Extracurricular Drug Testing Policy

Parents and Guardians,

The district has adopted a drug testing policy for students involved in extracurricular activities starting April 1, 2019.

The school district has recognized that observed and suspected drug and alcohol use and abuse has increased among the student population, including students participating in extracurricular activities.

We want to give our students a reason to say "no" to drugs and alcohol. We want to provide a safe, drug-free school. We want to deter the use of illegal and prohibited drugs and alcohol among students.

The school district finds that the drug and alcohol problem among the student body will be effectively addressed by making sure that the large number of students participating in extracurricular activities do not use drugs and alcohol.

We hope to get a majority of our students and their parents/guardians to take a stance against drugs in our school and community.

You can find a link to the policy on the school website: www.woodrivereagles.org

If you have any questions at all, please feel free to contact me at the school or by email cpietrzak@wrrsg.org

Thank you,

Chris Pietrzak
Principal

Frequently Asked Questions

Who will be tested? Students in grades 7-12 that take part in extracurricular activities.

How are students selected to test? A third party company randomly selects students who have agreed to be tested.

How often will students be tested? There will be a number of tests throughout the year. Tests could be weekly. Students could be randomly selected multiple times throughout the year.

How will the students be tested? The screening is a urine lab based testing that will be done in privacy with direction by a third party company.

For what drugs may my student be tested? Substances included are opiates, synthetic and performance enhancing drugs, alcohol, amphetamines, cannabinoids, cocaine, marijuana, methadone, methaqualone, propoxyphene, nicotine and prescription medications.

What happens if my student fails a drug test? For the first offense, a student will have a 10 day activity suspension, as well as a minimum of one missed activity (if the test falls during a time when the student is not in an activity, it will carry over to the next season or activity). Students who test "positive" will also be required to do a drug and alcohol screening process and comply with recommendations. After the 10 day period, students will be required to retest and have the test be negative (clean) prior to returning to any extracurricular activities. Students will continue to practice during their activity suspension. For the second offense, it is a 20 day activity suspension and two missed events, plus a drug and alcohol evaluation. The third offense is 30 days, three missed events, plus a drug and alcohol evaluation.

Will my student have legal consequences or other school suspensions? No, this is an activity suspension only.

What if I opt to not have my student be included in the testing pool? Students who are not in the testing pool will not be able to participate in extracurricular activities such as sports, clubs, dances, etc.

Can students who are 18 still use tobacco? Students who choose to be in Wood River School extracurricular activities will not use tobacco even though they are of legal age.

Extracurricular Drug Testing Program Policy

The school district supports and values student participation in extracurricular activities, but such participation in school district extracurricular activities is a privilege and not a right. Students in all extracurricular activities in grades 7-12 shall be subject to mandatory and random testing for the presence of alcohol or illegal drugs.

1. **Purpose of Random Drug Testing**
   - **a.** The school district has recognized that observed and suspected drug and alcohol use and abuse has increased among the student population, including students participating in extracurricular activities.
   - **b.** The school district seeks to provide safe, drug-free schools.
   - **c.** The school district seeks to deter the use of illegal and prohibited drugs and alcohol among students.
   - **d.** The school district recognizes that students who use illegal and prohibited drugs pose a threat to the health and safety of themselves, other students, teachers, administrators, and other persons.
   - **e.** The school district finds that the drug and alcohol problem among the student body will be effectively addressed by making sure that the large number of students participating in extracurricular activities do not use drugs and alcohol.

2. **Notice** Each student who participates or seeks to participate in extracurricular activities shall be given a copy of this policy. This policy may also be included in the student handbook.

3. **Drug Testing Coordinator** The Drug Testing Coordinator shall be the Athletic Director or his or her designee unless otherwise indicated.

