

STUDENT DRUG TESTING

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 extracurricular activities (“Activity Students”) as well as any other student whose parent/guardian voluntarily places the student 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. District believes that accountability is a powerful tool to help students avoid using illegal and/or performance-enhancing drugs and that early detection and intervention can save students’ lives.

Although the Board, administration, and staff desire that every student in 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. Notwithstanding the foregoing, a student may be disciplined, including suspended out of school, if a violation of this policy also results in a violation of the District’s Student Code of Conduct.

In addition to Activity Students, parents/guardians may voluntarily place any student who does not participate in any competitive extra-curricular activities to be tested on a random and a reasonable suspicion basis. This would allow parents/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 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 District. For the safety, health, and well-being of students in extra- curricular activities, the District has adopted this policy for use by all qualifying middle school and high school participants in competitive extra- curricular activities in grades 5-12.

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The purposes of this policy are five-fold:

1. To educate students as to 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.

Definitions:

“Activity Student” means a qualifying member of any District sponsored extra-curricular organization which participates in interscholastic competition in middle school or high school. This includes any student who represents District in extra-curricular activities in interscholastic competition, including, but not limited to, Pom-Pon, FCCLA, FFA, 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 (including alcohol) or the metabolites thereof in a person’s urine.

“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.

“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 District discretion to waive the selection of any Participating Student selected under the mechanism.

“Reasonable suspicion” means a suspicion of illegal or performance-enhancing drug use based on specific observations made by coaches, administrators, sponsors, teachers, or Campus Police of 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. Additionally, in the context of performance-enhancing drugs, “reasonable suspicion” specifically includes unusual increases in the size, strength, weight, or athletic abilities of a student.

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 after the baseline test has been offered by the school district. 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.

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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, each Participating Student shall receive a copy of the Student Drug Testing Policy.
4. **Testing:** Drug use testing for Participating Students will be chosen on a random selection basis from a list of all Participating Students. 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 the event a Participating Student is randomly selected to take a test and the Participating Student is not in attendance at school that day, the Participating Student must provide a test prior to returning to extracurricular activities at the cost to the participating student. 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. All qualifying activity students will also be tested two (2) weeks prior to the commencement of the activity in which the student will be participating. The District will be responsible for offering one session date for Participating Students to provide the initial sample at no cost to the Participating Student. In the event the Participating Student does not provide a sample at this session or does not attend this session, the Participating Student must provide a sample prior to any participation of practices or competitive activities at the cost to the Participating Student.

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 area only. The principal/athletic director or designated school employee will not accompany the Participating Student 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 (6) 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, parent or guardian, school counselor, and coach/sponsor and explain the student's opportunity to submit additional information to the principal/athletic director or to the lab. 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 a 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.

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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 or after an appeal is final and be consecutive in nature for a period of one (1) school year, 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 a 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 District for that school year.

First Offense: Suspension from participation in all scheduled extracurricular activities (including all games/competitions) for ten (10) school days, successfully completing at least four (4) hours of substance abuse education/counseling at no cost to the District, and the Participating Student will be required to test on all future testing dates for the remainder of the school year. These restrictions and requirements shall begin immediately following the final determination of an observed violation or the reporting of the results of a positive alcohol or drug use test. Such suspension will extend into a succeeding season if necessary within the same school year to fulfill the suspension.

Second Offense: (same school year): Suspension from participation in all scheduled extracurricular activities (including all games/competitions) for forty (40) school days, successfully completing at least eight (8) hours of substance abuse education/counseling at no cost to the District, and the Participating Student will be required to test on all future testing dates for the remainder of the school year. These restrictions and requirements shall begin immediately following the final determination of an observed violation or the reporting of the results of a positive alcohol or drug use test. Such suspension will extend into a succeeding season if necessary within the same school year to fulfill the suspension.

Third Offense: (same school year): Complete suspension from participation in all extracurricular activities including all meetings, practices, performances and competition for the remainder of the school year from the date of the determination of a violation or the reporting of the results of a positive alcohol or drug use test under this Policy. Offenses shall not accumulate from school year to school year.

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.

Student Drug Testing Consent

I have read the above policy and agree to the terms of the Student Drug Testing Policy for the Drumright Public School District.

Participating Student: _____

Date: _____

Parent/Guardian of Participating Student: _____

Date: _____

Coach/Sponsor: _____

Date: _____