

## Cottonwood Joint School District No. 242

### STUDENTS

3400

#### Extracurricular Activities Drug-Testing Program

The District has a strong commitment to the health, safety, and welfare of its students. Results of studies throughout the United States indicate that education alone, as a preventive measure, is not effective in combating substance abuse. Our commitment to maintaining the extracurricular activities in the District as a safe and secure educational environment requires a clear policy and supportive programs relating to detection, treatment, and prevention of substance abuse by students involved in extracurricular activities. It is the intention of the District that individuals desiring to participate in activities will be encouraged to seek help for any drug problem.

It is the hope of the District that this policy will benefit all student athletes. We believe this program, with the support of parents and community, will help create a drug free environment in our schools.

#### Purpose

The drug-testing program is not intended to be disciplinary or punitive in nature. Students involved in extracurricular activities need to be exemplary in the eyes of the community and other students. It is the purpose of this program to prevent students from participating in extracurricular activities while they have drug residues in their bodies, and it is the purpose of this program to educate, help, and direct students away from drug and alcohol abuse and toward a healthy and drug-free participation. No student shall be expelled or suspended from school as a result of any verified positive test conducted by his or her school under this program, other than as stated herein.

#### Scope

Participation in extracurricular activities is a privilege. This policy applies to all District students in grades 9-12 who wish to participate in extracurricular activities that are listed in the current student handbook and any other school-sponsored extracurricular activities not listed.

Students are responsible for abiding by the provisions of this policy from the first practice date, as established by the Idaho High School Activities Association (IHSAA), or by the advisor if the activity is not governed by the IHSAA, to the end of the activity/event. Seasons and activities may overlap.

#### Consent Form

It is mandatory that each student who participates in extracurricular activities sign and return the Consent Form prior to participation in any extracurricular activity. Failure to comply will result in non-participation.

Each extracurricular participant shall be provided with the Consent Form (3350F), which shall be dated and signed by the participant and by the parent/guardian. In so doing, the student is agreeing to participate in the random drug-testing program at Prairie Junior/Senior High School.

### Testing Procedures

1. At the option of the District, all students in athletics may be drug tested each year following the first meeting date, but prior to the first competition.
2. The selection of participants to be tested will be done randomly by the Superintendent, principal, or administrative designee, and selections will be made from time to time throughout the activity season. Ten percent of the total number of participants in the activity will be tested each week. In the event there are fewer than ten participants in an activity, a minimum of one will be tested each week. All participants will be entered into each week's drawing. The person responsible for the drawing shall take all reasonable steps to assure the integrity and random nature of the selection process. The drawing shall be of confidential identification numbers rather than names. Identification numbers will be drawn from one large pool of those agreeing to be tested. Testing may occur on a different day, Monday through Saturday. This variable schedule will keep students conscious of the possibility of being tested at any time during the season. All students will participate in a random drug test program during the sport/activity season in which they participate starting with the first practice to the return home of their final competition. Each student will be assigned a number that will be placed in the drawing.
3. If the student shows signs of reasonable suspicion, the principal or administrative designee may call the student's parent/guardian and ask that the student be tested. Factors will include, but are not limited to, excessive discipline problems and/or excessive absences from school. Also, a parent/guardian may request testing of his or her student. Such testing will be provided at cost. Additionally, the student will be informed of the nature of the infraction and potential penalties. The student will be given an opportunity to admit or deny that an infraction of this policy has occurred.
4. No student will be given advance notice or early warning of the testing. In addition, a strict chain of custody will be enforced to eliminate invalid tests or outside influences.
5. Urine and/or saliva will be used for drug testing. Saliva tests may be substituted for lab tests intermittently throughout the school year with random groups. Testing conducted at the request of a parent/guardian may be a saliva or urine test, as requested by the parent.
6. Upon being selected for a urinalysis test under this policy, either by random draw, reasonable suspicion, request of a parent/guardian, or a follow-up test, a student will be required to provide a sample of fresh urine, according to the quality control standards and policy of the laboratory conducting the urinalysis.

