

## Commentary

October 23, 2009

### *Reflections on Random Student Drug Testing Supreme Court Case: Both Support and Criticisms Remain*

When random student drug testing (RSDT) programs were just beginning to have a presence in public schools in the United States, the town of Tecumseh in Pottawatomie County, Oklahoma made history opening the door for many more students to participate in these programs. A local court case against the new drug testing program that began in 1999 ignited the well known Supreme Court case *Board of Education of Independent School District No. 92 of Pottawatomie County, et al., Petitioners v. Lindsay Earls et al., 2002*. This landmark case ruled random drug testing of students involved in extracurricular activities constitutional.

Two recent articles from Pottawatomie revisit the Supreme Court decision and the parties involved in the case.<sup>i ii</sup> Both the students who brought the case and the school administrators who upheld the program have unchanged views on RSDT. The current arguments made against RSDT do not claim that the drug tests harmed the students who tested positive; instead they claim that testing is too expensive and that drug users will likely opt out of extracurricular activities and athletics that make them subject to random drug tests.

If fact, testing is an inexpensive component of a school's drug prevention program and schools see no changes in the number of participants in after-school activities after implementing RSDT programs. It is possible that more students participate in extracurricular activities and athletics because of drug testing than those who chose not to join. Administrators of Pottawatomie continue to strongly support the current RSDT program which is focused on deterring student drug use and after identifying students who use drugs, getting them the help they need to become and stay drug-free.

The next legal battle ground for RSDT is non-punitive random testing of all students in public schools. Each year of experience American schools have with RSDT increases the likelihood of success in this next legal battle as more schools across the country like Tecumseh prove that RSDT is not disruptive or controversial and is welcomed by the large majority of the school communities as an effective component their schools' efforts to help students make the most of their opportunities in their educations and in their lives.

For more information on RSDT visit [www.PreventionNotPunishment.org](http://www.PreventionNotPunishment.org).

**Robert L. DuPont, M.D.**

**President, Institute for Behavior and Health, Inc.**

**First Director, National Institute on Drug Abuse (NIDA) 1973 to 1978**

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<sup>i</sup> Goat, L. (2009, Oct 15). The year Tecumseh took its “drug test.” *Countrywide & Sun*. Retrieved October 22, 2009 from <http://countywideneews.com/default.asp?sourceid=&smenu=100&twindow=&mad=&sdetail=1999&wpage=1&keyword=&sidate=&ccat=&ccatm=&restate=&restatus=&reoption=&retype=&repmin=&repmax=&rebed=&rebath=&subname=&pform=&sc=2396&hn=countywideneews&he=.com>

<sup>ii</sup> Goat, L. (2009, Oct 22). The ruling: Policies changed but minds never have. *Countrywide & Sun*. Retrieved October 22, 2009 from <http://www.countywideneews.com/default.asp?sourceid=&smenu=100&twindow=&mad=&sdetail=2031&wpage=1&keyword=&sidate=&ccat=&ccatm=&restate=&restatus=&reoption=&retype=&repmin=&repmax=&rebed=&rebath=&subname=&pform=&sc=2396&hn=countywideneews&he=.com>