

State Fair Community College
STUDENT DRUG TESTING REQUIREMENT
Health Science Programs

Statement of Purpose and Intent

State Fair Community College (SFCC) Health Science programs prohibit the use, sale, transfer, distribution, possession or being under the influence of unauthorized prescription drugs, alcohol, marijuana, narcotic substances, unauthorized inhalants, controlled substances, illegal drugs, counterfeit substances, and imitation controlled substances on any college property, during any college-sponsored activity, in any college-owned vehicle, or in any other college-approved vehicles used to transport students to and from college or college activities. Students found to be involved in any of these activities are subject to disciplinary action.

Students of SFCC's Health Science programs benefit from clinical programs that provide students with hands-on experiences at third-party clinical facilities. SFCC Health Science programs share an obligation with the clinical facilities to protect the facilities' patients from harm to the extent reasonably possible, including protecting patients from students who may be impaired from the use of drugs or alcohol while participating in a clinical program at the clinical facility. SFCC Health Science programs wish to ensure that the health and safety of students and patients are not compromised and that clinical affiliation agreements continue to exist to provide students with quality clinical education experiences. Therefore, students enrolling in SFCC Health Science programs are required to submit to drug testing.

Students are subject to an observed urine drug screen and/or a blood alcohol test at any time while enrolled in a Health Science program.

Definitions

Blood Alcohol Test – Scientifically substantiated method to test for the presence of alcohol in a person's blood.

Consent Form –Drug Testing Consent Form adopted by SFCC.

Drug Use Test – Scientifically substantiated method to test for the presence of illegal drugs or alcohol in a person's urine.

Illegal Drugs – The synthetic or generic equivalent or derivative drugs that are illegal or restricted under federal, state or local laws including, but not limited to, marijuana, alcohol, heroin, hashish, cocaine, hallucinogens, depressants, and stimulants not prescribed for the user. This includes steroids and steroid derivatives or related substances that are not prescribed by a physician or are prescribed by a physician for uses not authorized by the manufacturer of the drug. This term shall include, but not be limited to, all drugs listed in the Narcotic Drug Act, § 195.101, RSMo., and Section 202 of the Controlled Substances Act, 21 U.S.C. § 812. SFCC reserves the right to test for as many of these drugs as deemed necessary to meet the stated goal of deterrence.

While recreational and medical use of marijuana is legal in Missouri, it is illegal at the federal level. Regardless of whether marijuana is legal in Missouri, federal law requires that colleges and universities adopt and enforce drug-free workplace policies, as well as programs to prevent the unlawful possession, use, or distribution of illicit drugs by students and employees. Because marijuana is still considered illegal under federal law as a *Schedule I* drug, SFCC must prohibit its distribution, possession, and consumption while participating in classes, programs, or activities sponsored by or on facilities controlled by the College. In addition, students and employees who are subject to drug testing requirements would not be exempted from such requirements even if such individual obtains a state medical marijuana certification. *Therefore, marijuana is considered an "illegal drug" for purposes of this requirement.*

Medical Review Officer - A third-party healthcare professional who reviews student medications and makes a final determination on non-negative test results.

Negative Test Result – A toxicological test result that is considered to demonstrate the absence of an illegal drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

Non-negative Test Result – An initial, unconfirmed toxicological test result that is considered to demonstrate the presence of an illegal drug or metabolite thereof using the standards customarily established by the testing laboratory administering the drug use test. After further testing of the sample and consideration of legally prescribed medication that might influence the test result, a final determination will be made by a Medical Review Officer.

Positive Test Result – When referring to a drug test administered under this requirement, a toxicological test result that is considered to demonstrate the presence of an illegal drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

Persons to be Tested

Any student who is enrolled in any Health Science Program that requires a clinical rotation, internship, externship, or professional experience at a clinical facility will be required to submit to drug use testing prior to the first clinical rotation, and on a regular basis thereafter. Student enrolled in a Health Science Program will also be subject to reasonable suspicion testing as set forth below. Drug testing will be performed at the student's expense.

Reasonable Suspicion Testing

SFCC Health Science Programs are authorized to require any student to submit to a drug or alcohol test if the Program faculty, staff, or administration has reasonable suspicion that the student is using or is under the influence of alcohol or illegal drugs while:

- On clinical facilities immediately before, during, and/or immediately after clinical rotation hours;
- Traveling to or from clinical facilities for clinical rotations or such for other purposes as are part of the Program.
- On facilities controlled by the College

A non-exhaustive list of observations and behaviors that might create a reasonable suspicion that the person is under the influence of drugs or alcohol is included below. Faculty who are concerned that a student is under the influence of drugs or alcohol may utilize the Reasonable Suspicion Checklist in consultation with a designated Student Services representative.