4. **Extracurricular Activities** This policy applies to any activity that meets the guidelines of an extracurricular activity at the school district which includes but is not necessarily limited to the following:

Band	Jazz Band	All School Play
Basketball	Mock Trial	Student Council
Cheerleading	Musicals	Swim Team
Cross Country	One Act Plays	Tennis
DECA/Quiz Bowl	School Dances	Track
Drill Team	Show Choir	Volleyball
FBLA	Soccer	Wrestling
FFA	Softball	National Honor Society
Football	Spanish Club	NSAA Activities
Speech/Debate	Golf	Trap
School sponsored trips (Close-Up, Costa Rica, Yucatan etc…)		

5. **Students Who Are Required to Submit to Drug Testing**
   - **a.** **Grades.** All students in grades 7-12 who participate in any extracurricular activity or competition are part of the pool subject to random drug testing.
   - **b.** **Consent.** A student and his or her parent(s)/guardian(s) must sign a consent form before the student shall be eligible to try out for, practice with, or participate in the extracurricular activity. The consent form is attached to this policy.
   - **c.** **Selection Pool Eligibility.** Students shall remain in the selection pool for an entire calendar year (365 days) from the date the consent form is received by the school district except that students who quit during the season or activity.
   - **d.** **Withdrawal.** Students who have a consent form on file remain eligible for drug tests from the date the consent form is received by the school district and throughout the remainder of the school year or until the student files a Withdrawal of Student from Activity form signed by the student and his or her parent(s)/guardian(s). Upon withdrawal, the student shall not be eligible to participate in any activity that is subject to drug testing for the remainder of the school year. A student who files a Withdrawal of Student from Activity form after selected for a random drug test but before submitting to the test or after testing positive shall be ineligible to participate in any extracurricular activities for one calendar year from the date the Withdrawal of Student from Activity form is received by the Drug Testing Coordinator.

6. **Drugs.** Students participating in extracurricular activities are prohibited from using, possessing, distributing, manufacturing, or having drugs present in their system. "Drugs" means:
   - **a.** Any substance considered illegal by the Uniform Controlled Substances Act, Neb. Rev. Stat. § 28-401 *et seq.*
   - **b.** Any substance which is controlled by the Food and Drug Administration unless prescribed to the student by any licensed medical practitioner authorized to prescribe controlled substances or other prescription drugs;
   - **c.** Alcohol for any student under the age of 21. Alcohol shall have the meaning as provided in Neb. Rev. Stat. § 48-1902(1).

