

STUDENT DRUG AND ALCOHOL TESTING FOR SAFETY SENSITIVE PROGRAMMES

Criteria for Performance Excellence		3 Customer Focus	
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Controlled document - refer to the online QMS for latest version

PURPOSE

Tai Poutini Polytechnic is committed to ensuring the health and safety of students, staff and the public while conducting Polytechnic study or business activities. The Polytechnic has adopted a “zero tolerance” position on the use, consumption or possession of illegal drugs on all campuses, learning sites and student accommodation.

As a tertiary institution training students who will be working in safety conscious industries, Tai Poutini Polytechnic has the obligation to ensure it meets the same safety standards as those expected within industry and New Zealand workplaces. Many courses at Tai Poutini Polytechnic are "safety sensitive" in that they involve the use of heavy machinery and equipment or circumstances which require focus and concentration which will be compromised by drug and/or alcohol consumption. In order to ensure the safety of students, staff and public, Tai Poutini Polytechnic has adopted a policy of drug and alcohol testing of prospective and current students enrolled in “safety sensitive” programmes.

SCOPE

All students at Tai Poutini Polytechnic training facilities who are enrolled in safety sensitive programmes are subject to this policy.

"Safety sensitive" in this policy means a programme, course, area or activity where there is a significant and foreseeable risk that staff and/or students may, if they have consumed alcohol and/or drugs, expose themselves, other staff and/or students and/or the public to the risk of injury or other harm.

Courses that have been specifically identified as being "safety sensitive" are those contained in the Schedule attached to this Policy. Tai Poutini reserves the right to review, add and amend the list of "safety sensitive" programmes at any time and for any reason. Specific programme regulations and the programme handbooks may also state if they are safety-sensitive programmes.

This policy will be reviewed at a minimum of every two years and as and when required.

POLICY

1. Students are required to behave in an acceptable manner while undergoing study with the Polytechnic. The following are **not** acceptable behaviours for anyone associated with the Polytechnic:
 - 1.1 Introducing, consuming or possessing controlled substances (other than prescription medications) or alcohol while within any Polytechnic campus, learning facility or in any situation where students are under the supervision of a tutor, with the exception of alcohol for alcohol-related studies within the Tourism and Hospitality mainstream and community education curricula, or other functions authorised by the Chief Executive. (Refer to section 8.5.2 of Student Code of Conduct within the Academic Statute).
 - 1.2 Participating in any course-related activity while under the influence of illegal drugs) or alcohol;

- 1.3 Driving a Polytechnic vehicle or operating any course-related equipment or machinery while under the influence of illegal drugs or alcohol;
 - 1.4 Using or consuming drugs or alcohol in their own time (including at the student accommodation facilities) if it would result in the student attending any course-related activities while being under the influence of illegal drugs or alcohol.
2. Responsibility of Compliance
 - 2.1 Polytechnic staff are expected to monitor their students as appropriate and investigate situations if/when they arise (see form 3.05 A(i) Reasonable Cause Indicators).
 - 2.2 Students in safety sensitive programmes must sign a contract (form 3.05A (ii)) prior to commencement of the programme to certify their understanding of this policy.
 - 2.3 Students and staff are responsible for ensuring they comply with this policy as an extension of Code of Conduct and Code of Staff Ethics.
 - 2.4 Students are encouraged to discuss any prescription drugs or medications they are taking with their tutor, Dean (or equivalent) at an early stage so course-related activities the student undertakes may be assessed appropriately.
 - 2.5 If a student/staff member considers that there has been a breach of this policy, the student/staff member should refer the matter to a senior staff member, Head of Department/Dean, or Student Team Leader.
3. Timing of Drug and/or Alcohol Testing:
 - 3.1 Testing during academic year

In order to ensure compliance with this policy Tai Poutini Polytechnic may require a student enrolled on a safety sensitive programme to undertake drug and/or alcohol testing during the academic year on the following basis:

