C. 6A:16-4.4(b)10</i>)		
13. The specific actions to be taken against students who refuse to consent to alcohol or other drug testing, which are limited to: (<i>N.J.A.C. 6A:16-4.4(b)11</i>)		
a) Removal from or prohibition against participation in extracurricular activities, including interscholastic athletics; or;		
b) Disapproval or revocation of student's parking permits.		

D. RDT Collection and Testing

	YES	NO
1) The RDT policies and procedures explicitly limit the collection of specimens for alcohol or other drug testing to one of the following persons in a State-licensed collection station or clinical laboratory: a) the school physician; b) a physician, other than the school physician, licensed to practice medicine or osteopathy; c) the certified school nurse or non-certified nurse; or d) the staff of a State-licensed clinical laboratory or a health care facility. (<i>N.J.A.C. 6A:16-4.4(c)3</i>)		
2) The district board of education has written procedures for the collection and testing of alcohol or other drug specimens in accordance with one of the following methods: [<i>N.J.A.C. 6A:16-4.4(c)</i>] NOTE: Only one "YES" among items 2a-2e below is required for compliance.		
a) Transporting randomly selected students to a State-licensed clinical laboratory to perform specimen collection and alcohol or other drug testing; or		
b) Using a State-licensed clinical laboratory to operate both an onsite licensed collection station and transport the specimens to the offsite licensed laboratory for alcohol or other drug testing; or		
c) Obtaining a State license to operate the school district's own collection station for the collection of specimens and contracting with a licensed clinical laboratory for the transportation and alcohol or other drug testing of the specimens; or		
d) Obtaining a State license to operate a clinical laboratory for the onsite collection and alcohol or other drug testing of specimens; or		
e) Contracting with a State-licensed clinical laboratory to provide for both the onsite collection and alcohol or other drug testing of specimens.		
3) There is evidence that the district board of education has implemented the written procedures and complied with the requirements of the collection and testing method identified above. [<i>N.J.A.C. 6A:16-4.4(c)</i>]		

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