7. **Testing Procedures**
   - **a. Student Selection.** All students who participate in extracurricular activities and submit a consent form will be included in a master list and will be subject to random drug screening. The master list shall be submitted to the company employed by the district to conduct the testing.
   - **b. Parental Request.** Students who do not participate in extracurricular activities may be added to the random drug screening master list upon parental request. Parent(s)/guardians may also request that their student be subject to non-random drug screening. The school will arrange for the test as soon as practicable. The parent(s)/guardian(s) making a request under this subparagraph must submit a signed consent form and indicate which type of test is being requested. advance of the test.Any cost associated with tests administered as a result of parental request must be paid by the parent(s)/guardian(s).
   - **c. Type of Test.** The school district reserves the right to utilize breath, saliva, hair or urinalysis testing procedures. Urine and oral fluid samples which screen positive will be confirmed by GC/MS. Positive saliva or breath alcohol tests will be confirmed by EBT (Evidential Breath Tester).
   - **d. Collection Site.** The Drug Testing Coordinator will designate the collection site at which student will provide specimens. The collection site may be off the premises of the school district.
   - **e. Collection Procedures.** The school board will select a Drug Program Administrator (DPA). The DPA shall randomly select the students subject to drug testing from the master list. The DPA will maintain and follow generally accepted industry standards for collecting, maintaining, shipping, and accessing all specimens. The DPA will seek to obtain the sample in a manner designed to insure accurate testing protocols while minimizing intrusion into a student's privacy. The DPA and the school district will provide a copy of the collection procedures upon request.
   - **f. Drugs.** Students may be randomly tested for any drugs, including but not limited to Alcohol, Amphetamines, Methamphetamine Barbiturates, Benzodiazepines (Valium), Cocaine Ecstasy-(MDMA), Marijuana, Methadone, Opiates, Oxycodone/Hydrocodone, Phencyclidine Propoxyphene (Darvon), Nicotine (Tobacco).
   - **g. Results.** The DPA shall notify the student and the Drug Testing Coordinator of any positive test after the initial screening. The school representative shall notify the student's parents. The DPA will use a secure method to transmit all positive test results to the DPA's Medical Review Officer (MRO). The MRO will be certified by an MRO accreditation body. The MRO will be responsible for reviewing test results and determining whether the use of a substance identified by the sample analysis is from illicit use or a legitimate medical use. Prior to making a final decision, the MRO or his or her assistant shall contact the student and his or parent(s)/guardian(s) to discuss the result either face-to-face or over the telephone. If the MRO determines the test results are negative, no further action shall be taken against the student. The MRO will report results of verified positives to the DPA. The DPA shall then notify the Drug Testing Coordinator of the positive test result. The Drug Testing Coordinator shall notify the student and his or her parent(s)/guardian(s) and any staff members responsible for implementing the consequences of this policy.
   - **h. Request for a Retest.** A split specimen will be collected for all testing methods, with the exception of alcohol testing. A positive alcohol test will be confirmed with an EBT device. A student's parent(s)/guardian(s) may request that the split specimen be tested at a second nationally certified laboratory from a list provided by the MRO. The request for the test must be submitted in writing to the MRO (with a copy sent to the Drug Testing Coordinator) within 72 hours of being notified of the final testing result. The student and his or her parent(s)/guardian(s) must pay the associated costs for an additional test in advance. The costs will be reimbursed if the result of the split sample test is negative. The student will remain subject to the consequences of this policy during the retesting procedure.

8. **Negative Tests.** Students and their parents will receive verbal or written notice when the student's test result is negative.

9. **Consequences for Testing Positive and violating the policy.** Whenever the test results indicate the presence of drugs and/or a student is caught or self reports using drugs and/or alcohol the Drug Testing Coordinator shall schedule and hold a confidential meeting with the student, parent/guardian, and sponsor/coach. Other members of the school's administration may also attend the meeting. At the meeting, the Drug Testing Coordinator shall explain the drug testing procedures and the policy of the district. The consequences shall be as follows (**All offenses are cumulative in grades 7-8. Offenses that occur in grades 7-8 shall not count as offenses in grades 9-12. All offenses are cumulative in grades 9-12)**:

   - **a. First Offense**
     - i. The student shall be encouraged to attend and participate in practices.
     - ii. The student will be ineligible to publicly perform in any extracurricular activity for 10 calendar

days and include no less than one event to be determined by administration. The day of the positive test result shall be the first day for counting purposes. If the end of the activity precedes the end of the 10 days, the event will carry over to the next activity so the student completes the required number of days.

Student will be given the opportunity to complete a restorative plan. The plan will be developed based on the results of the drug and alcohol screening as well as the meeting with student, parents/guardians, administration and coaches/sponsors within 10 calendar days from positive test result. Upon agreement to complete the restorative plan the student will remain eligible to participate in extracurriculars contingent upon successful completion of the plan. If the plan is not successfully completed by the date determined within it then the student will have to serve 10 calendar days of ineligibility and a minimum of one event.

iii. The student shall obtain a drug and alcohol screening from the school's mental health counselor or at student's expense from a certified substance abuse counselor or licensed mental health provider who holds a valid license that includes in its scope of practice the ability to administer substance abuse evaluations and/or treatment. The student shall provide written proof of obtaining the assessment to the school.
iv. The student must submit to a district administered test the very next testing date. Upon a negative test, the student will return to the random pool.

b. Second Offense

i. The student is encouraged to attend and participate in practices.
ii. The student will be ineligible to publicly perform in any extracurricular activity for 20 calendar days and no less than two events.The day of the positive test result shall be the first day for counting purposes. If the end of the activity precedes the end of the 20 days, the remaining events will carry over to the next activity so the student completes the required number of days.

