

# THE ISSUE ENDURES

## **El Dorado, Kansas drug testing policy requires that all students in extracurricular activities be tested**

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El Dorado, Kansas has implemented a drug testing policy for middle and high school students that requires all students participating in extracurricular activities and even those attending any extracurricular activity, including sports, clubs, field trips, driver's education, and school plays, to consent to random drug testing. Unless a student signs the consent, the student will not be allowed to participate in or even attend the activity. School district officials insist they do not have a drug problem, but they say the policy is aimed at keeping it that way. "We see this in the best interest of our students," says Superintendent Tom Biggs. "We don't see this is a punitive measure." Since the policy was adopted, at least 425 students out of 600 high schoolers, and 215 of the 315 middle school students, have signed consent forms. However, Brett Shirk, executive director of the American Civil Liberties Union of Kansas and Western Missouri, questions the constitutionality of the practice. "That policy invades the privacy of students that need deterrence and risks steering those students to a greater risk of substance abuse that makes the drug problems worse," he charges. Since the U.S. Supreme Court upheld a school district's random testing of high school athletes, the federal government has promoted drug testing, awarding \$7.5 million in grants last year to help schools start such programs. The White House drug-policy office (ONDCP) estimates 2,000 public and private districts conduct drug tests. Jennifer Kern, a researcher for the Drug Policy Alliance, contends drug testing is a rural and suburban policy issue. "Almost no major school districts have implemented random drug testing programs in major cities and urban areas," she says.

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- ▶ **Do you believe this policy violates the Fourth Amendment rights of students? Why or why not?**

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