

# AMBER-POCASSET HIGH SCHOOL

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## STUDENT DRUG TESTING POLICY

In an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse, the Amber-Pocasset Board of Education proposes to adopt the following policy for drug testing of students. Activity students will be tested, as well as any other student who voluntarily wishes to be tested.

### STATEMENT OF PURPOSE AND INTENT:

Although the Board of Education, administration, and staff desire that every student in the Amber-Pocasset Public School District refrain from using or possessing illegal drugs, district officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this policy governs performance-enhancing and illegal drug use by students participating in certain extra-curricular activities. The sanctions imposed for violations of this policy will be limitations solely upon the opportunity of any student determined to be in violation of this policy to a student's privilege to participate in extra-curricular activities. Provided, further, that any student who does not participate in any of these 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. No suspensions from school or academic sanctions will be imposed for violations of this policy. This policy supplements and complements all other policies, rules, and regulations of the Amber-Pocasset Public School District regarding possession or use of illegal drugs. Participation in school-sponsored interscholastic extra-curricular activities at the Amber-Pocasset Public School District is a privilege. Students who participate in these activities should be respected by the student body as well as the school district and the community they represent. Accordingly, students in 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. The purposes of this policy are five-fold:

1. To educate students of the serious physical, mental and emotional harm caused by illegal 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 performance-enhancing drugs.
4. To prevent injury, illness, and harm for students that may arise as a result from illegal and performance enhancing drug use.
5. To offer students practices, competition and school activities free of the effects of illegal and performance-enhancing drug use.

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 Amber-Pocasset Public Schools. For the safety, health and well-being of students in extra-curricular activities the Amber-

Pocasset Public School District has adopted this policy for use by all participants in interscholastic extra-curricular activities in grades 7th - 12th.

#### I. DEFINITIONS

"Activity Students" means a member of any middle school or high school Amber-Pocasset Public School District sponsored extra-curricular organization that participates in interscholastic competition. This includes any student who represents Amber-Pocasset Schools in the following extra-curricular activities in interscholastic competition, including FFA, FCCLA, Academic Bowl Team, Cheerleaders, and Athletics.

"Drug use test" means a scientifically substantiated method to test for the present of illegal or performance-enhancing drugs or the metabolites thereof in a person's urine.

"Random Selection Basis" means a mechanism for selecting activity students for drug testing that:

- Results in an equal probability that any activity student from a group of activity students subject to the selection mechanism will be selected, and
- Does not give the school district discretion to waive the selection of any activity 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 any student participating in the Amber-Pocasset Public Schools drug-testing program that is the subject of this Amber-Pocasset Public Schools 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 or teachers. Suspicions may be based on 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 other students, staff members or patrons. In order for a student to be referred for testing on "reasonable suspicion," his or her activity sponsor, (or one of his/her teachers) and at least two building administrators must agree to the reasonable suspicion. The name and identity of students would not be made public. Suspicions might 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.

## II. PROCEDURES

Each student shall be provided with a copy of the "Student Drug Testing Consent Form" which shall be read, signed and dated by the student, parent or custodial guardian and coach/sponsor before such student shall be eligible to practice or participate in any extra-curricular activities. The consent requires the student to provide a urine sample: (a) as part of the activity student's annual physical or for eligibility for participation; (b) when the 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 or performance-enhancing drugs. If oral swab or other acceptable testing methods prove to be accurate, economical and accessible, they may be utilized as well. No student shall be allowed to practice or participate in any extra-curricular activities involving interscholastic competition unless the student has returned the properly signed "Student Drug Testing Consent Form." 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 that 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 head coach or sponsor will be responsible for explaining the policy to all prospective students, and for preparing an educational presentation to acquaint the students with the harmful consequences of drug and alcohol use and abuse. All Activity Students may be required to provide a sample before the student can participate in an extra-curricular activity covered under this policy. A student who moves into the district after the school year begins may have to undergo a drug test before they will be eligible for participation in any extra-curricular activity. Drug use testing for students will also be chosen on a random selection basis monthly from a list of all participating students. The Amber-Pocasset Public School District will determine a monthly number of 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 to the drug tests required above, any participating student may be required at any time to submit to a test for illegal or performance-enhancing drugs, or the metabolites thereof when an administrator, coach or sponsor has reasonable suspicion of illegal or performance-enhancing drug use by that particular student. Any drug use test will be administered by or at the direction of a professional laboratory chosen by the Amber-Pocasset Public School 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 30 days. 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 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 laboratory shall preserve the unused portion of a specimen that tested positive 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.

