

STUDENT DRUG TESTING POLICY

Purpose and Intent: In an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse, the Board adopts the following policy for drug testing of students who participate in competitive extra-curricular activities ("Activity Students") as well as any other student who voluntarily wish to be tested. This policy supplements and complements all other policies, rules, and regulations of the District regarding possession or use of illegal and/or performance-enhancing drugs.

Although the Board, administration, and staff desire that every student in the District refrain from using or possessing illegal drugs, District officials realize that their power to restrict the possession or use of illegal and/or performance-enhancing drugs is limited. Therefore, this policy governs performance-enhancing and/or illegal drug use by students participating in competitive extra-curricular activities and those who voluntarily participate in the drug testing program. The sanctions imposed for violations of this policy by an Activity Student will be limited to the opportunity of such student to exercise the privilege of participating in competitive extra-curricular activities. No suspensions from school or academic sanctions will be imposed for violations of this policy.

In addition to Activity Students, any student who does not participate in any competitive extra-curricular activities may voluntarily consent to being tested on a random and a reasonable suspicion basis, with permission of a parent, legal custodian, or legal guardian. This would allow parents and guardians to be notified as to a potential drug problem and enable them to seek help.

Participation in school-sponsored competitive extra-curricular activities at the District is a privilege. Students who participate in these activities should be respected by the student body as well as the District and the community they represent. Accordingly, students in competitive extra-curricular activities carry a responsibility to themselves, their fellow students, their parents and their school to set the highest possible examples of conduct, sportsmanship, and training, which includes avoiding the use or possession of illegal drugs. Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extra-curricular activities and upon the positive image these students project to other students and to the community on behalf of the District. For the safety, health, and well being of students in extra-curricular activities, the District has adopted this policy for use by all participants in competitive extra-curricular activities in grades 7-12.

The purposes of this policy are five-fold:

1. To educate students of the serious physical, mental, and emotional harm caused by illegal and/or performance-enhancing drug use.

2. To alert students with possible substance-abuse problems to the potential harms that drug use poses for their physical, mental, and emotional well-being and offer them the privilege of competition as an incentive to stop using such substances.
3. To ensure that students adhere to a training program that bars the intake of illegal and/or performance-enhancing drugs.
4. To prevent injury, illness, and harm for students that may arise from illegal and/or performance-enhancing drug use.
5. To offer students practices, competition and school activities free of the effects of illegal and/or performance-enhancing drug use.

The administration may adopt regulations to implement this policy.

Definitions:

“Activity Student” means a member of any middle school or high school District sponsored extra-curricular organization which participates in interscholastic competition. This includes any student who represents the District in extra-curricular activities in interscholastic competition, including FFA, FCCLA, Academic Bowl Team, Band, Vocal, Cheerleading, and Athletics.

“Drug use test” means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drugs or the metabolites thereof in a person’s urine.

“Random Selection Basis” means a mechanism for selecting Participating Students for drug testing that:

- A. results in an equal probability that any Participating Student from a group of Participating Students subject to the selection mechanism will be selected, and
- B. does not give the District discretion to waive the selection of any Participating Student selected under the mechanism.

“Illegal drugs” means any substance which an individual may not sell, possess, use, distribute or purchase under either federal or Oklahoma law. “Illegal drugs” includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substance Act, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose. “Illegal drugs” shall also include alcohol.

“Participating Student” means all Activity Students and any student voluntarily participating in the District’s drug testing program which is the subject of this Drug Testing Policy

"Performance-enhancing drugs" include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed or other athletic ability. The term "performance-enhancing drugs" does not include dietary or nutritional supplements such as vitamins, minerals and proteins which can be lawfully purchased in over-the-counter transactions.

"Positive" when referring to a drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

"Reasonable suspicion" means a suspicion of illegal or performance-enhancing drug use based on specific observations made by coaches/administrators/sponsors/teachers of subtle changes in the appearance, speech, or behavior of a student; the reasonable inferences that are drawn from those observations; and/or information of illegal or performance-enhancing drug use by a student supplied to school officials by credible sources. In order for a student to be referred for testing on a "reasonable suspicion" basis, the student's activity sponsor or teacher and at least one (1) building administrator must agree to the reasonable suspicion. The name and identity of an students referred on "reasonable suspicion" will be kept confidential. "Reasonable suspicion" would not include overtly recognizable signs of present illegal drug use, such as a perceptible odor of drugs, erratic behavior reasonably attributable to illegal drug or alcohol use, or perceptible odor of alcohol. Instances such as these would subject the student to ordinary disciplinary action apart from this policy.