7. All students will remain under school supervision until they have produced an adequate urine specimen. If unable to produce a specimen, the student will be given up to 24 ounces of fluid. If still unable to produce a specimen within two hours, the student will be taken to the principal's office and told he or she is no longer eligible for any of the extracurricular activities. In addition, the parents/guardian will be telephoned and informed the student is unable to produce a sample for the testing procedure and that he or she may be tested at a later date to be reinstated for eligibility.
8. There is a head strip on each of the specimen bottles indicating the validity of the urine specimen by temperature. All specimens registering below 90.5 degrees Fahrenheit will be invalid. If this occurs, another specimen must be given by the student.
9. If it is proven that tampering or cheating has occurred during the collection, the student will become ineligible for all the extracurricular activities for the remainder of the school year. This will be reported to the parent/guardian.
10. Immediately after the specimen is taken, the student may return to class with an admit slip or pass with the time he or she left the collection site. The principal or administrative designee must note the time and sign the pass.
11. The specimens will then be turned over to the testing laboratory, and each specimen will be tested for alcohol, nicotine, and street drugs (which may include all drugs listed as controlled substances under the laws of the State of Idaho). Also, performance enhancing drugs such as steroids may be tested.
10. The laboratory selected must follow the standards set by the Department of Health and Human Services. It must be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA) and the Joint Commission of Accreditation of Healthcare Organizations (JCAHO).

#### Chain of Custody

1. The certified laboratory will provide training and direction to those who supervise the testing program, set up the collection environment, and guarantee specimens and supervise the chain-of-custody. To maintain anonymity, the student's number, not name, will be used.
2. The principal or administrative designee will be responsible for escorting students to the collection site. The student should bring all materials with him or her to the collection site and should not be allowed to go to his or her locker. The administrator should not bring all the students drawn from the pool to the collection site simultaneously. Calling four or five students at a time allows the collections to be carried out quickly and will not cause students to wait a long time, thereby creating a loss of important time from class. Athletes may be called after school, including during practice time.

3. Before the student's urine is tested by the laboratory, students will agree to fill out, sign, and date any form which may be required by the testing laboratory. If a student chooses, he or she may notify the administrator that he or she is taking a prescription medication. Student athletes who are taking prescription medication may provide a copy of the prescription or a doctor's verification in a sealed envelope to school personnel at the time a urine sample is prepared for mailing to the testing lab. That envelope will be forwarded, unopened, to the testing lab with the sample and instructions for the lab to consider the student athlete's use of such medication to assure the accuracy of the result. Such information provided by the student athlete will not be disclosed to any school official, unless a parent/guardian so chooses.
4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle. The student will sign that the specimen has been sealed. The seal may be broken only by the lab testing the specimen.
5. If the seal is tampered with or broken after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will be called again as soon as possible. The student will remain eligible for extracurricular activities subsequent to a retest.
6. The supervisor obtaining the urine specimen will be of the same gender as the student. A locker room may be used as a specimen gathering site. Students will be instructed to remove all coats and wash their hands in the presence of the supervisor prior to entering the restroom or locker room. The door will be closed so that the student is by him or herself in the restroom or locker room to provide a urine specimen. The supervisor will wait outside the restroom or locker room. The student will have two minutes to produce a urine specimen. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restrooms will be shut off.
7. After it has been sealed, the specimen will be transported to the testing laboratory by lab personnel. The testing lab will be instructed to test for drugs in the urine sample provided by the student athletes and for anything used to alter or falsify a urine sample. The testing laboratory will report the results to the principal or administrative designee. Any attempt to falsify, dilute, or otherwise contaminate a urine sample is a violation of this policy.
8. In order to maintain confidentiality, the container which contains the urine specimen to be tested will not have the name of the student on the container. Instead, the student's random identification number will appear on the container. Also, the results sheet for the urinalysis will be mailed to the Superintendent, principal, or administrative designee with no name attached; only the student's random identification number will appear on the results sheet.