### III. CONFIDENTIALITY

The laboratory will notify the principal of any positive test. To keep the positive test results confidential, the principal will only notify the student, the head coach/sponsor, and the parent or custodial guardian of the student of the results. The principal 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 Amber-Pocasset Public School District will rely on the opinion of the laboratory that performed the test in determining whether the positive test result was produced by something other than consumption of an illegal 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. These records will be destroyed upon graduation or permanent withdrawal from Amber-Pocasset School.

### IV. APPEAL

An Activity Student who has been determined by the principal 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 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 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 that shall be final and non-appealable.

### V. CONSEQUENCES

Any Activity Student who test positive in a drug test under this policy shall be subject to the following restrictions:

#### A. For the 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 setup with the student, parent/guardian, and principal concerning the positive drug test. The student will be suspended from participation in all activities covered under this policy for 10 school days. The student may not participate in any meetings, practices, scrimmages or competitions during this period. In order to be reinstated for participation in extracurricular activities following the suspension the student and parent/guardian must show proof that the student has received a minimum of two hours of drug counseling from a qualified drug treatment program or counseling entity. The school district will not be responsible for any cost associated with first offense counseling or treatment. Additionally, the student must voluntarily submit to a second drug test to be administered within 15 days in accordance with the testing provisions of this policy. After the initial 15 days, a re-test must be administered and the result must be clean or determined to be at a substantially

lower level. After the first offense, the student will automatically be included with the next two groups of random testing. Should the parent/student not agree to these provisions the consequences listed in this policy for the second offense will be imposed. These restrictions and requirements shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test. Provided, however, a student on his/her own volition informs (self-refers) to the athletic director, principal, or coach/sponsor of 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, be required to receive a minimum of two hours of drug counseling from a qualified drug treatment program or counseling entity and will be required to re-test as would a student who has tested positive. The student will be allowed to self-refer only once during the time he/she spends in the Amber-Pocasset School District.

**B. For the Second Offense (Same School Year)**

The student shall be suspended from participation in all activities covered under this policy for 20 school days, and must show proof that the student has received a minimum of four hours of substance abuse education/counseling from a qualified drug treatment program or counseling entity. The school district will not be responsible for any costs associated with second offense counseling or treatment. Parents should consider seeking additional assistance, including the possibility of drug treatment centers. School officials will help expedite this procedure, if student and parents determine it necessary. 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 current semester and the following semester. The time and date will be unknown to the student and determined by the principal/athletic director or designee.

**C. For the Third Offense (Same School Year)**

At this point the student will face complete suspension from participation in all extra-curricular activities including all meetings, practices, performances, and competition for the remainder of the school year plus the following semester. Parents should strongly consider additional assistance from outside sources, including, but not to be limited to, the possibility of drug treatment centers. The school district will not be responsible for any costs associated with third offense counseling or treatment. School officials will cooperate to help expedite this procedure, if the student and parents determine it necessary.

**VI. REFUSAL TO SUBMIT TO DRUG USE TESTING**

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 semester and the following semester. Additionally, the student shall not be considered for any interscholastic activity honors or awards given by the school.

*AMBER-POCASSET PUBLIC SCHOOL IS COMMITTED TO COOPERATING WITH PARENTS/GUARDIANS IN AN EFFORT TO HELP STUDENTS AVOID ILLEGAL DRUG USE. THE AMBER-POCASSET PUBLIC SCHOOL DISTRICT BELIEVES ACCOUNTABILITY IS A POWERFUL TOOL TO HELP SOME STUDENTS AVOID USING DRUGS AND THAT EARLY DETECTION AND INTERVENTION CAN SAVE LIVES.*