 - Prior to engaging in practical components of a course: A student may be required to undergo a drug and/or alcohol test before using equipment or machinery.
 - Random testing: A student may be required to undergo random unannounced drug and/or alcohol testing at any time during the academic year.
 - Testing for cause: A student may be required to undergo drug and/or alcohol testing where Tai Poutini Polytechnic has reasonable grounds, based on a student's behaviour or conduct, for suspecting that the student has consumed drugs and/or alcohol or is or may be under the influence of drugs and/or alcohol .
 - Post-accident/incident testing: A student may be required to undergo testing for drugs and/or alcohol when they are involved in an accident or incident or a near miss while undertaking any course related activity and where the student's actions may have contributed to the accident/ incident or a near miss.
 - Rehabilitation: A student may be required to undergo testing for drugs and/or alcohol where he/she has been away from programme activities after suffering an injury or accident or as a step in the rehabilitative counselling programme (refer to section 7.4 below).
4. Method of Testing
 - 4.1 Drug Testing:
 - Testing is likely to be urine testing and will be undertaken by an accredited external agency.
 - The student will report to (pre-enrolment, rehabilitation testing) or be accompanied by staff (random, post-accident/incident testing) to the certified testing agent.
 - The student will provide a copy of the signed consent form and identification, including photographic ID.
 - Testing, such as the provision of a urine sample, will be done in such a way as to respect the student's privacy and confidentiality.

- The methods and standards relating to the collection, transportation and chain of custody samples for drugs testing may vary however Tai Poutini Polytechnic will endeavour to meet the Australian/New Zealand Standard: AS/NZ 4308:2008 “Procedures for specimen collection and the detection and qualifications of drug of abuse in urine” or any later versions (as attached in the Appendix within this policy). The student is likely to be required to sign a chain of custody statement certifying the specimen is their own and has not been tampered with in any way.
- An initial positive test result will occur if test results exceed the cut off levels designated in the Australian/New Zealand Standard: AS/NZ 4308:2008. Confirmation testing may also occur.
- The cost of initial drug testing will be covered by the Polytechnic.
- Students are entitled to request a second test to be conducted on the duplicate specimen by an accredited external agency and analysed within 14 days of receiving the result. For the second test to be positive there need only be the presence of drug or metabolite detected (i.e., not cut off limits). This will be accepted as a conclusive result and costs associated with this test will be borne by the student. If the second test proves negative this will be accepted as a conclusive result and any costs associated with this test will be reimbursed by Tai Poutini Polytechnic.

4.2 Alcohol Testing:

- Testing will be done in such a way as to respect the student’s privacy and confidentiality.
- The breath alcohol test will be conducted using an approved testing device which meets Australian Standard AS3547-1997 “Breath Alcohol Testing Devices for Personal Use”.
- An approved test administrator will require the student to blow into the device using a disposable mouthpiece.
- A positive test result will occur when test results are higher than 400 micrograms per litre of breath for students 20 years of age and over. A positive test result will occur when test results are higher than zero micrograms of alcohol per litre of breath for students under 20 years of age.
- If the result is positive, a confirmatory test on the same device will be conducted after a 15-20 minute period.

5. Cheating on a Drug/Alcohol Test

- 5.1 If a student cheats when taking a drug or alcohol test, or the person conducting the test has reasonable grounds to suspect that the student has tampered with a specimen, the Polytechnic may take disciplinary action in accordance with the Student Disciplinary Actions Regulation of the Academic Statute. This would be considered a serious breach of discipline.

6. Refusal to take drug/alcohol test

- 6.1 If a student is requested to take a drug and/or alcohol test in accordance with this policy and refuses to do so, the student should first explain why they are refusing the test. Tai Poutini Polytechnic will consider the student's explanation. At the sole discretion of the Dean (or equivalent staff member) it may be deemed that the explanation is unreasonable in the circumstances and disciplinary action may result as part of the Student Disciplinary Actions within the Academic Statute.

7. Rehabilitative assistance

- 7.1 Tai Poutini Polytechnic recognises that drug/alcohol abuse is an illness. If a student voluntary wishes to seek help then the Polytechnic will support this endeavour.
- 7.2 Students are encouraged to seek help from Student Support Services. If drug test results are positive for drugs or alcohol, referral to Student Support Services for counselling for drug/alcohol addiction will occur. Discussions will be kept confidential.

- 7.3 Students who test positive on any drug and/or alcohol test and who wish to continue their course/study, are required to seek assistance from Student Support Services.
- 7.4 The student may be retested for drugs and/or alcohol as part of the rehabilitative programme with Student Support Services.
8. Action resulting from Breach of Policy
- 8.1 If this policy is breached (including, but not limited to, where a positive test result occurs) and at the sole discretion of the Dean (or equivalent staff member):
- a student may be suspended for the day from carrying out course-related activities in safety sensitive areas or placed in non-safety sensitive areas such as the classroom. Failure to obey an instruction to do so may result in disciplinary action in accordance with the Student Disciplinary Actions within the Academic Statute.
 - Disciplinary action may be taken in accordance with the Student Disciplinary Actions within the Academic Statute and a student may be ineligible to attend any programme. Such action may include a warning, suspension or expulsion.
9. Information
- 9.1 All information that is gathered about a student for the purpose of compliance with this policy (including test results) will be treated as confidential. The collection, storage and use of such information by Tai Poutini Polytechnic will comply with the Privacy Act.
- 9.2 The student will be provided with the results of any testing.