Procedures:

1. **Consent Form: Activity Students:** Each Activity Student shall be provided with a copy of the form "Student Drug Testing Consent: Activity Student" which shall be read, signed, and dated by the student, parent or guardian, and coach/sponsor before such student shall be eligible to practice or participate in any competitive extra-curricular activities. The consent requires Activity Students to provide a urine sample and submit to drug testing: [a] as part of the Activity Student's annual physical or for eligibility for participation; [b] when the Activity Student is selected by the random selection basis to provide a urine sample; [c] at any time when there is reasonable suspicion to test for illegal and/or performance-enhancing drugs. No Activity Student shall be allowed to practice or participate in any competitive extra-curricular activities involving interscholastic competition unless the Activity Student has returned the properly signed Consent Form. An Activity Student who moves into the District after the school year begins will have to provide a Consent Form and undergo a drug test before he/she will be eligible for participation in any competitive extra-curricular activity.
2. **Consent Form: Non-Activity Students:** Other students who wish to participate in the District's drug testing program shall be provided a copy of the form "Student Drug Testing Consent: Non-Activity Student." No coach/sponsor signature is

required on this form. Non-activity students who volunteer to participate in the drug testing program consent to provide a urine sample when the student is selected by the random selection basis or at any time when there is reasonable suspicion to test for illegal or performance enhancing drugs.

3. **Orientation:** Prior to the commencement of drug testing each year, an orientation session will be held to educate Participating Students of the sample collection process, privacy arrangements, drug testing procedures, and other areas which may help to reassure the student and help avoid embarrassment or uncomfortable feelings about the drug testing process.

Each participating student shall receive a copy of the Student Drug Testing Policy. The administration will be responsible for explaining the policy to all Participating Students and for preparing an educational presentation to acquaint the students with the harmful consequences of drug and alcohol use and abuse.

4. **Testing:** Drug use testing for Participating Students will also be chosen on a random selection basis from a list of all Participating Students. The District will determine a number of Participating Student names to be drawn at random to provide a urine sample for drug use testing for illegal drugs or performance-enhancing drugs. In addition, any Participating Student for whom the administration has reasonable suspicion of illegal and/or performance-enhancing drug use by that particular student will be included with the random tests and will not be identified in any way as separate from the random group.

Any drug use test will be administered by or at the direction of a professional laboratory chosen by the District. The professional laboratory shall be required to use scientifically validated toxicological testing methods, have detailed written specifications to assure chain of custody of the specimens, and proper laboratory control and scientific testing.

All aspects of the drug use testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, the specimen must be collected in a restroom or other private facility behind a closed stall. The principal/athletic director shall designate a coach, sponsor, or school employee of the same sex as the student to accompany the student to a restroom or other private facility behind a closed stall. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to insure an accurate chain of custody. The monitor shall verify the normal warmth and appearance of the specimen. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the principal/athletic

director, who will then determine if a new sample should be obtained. The monitor shall give each student a form on which the student may list any medications legally prescribed for the student he or she has taken in the preceding thirty (30) days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the twenty-four (24) hours following any drug test. The medication list shall be submitted to the lab in a sealed and confidential envelope and shall not be viewed by district employees.

An initial positive test result will be subject to confirmation by a second and different test of the same specimen. The second test will use the gas chromatography/mass spectrometry technique. A specimen shall not be reported positive unless the second test utilizing this procedure is positive for the presence of an illegal drug or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of six months or the end of the school year, whichever is shorter. Student records will be retained until the end of the school year.

Confidentiality: The laboratory will notify the principal/athletic director or designee of any positive test. To keep the positive test results confidential, the principal/athletic director or designee will only notify the student, the head coach/sponsor (if applicable), and the parent or custodial guardian of the student of the results. The principal/athletic director or designee will schedule a conference with the student and parent or guardian and explain the student's opportunity to submit additional information to the principal/athletic director or to the lab. The District will rely on the opinion of the laboratory which performed the test in determining whether the positive test result was produced by something other than consumption of an illegal and/or performance-enhancing drug.

Test results will be kept in files separate from the student's other educational records, shall be disclosed only to those school personnel who have a need to know, and will not be turned over to any law enforcement authorities.