Student will be given the opportunity to complete a restorative plan. The plan will be developed based on the results of the drug and alcohol screening as well as the meeting with student, parents/guardians, administration and coaches/sponsors within 10 calendar days from positive test result. Upon agreement to complete the restorative plan, and contingent upon successful completion of the plan, the student's ineligibility will be reduced to 10 calendar days and at least one event. If the plan is not successfully completed by the date determined within it then the student will have to serve 20 calendar days of ineligibility and a minimum of two events.

iii. If the second offense takes place six months or more after the first offense, the student shall obtain a drug and alcohol screening from the school's mental health counselor or at student's expense from a certified substance abuse counselor or licensed mental health provider who holds a valid license that includes in its scope of practice the ability to administer substance abuse evaluations and/or treatment. The student shall provide written proof of obtaining the assessment to the school. If a drug and alcohol screening has occurred within the past 6 months, this is not required.
iv. The student must submit to a district administered test the very next testing date. Upon a negative test, the student will return to the random pool.

c. Third Offense

i. The Student shall be encouraged to attend and participate in practices.
ii. The student will be ineligible to publicly perform in any extracurricular activity for 30 calendar days and no less than three events. The day of the positive test result shall be the first day for counting purposes. If the end of the activity precedes the end of the 30 days, the remaining events will carry over to the next activity so the student completes the required number of days.

Student will be given the opportunity to complete a restorative plan. The plan will be developed based on the results of the drug and alcohol screening as well as the meeting with student, parents/guardians, administration and coaches/sponsors within 10 calendar days from positive test result. Upon agreement to complete the restorative plan, and contingent upon successful completion of the plan, the student's ineligible will be reduced to 20 calendar days and at least two events. If the plan is not successfully completed by the date determined within it then the student will have to serve 30 calendar days of ineligibility and a minimum of three events.

iii. If the third offense takes place six months or more after the first offenseThe student shall obtain a drug and alcohol screening from the school's mental health counselor or at student's expense from a certified substance abuse counselor or licensed mental health provider who holds a valid license that includes in its scope of practice the ability to administer substance abuse evaluations and/or treatment. The student shall provide written proof of obtaining the assessment to the school. If a drug and alcohol screening has occurred within the past 6 months, this is not required.
iv. The student must submit to a district administered test the very next testing date. Upon a negative test, the student will return to the random pool.

d. Four or More Offenses

i. The Student shall be encouraged to attend and participate in practices.

ii. The student will be ineligible to publicly perform in any extracurricular activity for 40 calendar days and no less than four events. The day of the positive test result shall be the first day for counting purposes. If the end of the activity precedes the end of the 40 days, the remaining events will carry over to the next activity so the student completes the required number of days.

Student will be given the opportunity to complete a restorative plan. The plan will be developed based on the results of the drug and alcohol screening as well as the meeting with student, parents/guardians, administration and coaches/sponsors within 10 calendar days from positive test result. Upon agreement to complete the restorative plan, and contingent upon successful completion of the plan, the student's ineligible will be reduced to 30 calendar days and at least three events. If the plan is not successfully completed by the date determined within it then the student will have to serve 40 calendar days of ineligibility and a minimum of four events.

iii. The student shall obtain a drug and alcohol screening from the school's mental health counselor or at student's expense from a certified substance abuse counselor or licensed mental health provider who holds a valid license that includes in its scope of practice the ability to administer substance abuse evaluations and/or treatment. The student shall provide written proof of obtaining the assessment to the school. If a drug and alcohol screening has occurred within the past 6 months, this is not required.

iv. The student must submit to a district administered test the very next testing date. Upon a negative test, the student will return to the random pool.

10. **Refusal to Test**

A student who refuses to submit to a drug test authorized under this policy, or fails or refuses to comply with any other provision of this policy, shall be deemed to have submitted a positive test and must follow protocols in order to return to activity.

