

<p style="text-align: center;">Juvenile Intake and Assessment System Standards</p> <p style="text-align: center;">Kansas Department of Corrections- Division of Juvenile Services State of Kansas</p>	<p>CHAPTER:</p> <p>EXPANDED OPERATIONS AND SERVICES</p>	<p>STANDARD NO.</p> <p>JIAS-05-101</p>
	<p>SUBJECT:</p> <p>SUBSTANCE ABUSE TESTING</p>	<p>PAGE: 1 of 1</p>
<p>REFERENCES: AG opinion 1999-020</p>		<p>DATE ADOPTED: 11-1-2009</p> <p>DATE AMENDED: 3-27-2023</p> <p>DATE REVIEWED: 3-27-2023</p>

STANDARD: Intake and Assessment Programs that elect to administer substance abuse tests are required to adopt and implement written policy, procedure and practice regarding substance abuse testing procedures.

The following steps shall be required for an Intake and Assessment Program to adopt a local policy for substance abuse testing:

- Legal review by county or district legal authority
- Inform the Juvenile Corrections Advisory Board (JCAB)
- Approved by all Boards of County Commissioners in the counties where substance abuse testing be utilized

Policy and procedure shall include:

- The type of drug test to be used. Acceptable forms of drug tests may include hair test, saliva test, urine test or breath test (for alcohol consumption)
- The substance abuse testing process shall be on a voluntary basis for the youth
- The governing of confirmation requirements for substance abuse testing. Confirmation testing shall be based on current scientific and legal standards
- Taking precautions during all stages of substance abuse testing operations. It is crucial that staff adhere to basic practices established for the protection of staff, youth, visitors and the work environment
- Only staff of the same sex as the youth may directly observe the collection process for the urine test
- Results of any drug tests conducted that are part of the Intake and Assessment Program shall not be admitted into evidence in any alleged Child in Need of Care or alleged Juvenile Offender proceedings

DISCUSSION: The extent to which the substance abuse testing is used may be determined in part by the Intake and Assessment Program’s mission statement, use patterns of youth and judicial requirements.

Precautions:

- Use rubber gloves during the handling of specimens
- No eating or drinking in the collection or testing area
- No refrigeration of food where chemicals and specimens are stored
- Wash hands following substance abuse testing operations

NOTE: The standards and procedures set forth herein are intended to establish operational guidelines for the intake and assessment program operating through the board of county commissioners and their employees/contractors and youth participating in the intake and assessment process. They are not intended to establish state created liberty interests for the intake and assessment program or the board of county commissioners, or their employees/contractors, or youth, or an independent duty owed by the Kansas Department of Corrections- Division of Juvenile Services to intake and assessment programs operating through the board of county commissioners or their employees/contractors, supervised juveniles or third parties. This standard and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.