DEFINITIONS

Alcohol	means any alcoholic drink, including spirits, wine or beer
Drugs	any drug or controlled substance which is (1) not legally obtainable or (2) is legally obtainable but was not legally obtained. The term “illegal drug” includes all illegal drugs such as steroids, dangerous drugs and controlled substances
Safety Sensitive	within this policy, “safety sensitive” means a programme, course, area or activity where there is a significant and foreseeable risk that staff and/or students may, if they have consumed alcohol and/or drugs, expose themselves, other staff and/or students and/or the public to the risk of injury or other harm.

RELATIONSHIPS

Internal:

- [Consolidated Code of Staff Ethics policy](#)
- [Health and Safety policy](#)
- Student Code of Conduct within the [Academic Statute](#)
- Student Disciplinary Actions within the [Academic Statute](#)

External:

- [New Zealand Bill of Rights Act 1990](#)
- [The Privacy Act](#)
- [The Health Information Privacy Code 1994](#)
- [Health and Safety in Employment Act 1992 and amendments](#)
- [Human Rights Act 1993](#)

PROCEDURES

[3.05A](#) [How to perform a drug test](#)

[3.05B](#) [How to perform an alcohol test](#)

FORMS

[3.05A \(i\)](#) [Reasonable Cause Indicators / Process](#)

[3.05A \(ii\)](#) [Student Contract Agreement / Drug Test Consent Form](#)

[3.05A \(iii\)](#) [Alcohol Breath Test Consent Form \(for length of programme\)](#)

APPENDIX

3.05.1 Standards New Zealand AS/NZ 4308:2008 "Procedures for specimen collection and the detection and qualification of drug abuse in urine". *A copy of this Standard is available from the Tai Poutini Polytechnic Library.*

[3.05.2](#) [Programmes that are classified as safety sensitive](#)

How to perform a drug test

PROCEDURE

1. Testing will be undertaken by an accredited external agency to ensure the method of testing and the manner in which testing is administered complies with the Australian/New Zealand Standard: AS/NZ 4308:2008 "Procedures for specimen collection and the detection and qualifications of drug of abuse in urine" (refer to Appendix within this policy). Testing will be done in such a way as to respect the student's privacy and confidentiality. Test results will be treated as highly confidential and kept secure until the student completes the programme.
 - 1.1 The cost of drug testing will be covered by the Polytechnic. Students are entitled to challenge the results and obtain an independent analysis of the sample at the student's own expense at an AS/NZS 4308 accredited laboratory. If the result of the independent analysis is negative, the Polytechnic will refund any reasonable costs incurred by the students in obtaining the independent analysis.
2. If drug test results are positive (not-negative) for substances or alcohol, referral to Student Support Services for counselling for drug/alcohol addiction will occur. Disciplinary procedures may apply (see Student Discipline regulation within the Academic Statute) and a student may be ineligible to attend (or continue to attend) a programme. Note: Some students who decide to undergo addictions counselling services may be eligible to resume study if certain criteria are met (ie not-negative drug/alcohol test result, meetings with counsellor, etc.)

How to perform a breath alcohol test

PROCEDURE

1. The breath alcohol test will be conducted using an approved testing device which meets Australian Standard AS3547-1997 "Breath Alcohol Testing Devices for Personal Use".
2. An approved test administrator will require the student to blow into the device using a disposable mouthpiece.
3. Testing will be done in such a way as to respect the student's privacy and confidentiality. Test results will be treated as highly confidential.
4. A positive test result will occur when test results are higher than 400 micrograms per litre of breath for students 20 years of age and over. A positive test result will occur when test results are higher than zero micrograms of alcohol per litre of breath for students under 20 years of age.
The student may be asked to leave the learning facility immediately and disciplinary actions may result in accordance with the Student Discipline regulation within the Academic Statute.

Programmes that are classified as safety sensitive

1. Jade and Hard Stone Carving
2. Outdoor Education (all)
3. Culinary Arts
4. Working at Heights (Rigging, Cranes, IRA, Scaffolding, Ropes)
5. Driver Education Courses
6. Pre-trade programmes (height access)
7. Drilling
8. Digger Schools
9. Carpentry
10. Emergency Management (swift water, rope responder)
11. Mining
12. Blasting
13. Primary Industries (Rural Studies, Horticulture)
14. Automotive and Engineering