11. **Tampering**

Tampering is the use of any agent or technique which is designed to avoid detection of a drug and/or compromise the integrity of a drug test and is prohibited. This includes providing false urine samples (for example, urine substitution), contaminating the urine sample with chemicals or chemical products, the use of diuretics to dilute urine samples, and the use of masking. If the Drug Testing Coordinator determines that a student tampered with a drug test, the student shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performances and competitions for one Calendar year.

The use of any such agent or technique shall be treated as a positive test for drugs prohibited by this Policy and shall be subject to the penalties set forth in Section 9 of this Policy.

12. **Maintenance of Records**

All results of drug testing shall be confidential. Procedures for maintaining confidentiality will be developed by the school district and the testing organization. The Drug Testing Coordinator shall maintain records of positive tests in a secure location. This information will not be available to anyone other than appropriate school personnel and parents. This information will be destroyed upon the student's graduation or one year after the student's class graduates. Under no circumstances will this information become a part of the student's permanent file, nor will it be sent to another school when the student moves to another district or transfers to another school. The school district will not share drug testing results with any law enforcement agencies.

13. **Appeal**

A student participating in extracurricular activities who has been determined by school district officials to be in violation of this policy shall have the right to appeal the decision to the Activity Sponsor/Coach Council. The request for a review must be submitted to the Council in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any extracurricular activities until the review is completed. The Council shall then determine whether the original finding was justified. If the appellant is unsatisfied they may appeal to the superintendent. The Superintendent shall then determine whether the findings were justified. No further review of the decision will be provided, and his/her decision shall be final 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.

14. **Severability**

If any portion of this policy is deemed to be contrary to the law of the state of Nebraska or the United States by judicial decision or an act of Congress, then only such portion or provision directly deemed to be unconstitutional shall be stricken, and the remainder of the policy shall remain in full force.

Wood River Rural School District
CONSENT TO PERFORM RANDOM DRUG TESTING

Student Name _____ Grade _____

As a student and parent:

- ➔ We understand and agree that participation in extracurricular activities is a privilege that may be withdrawn for violations of the Extracurricular Drug Testing Policy.
- ➔ We have read the Extracurricular Drug Testing Policy and understand the responsibilities and consequences as an activity participant if the student violates the policy.
- ➔ We understand that when students participate in any extracurricular activity, they will be subjected to random drug testing, and if they refuse, will not be allowed to practice or participate in any extracurricular activity. We have read this consent statement and agree to its terms.
- ➔ We understand this is binding while a student is enrolled in Wood River Rural School District.

CONSENT TO PERFORM DRUG TESTING

We hereby consent to allow the student named on this form to undergo drug testing for the presence of drugs and alcohol in accordance with the Extracurricular Drug Testing Program adopted by the Board of Education. We understand that any samples will be sent only to a qualified laboratory for actual testing. We hereby give our consent to the medical vendor selected by the school board, their Medical Review Office (MRO), laboratory, doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected medical vendor to perform testing for the detection of drugs and to release the results of those tests as provided in the policy. We understand these results will be forwarded to school district officials and will also be made available to us. We agree to sign any necessary releases if requested to do so.

We understand that consent pursuant to this Consent to Perform Random Drug Testing will be effective for all extracurricular activities in which this student might participate during the current school year.

We hereby release the Wood River Rural Schools Board of Education and its employees from any legal responsibility or liability for the release of such information and records, pursuant to the policy.

Student Signature _____ Date_____

Parent/Guardian Signature _____ Date_____

We are choosing not to sign the Consent to Perform Drug Testing. We understand that by not signing the student will not be allowed to participate in any extracurricular activities from this point forward for the above listed school year and that this form cannot be signed at a later date during the current school year. This includes, but is not limited to, sports, clubs, groups, dances and field trips.

Student Signature _____ Date_____

Parent/Guardian Signature _____ Date_____