Appeal: An Activity Student who has been determined by the principal/athletic director to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. An Activity Student requesting a review will remain eligible to participate in any extracurricular activities until the review is completed. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Superintendent's decision will be provided and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the Superintendent which shall be final and non-appealable.

Consequences: Any Activity Student who tests positive in a drug test under this policy shall be subject to the following consequences. These consequences and requirements shall begin immediately and be consecutive in nature, unless a review appeal is filed following receipt of a positive test. However, a student who on his or her own volition informs (self-refers) the athletic

director, principal, or coach/sponsor of illegal and/or performance-enhancing drug usage before being notified to submit to a drug use test will be allowed to remain active in all activities covered under this policy. Such student will, however, be considered to have committed his/her first offense under the policy and will be required to re-test as would a student who has tested positive. A student will be allowed to self-refer only once during the time he/she spends in the District.

First Offense: The parent/guardian will be contacted and a private conference will be scheduled to present the test results to the parent/guardian. A meeting will then be set up with the student, parent/guardian, athletic director, and principal concerning the positive drug test. In order to continue participation in the activity, the student and parent/guardian must, within five (5) days of the joint meeting, show proof that the student has received drug counseling from a qualified drug treatment program or counseling entity. Additionally, the student must voluntarily submit to a second drug test to be administered within fifteen (15) days in accordance with the testing provisions of this policy. After the initial fifteen (15) days, a re-test must be clean or determined at a substantially lower level. After the first offense, the student will automatically be included with the next two (2) groups of random testing. If the parent/guardian and the student agree to these provisions, the student will continue to participate in the activity. Should the parent/student not agree to these provisions, the consequences listed in this policy for the second offense will be imposed.

Second Offense (same school year): An Activity Student who commits a second offense under this policy will be suspended from participation in all activities covered under this policy for fourteen (14) calendar days and will be required to successfully complete four (4) hours of substance abuse education/counseling provided by the school. Parents should also consider seeking additional assistance, including the possibility of drug treatment centers. The student may not participate in any meetings, practices, scrimmages or competitions during this period. The student will be randomly tested monthly for the remainder of the school year. The time and date will be unknown to the student and determined by the principal/athletic director or designee.

Third Offense (same school year): An Activity Student who commits a third offense under this policy will be suspended from participation in all extra-curricular activities including all meetings, practices, performances, and competition for the remainder of the school year or eighty-eight (88) school days (one semester) whichever is the longer. Parents should strongly consider additional assistance from outside sources, including, but not to be limited to, the possibility of drug treatment centers. School officials will co-operate to help expedite this procedure, if it is determined necessary by the student and parents.

Refusal to Submit to Drug Use Test: A Participating Student who refuses to submit to a drug test authorized under this policy shall not be eligible to participate in any activities covered under this policy, including all meetings, practices, performance and competitions for the remainder of the school year. Additionally, such student shall not be considered for any interscholastic activity honors or awards given by the District.

Adopted: May 7, 2007

Revised:

STUDENT DRUG TESTING CONSENT:
ACTIVITY STUDENTS

Student Printed Name: _____

Student Date of Birth: _____ Student Grade: _____

Student Consent:

I have read and understood the "Student Drug Testing Policy" and "Student Drug Testing Consent." I understand that, out of care for my safety and health, District enforces the rules applying to the consumption or possession of illegal and/or performance-enhancing drugs. If I choose to violate school policy regarding the use or possession of illegal and/or performance-enhancing drugs any time while I am involved in in-season or off-season activities, I understand upon determination of that violation I will be subject to the restrictions on my participation as outlined in the Policy.

_____ YES, I CHOOSE TO PARTICIPATE IN THE DRUG TESTING PROGRAM.

_____ NO, I CHOOSE NOT TO PARTICIPATE IN THE DRUG TESTING PROGRAM.

Student Signature: _____ Date: _____

Parent Consent:

I have read and understood the Student Drug Testing Policy and Student Drug Testing Consent. I desire that the student named above participate in the extra-curricular interscholastic programs of District, and I hereby voluntarily agree to be subject to its terms. I accept the method of obtaining urine samples, testing and analysis of such specimens, and all other aspects of the program. I further agree and consent to the disclosure of the sampling, testing and results as provided in this program.

_____ YES, I AGREE TO THE TERMS OF THIS POLICY.

_____ NO, I DO NOT WANT MY SON/DAUGHTER TO BE TESTED ACCORDING TO THE TERMS OF THIS POLICY.

Printed Parent/Guardian Name: _____

Parent/Guardian Signature: _____ Date: _____