## Test Results

1. This program seeks to provide needed help for students who have a verified positive test. The students' health, welfare, and safety will be the reason for preventing students from participation in extracurricular activities until they test negative.
2. The principal or administrative designee will be notified of a student testing positive (if the test shows that drug residues are in the student's system after using at least two different types of analyses). The principal or administrative designee will notify the student and his or her parent/guardian. The student or his or her parent/guardian may submit any documented prescription, explanation, or information that will be considered in determining whether a positive test has been satisfactorily explained.
3. In addition, the student or parent/guardian may appeal by requesting that the urine specimen be tested again by the certified laboratory at a cost to the student or his or her parent/guardian. This is done by contacting the Principal and asking to have the original sample delivered to St. Mary's Hospital Lab where the parent/guardian can have testing ordered by a physician. The sample must be tested in the same manner that was previously used. Retesting must take place within 14 days. All costs and expenses related to retesting the original sample are the responsibility of the parent/guardian making the request for verification. Tests of later samples are not considered legitimate and will not be recognized as evidence.
4. If the test is verified positive, the principal or administrative designee will meet with the student and his or her parent/guardian at the school. The student and parent/guardian will be given the names of counseling and assistance agencies that the family may want to contact for help. The student will be prevented from participating in extracurricular activities until after a follow-up test is requested by the principal/administrative designee and the results are reported.
  - A. First Positive Result: The student will be removed from competition or performance for the longer of 14 calendar days, two competitions or performances, or until a negative follow-up test result is reported. The student will be directed to meet with the school counselor to receive information on substance abuse. He or she must drug test for six consecutive weeks, which may continue into the next activity. All costs associated with the drug assessment and any follow-up programs are the responsibility of the parent/guardian. Students are to attend all practices during the 14 day penalty and are to attend all regular season home competitions and performances, but must not participate in them. Traveling with the team for competition outside of regular school time will be left to the discretion of the head coach. Suspended athletes are not allowed to miss school time to travel to away games. The student athlete may also quit the activity in which he or she is participating, realizing that the penalties will be applied to the next activity in which he or she participates.

- B. Second Positive Result: The student will be suspended from participation in activities for the longer of 45 calendar days during a school year or until a negative follow-up test result is reported. The building administrator will begin the 45 day count as soon as he or she is notified that the sample is positive. School holidays and breaks will be included as part of the 45 days. Consequences for positive results may overlap from one school year to the next. Summer vacations days shall not be counted.
  - C. Third Positive Result: The students will be suspended from participation in athletics for the longer of 12 calendar months or until a negative follow-up test result is reported. The building administrator will begin the 12 month count as soon as he or she is notified that the sample is positive. Summer vacation days shall be counted.
  - D. Fourth Positive Result: Students who test positive for a fourth time while enrolled at Prairie High School will be suspended from all activities pending a school board due process hearing. The student may then be suspended from participation in extracurricular activities for the remainder of his or her high school career.
5. A follow-up test will be requested by the principal/administrative designee after such an interval of time that the substance previously found would normally have been eliminated from the body. If this follow-up test is negative, the student will be allowed to resume extracurricular activities. If a second positive result is obtained from the follow-up test or any later test of that participant, the same previous procedure shall be followed. In addition, the District reserves the right to continue testing, at any time during the remaining school year, any participating student who tested positive and did not make satisfactory explanation.
  6. Information on a verified positive test result will be shared on a need-to-know basis with the student's coach or sponsor. The results of negative tests will be kept confidential to protect the identity of all students being tested.
  7. Drug testing result sheets will be returned to the principal or administrative designee, identifying students by number and not by name. Names of students tested will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the principal and/or administrative designee has access.

### Financial Responsibility

1. Under this policy, the District will pay for all initial random drug tests, all initial reasonable suspicion drug tests, and all initial follow-up drug tests. Once a student has a verified positive test result and has subsequently tested negative from a follow-up test, any future follow-up drug test that must be conducted will be paid for by the student or his or her parent/guardian.
2. A request on appeal for another test of a positive urine specimen is the financial responsibility of the student or his or her parent/guardian.

3. Counseling and subsequent treatment by non-school agencies are the financial responsibility of the student or his or her parent/guardian.

### Confidentiality

Under this drug-testing program, any staff, coach, or sponsor of the District who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved, other than in the case of a legal subpoena being made upon that person in the course of a legal investigation. The District shall not solicit a subpoena as a result of a drug test. In the event of service of any such subpoena, the student and the student's parents/guardians will be notified before response is made by the District, if it is legal and practical to do so. Once again, this will underscore the District's commitment to confidentiality with regard to the program.

The results of drug tests pursuant to this policy will not be documented in any student's academic records. A record of any positive result will be kept through the student athlete's senior year.

### Other Rules

Apart from this drug-testing program, the Idaho High School Activities Association and the coaching staff/sponsor of each sport/activity have their own training rules and requirements. Coaches/sponsors have the necessary authority to enforce those rules. Any student who violates a rule or requirement as a member of a team or activity will be subject to the consequences as defined in those rules and requirements.

Cross Reference: 3340 & 3340P      Corrective Actions and Punishment

Legal Reference: Vernonia School District 47J v. Acton, 515 U.S. 646 (1995)  
Todd v. Rush County, 139 F.3d 571 (7th Cir.), cert. Denied, 119 S.Ct. 68  
(1998)

### Policy History:

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