- A student's behavior, in conjunction with physical appearance and/or odor, indicates the possible use of alcohol, marijuana, or illegal-drugs.
- The student possesses drugs, alcohol, marijuana or any controlled substance.
- Information communicated to an SFCC administrator, coordinator, or an Instructor by another individual, student, or law enforcement personnel indicating a student is using, possessing, or under the influence of alcohol, marijuana, or illegal drugs.
- The student is involved in an accident, error, or missing medication is reported at the clinical site.

A student's refusal or lack of cooperation to submit to the drug use or alcohol test will be treated as a refusal to consent to drug testing. The student will be refused access to the clinical facilities, and will, therefore, be unable to complete the required clinical experience.

Consent to Drug Testing

The student must provide written consent to provide specimens for the purpose of analysis. If the student is under eighteen (18) years of age, the student's parent or legal guardian must sign the drug testing consent form in addition to the student. The signed consent must be returned to SFCC Health Science programs and will be maintained in the student's record until graduation from SFCC Health Science programs.

Students who decline to consent to drug testing will be refused access to the clinical facilities, and will be unable to complete the required clinical experience. A student who is unable to produce a urine sample during the timeframe of testing will be considered the same as declining to consent.

Confidentiality

All records related to student drug testing shall be kept in confidential files separate from a student's permanent educational records. Those files will be destroyed upon the student's graduation or transfer from the college. Test results will only be released to the student, approved college officials, or such other person as is authorized to receive such results. Test results will not be turned over to the police or authorities without a subpoena or court order, and administration will not disclose test results without a subpoena or court order, unless otherwise required by law.

Procedure

Drug or alcohol testing will be arranged by each SFCC Health Science program, possibly in conjunction with other Health Science programs, at SFCC or a lab of the College's choice with a specified time frame at the student's expense. The drug test will include,

but not be limited to a 7-panel test. Drug testing collection and/or analysis may be performed by employees of SFCC or a third-party agency.

Students will follow the procedure required by the agency or persons collecting the urine specimen.

Consequence

If the initial testing is positive, a second test may be required to determine the exact substance and the student will be expected to comply if needed. Additional testing such as blood or hair follicle testing may be required at the student's expense.

A student with a confirmed positive illegal drug or alcohol test result may be ineligible to participate in the required clinical rotation and may be dismissed from the SFCC Health Science program. Following a confirmed positive illegal drug or alcohol test, appropriate program administrators will meet with the student and review the test results and provide the student an opportunity to explain the results. If program administrators determine that a student is not a safety threat, a student may, in some circumstances, be allowed to remain in the Program with a remediation plan which may include program probation.

A student with a confirmed positive test result who is dismissed from the Program and wishes to reapply in the future, must meet with the Program Director. A determination will be made by the Director whether the student has addressed the drug and/or alcohol use, through professional counseling or otherwise, in a manner that warrants readmission. If the Director believes readmission is warranted, the Director may also determine what conditions, if any, apply to the readmission. If the student is readmitted, the student will continue to be subject to the drug and alcohol testing requirements and reasonable suspicion testing as outlined above.

A student who refuses to be tested for drugs will be ineligible to participate in the required clinical rotation, and will be dismissed from the Program.

Substance Abuse Counseling

Students who need assistance in locating professional assistance, counseling and/or rehabilitation programs may request information from the Student Services Office of the College. Such contacts will be handled with confidentiality. However, volunteering to participate in treatment programs will not of itself prevent disciplinary action for violations of the Student Drug Testing Requirement. Community resources available for counseling and assistance with alcohol and/or substance abuse problems include: Alcoholic Anonymous - Al-Anon and Al-Ateen 660-826-9608; Cocaine Helpline 800-274-2042 or 800-234-1253; SAMHSA Hotline 800-662-HELP; Veterans of Foreign Wars 660-826-4543.

Counselors in the Student Services Office will assist referrals upon request. Information about additional private counseling resources may also be accessed through the Student Services Office.

Student Discipline Policy

The Student Drug Testing Requirement does not limit or otherwise affect the SFCC policy, regulation, procedure, or state or federal law regarding discipline for the sale, possession, use, distribution or purchase of drugs (or alcohol) arising out of circumstances other than the testing conducted pursuant to the policy. A student found in violation of the Student Drug Testing Requirement may also face consequences under the SFCC Code of Conduct Regulation.