

Pioneer Pleasant Vale Extra-Curricular Student Drug Testing Policy (Adopted 8/14/19)

Purpose and Intent

It is the desire of the board of education, administration, and staff that every student in the Pioneer Pleasant Vale School District refrains from using or possessing illegal drugs. The administration and board of education realize that their power to restrict the possession or use of illegal drugs is limited. The sanctions of this policy relate solely to limiting the opportunity of any student determined to be in violation of this policy to participate in extracurricular activities. This policy is intended to complement all other policies, rules, and regulations of the Pioneer Pleasant Vale Public School District regarding possession or use of illegal drugs.

Participation in school-sponsored extracurricular activities such as interscholastic athletics at the Pioneer Pleasant Vale School District is a privilege. Students who participate in extracurricular activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, students in extracurricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal drugs. Additionally, this school district is contracted to follow the rules and regulations of the OSSAA whose rule specifically state: A student under a discipline plan or whose conduct or character outside the school is such as to reflect discredit upon the school shall be ineligible until reinstated.

The purpose of this policy is to prevent illegal drug use, to educate as to the serious physical, mental, and emotional harm caused by illegal drug use; to alert students with possible substance abuse problems to the potential harms of illegal drug use; to help students avoid drugs; to help students get off drugs, to prevent injury, illness, and harm as a result of illegal drug use; and to strive within this school district for an environment free of illegal drug use and abuse. This policy is not intended to be disciplinary or punitive in nature. The sanctions of this policy relate solely to limiting the opportunity of any student found to be in violation of the policy to participate in any extracurricular activities.

Definitions

1. **Student athlete or athlete** means a member of the junior high or high school district approved interscholastic sports team. This includes athletes and cheerleaders.
2. **Extracurricular activities student** means any enrolled student that participates in any activity (extracurricular) outside the scope of their basic classroom education. This

includes Band, FCCLA, BETA, Drumline, and/or any school sponsored club or organization.

3. **Extracurricular** means those activities that take place outside the regular course of study in school and participants are those students involved in those activities.
4. **Drug use test** means a scientifically sustained method to test for the presence or illegal or performance-enhancing drug or the metabolites thereof in a person's urine.
5. **Random test** can be given weekly and/or monthly to participants in the testing pool.
6. **Random selection basis** means a mechanism for selecting students for drug testing that:
 - A. Results in an equal probability that any student from a group of students subject to the selection mechanism will be selected, and
 - B. Does not give the school the discretion to waive the selection of any student athlete or extracurricular activities participant selected under the mechanism.
7. **Follow up tests** can be weekly, at random, or any time a student who has tested positive may be under suspicion of being under the influence.
8. **Illegal drugs means** any substance that an individual may not sell, possess, use, distribute, or purchase under either federal or state law. Illegal drugs include, but are 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 abusive purposes.
9. **Performance enhancing drugs** include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or any 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.
10. **Positive**, when referring to a drug test administered under this policy, means a toxicology 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.
11. **Reasonable suspicion** means a suspicion based on specific personal observations concerning the appearance, speech, or behavior of a student athlete or extracurricular participant, and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight, or other athletic abilities.
12. **Self-referral** is when a participant believes he/she will test positive for illegal or performance enhancing drugs, prior to submission for a drug test under this policy, so notifies the principal, superintendent, coach or sponsor of such belief.

Procedures

Student participants in extracurricular activities shall be provided with a copy of this policy and an extracurricular activities student drug testing program consent form that must be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before a participant student shall be eligible to practice or participate in any extracurricular activity. The student may be required to provide a urine test sample (a) when the student enrolls in an extracurricular activity; (b) as chosen by random selection basis; and (c) at any time requested based on reasonable suspicion to be tested for illegal or performance enhancing drugs. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed consent form.

All competitive extracurricular activities participant shall be subject to random testing for illegal drugs and/or performance enhancing drugs. Extracurricular participants who move into the district after the school year begins may have to undergo a drug test before they will be eligible for participation.

Drug use testing for extracurricular participants will be conducted using a list of all extracurricular activities participants in off-season or in-season. At each testing, a number of students' names will be randomly drawn to provide a urine sample for drug use testing for illegal drugs and/or performance enhancing drugs.

In addition to the drug test required above, any extracurricular activities participant may be required to submit to a drug test for illegal drugs and/or performance enhancing drugs or the metabolites thereof at any time upon reasonable suspicion by the principal, superintendent, sponsor, or coach of the student.

The cost of the drug testing will be borne by the school district.

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

All aspects of the drug use testing program, including the taking of specimens, will be conducted to safeguard the personal and privacy rights of student to a 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 with an enclosed stall or stalls. The principal shall designate a coach or other school employee of the same sex as the student to accompany the student to the restroom or other

private facility. 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 ensure an accurate chain of custody. 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 who will then determine if a new sample should be obtained. Students may request a form on which the student may list any medication he/she is taking or has taken or any other legitimate reasons for having been in contact with illegal drugs or performance enhancing drugs in the time prior to the testing. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the 24 hours following any drug test. The medication list shall be submitted to the lab in a sealed and confidential envelope.

If the initial drug use test is positive, the initial 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 the gas chromatography/mass spectrometry 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 3 days. Student records will be retained until the end of the school year.

Appeal

A student who has been determined by the principal or designee to be in violation of this policy shall have the right to appeal the decision to the superintendent or the superintendent's designee(s). Such an appeal must be lodged within five business days of notice to the initial report of the offense as stated in this policy, during which time the student will remain eligible to participate in any extracurricular activities. The superintendent or designee(s) shall then determine whether the original finding was justified. There is no further appeal right from the superintendent's decision and the decision shall be conclusive in all respects. Any necessary interpretation or application of the policy shall be in the sole and exclusive judgment and discretion of the superintendent, which shall be final and non-appealable.

Consequences

1. **First positive test.** The student will be warned and parents/guardians will be notified. The student and parent/guardian must attend counseling with the Pioneer Pleasant Vale Public School Counselor or their designee. Follow-up sessions may be required. Students who test positive will be required to test again on any future tests taking place over the next calendar year.

2. **Second positive retest.** The student will be suspended from participation in any extracurricular activities for 60 school calendar days, parents/guardians will be notified and further counseling will be required.
3. **Third positive retest.** A student will be suspended from participation in any extracurricular activity for (1) one calendar year.
4. **Self Referral.** A student who self-refers to the principal, superintendent, coach or sponsor BEFORE being notified to submit to a drug test will be allowed to remain active in all extracurricular activities. However, the student will be considered to have committed his/her first offense under this policy, and will be required to retest as would a student who has tested positive. Only applicable on first offense.
5. **Refusal to submit to a drug test.** If a particular student refuses to submit to a drug test under this policy, such student shall not be eligible to participate or attend any extracurricular activity, including all meetings, practices, performances, and competition for (1) one calendar year, upon completion of which, the participating student shall again be subject to this policy.