

**Administrative Regulations – Cocurricular/Extracurricular
Student Athlete Drug Policy**

Definitions

1. “Illegal drug” is any drug which an individual may not sell, possess, use, distribute or purchase under state law, or as defined in schedules I through V of the Controlled Substances Act (21 U.S.C. § 812) including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, “illegal drug” also means possession, use, sale or supply of prescription and nonprescription medication - in violation of Board policy JHCD - Administering Noninjectable Medicines to Students and accompanying administrative regulation and JHCDA - Administering Injectable Medicines to Students. “Illegal drug” shall also include alcohol.
2. “Performance-enhancing drug” includes 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 drug” does not include dietary or nutritional supplements such as vitamins, minerals and proteins which can be lawfully purchased in over-the-counter transactions.
3. “Prescription medication” means any noninjectable drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken either internally or externally by a student under the written direction of a physician. Prescription medication does not include dietary food supplements.
4. “Nonprescription medication” means only commercially prepared, non-alcohol-based medication to be taken at school that is necessary for the student to remain in school. This shall be limited to eyes, nose and cough drops, cough suppressants, analgesics, decongestants, antihistamines, topical antibiotics, anti-inflammatories and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements.

The following procedures shall govern the district’s Cocurricular/Extracurricular Student Drug Policy program:

Program Coordinator

1. The superintendent will be designated as the district’s program coordinator.

The superintendent will:

- a. Ensure that all student athletes receive written materials explaining the district’s program requirements including:
 - (1) The district policy and administrative regulation;

- (2) A contact person knowledgeable about the materials, policy and administrative regulations;
 - (3) Specific information concerning prohibited conduct;
 - (4) Circumstances under which student athletes will be tested;
 - (5) Procedures used in the testing process;
 - (6) Explanation of what constitutes a refusal to submit to a drug and/or alcohol test;
 - (7) Consequences of violations (e.g., suspension or removal from practices or team, referral to substance abuse professional for evaluation, treatment and follow-up testing as required);
 - (8) Information on the effects of drug use and alcohol misuse on personal life, health and safety.
- b. Ensure that student athletes sign the drug testing consent form;
 - c. Ensure that the district properly maintains information and complies with all requirements for confidentiality of records;
 - d. Ensure selection of a site with appropriately trained personnel for the collection of specimens for drug testing;
 - e. Ensure selection of a site with a certified breath alcohol technician and evidential breath testing devices for alcohol testing;
 - f. Ensure selection of a laboratory certified by the Department of Health and Human Services (DHHS) to conduct drug specimen analysis;
 - g. Ensure the district's student athlete drug testing program is maintained in at least outline form, on file and available for inspection at the district office.
 - h. Ensure the establishment of clearly defined communication procedures to include the method (e.g., mail, fax) and frequency (e.g., monthly, daily and weekly) as well as the authorized individuals to impart and receive information.

* Site requirements noted in subsections 4 - 7 above are met by _____ and _____ Hospital.

Procedures for Student Athletes

1. **Consent:** Each student wishing to participate in any interscholastic athletic program and the student's custodial parent or guardian shall consent in writing to drug testing pursuant to the district's drug testing program. Written consent shall be in the form attached to this policy as Exhibit A. No student shall be allowed to participate in any interscholastic athletic program absent such consent.
2. **Student Selection:** At the option of the district, all student athletes may be drug tested at the beginning of any athletic season. Selection for random testing may be conducted weekly during the athletic season. Selection for random testing will be by lottery drawing from a "pool" of all student athletes participating in interscholastic athletic programs in the district at the time of the drawing. The superintendent designee shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not necessarily limited to, assuring that the person drawing names has no way of knowingly choosing or failing to choose particular students for the testing, assuring that the identity of students drawn for testing is not known to those involved in the selection process and assuring direct observation of the selection process by at least two adults.
3. **Sample Collection:** Collection of samples will be supervised by qualified personnel.

4. Prescription Medication: Students who are taking prescription medication may provide a copy of the prescription or a doctor's verification to school personnel. Such information provided by the student will not be disclosed to any unauthorized school official. Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests."
5. Scope of Tests: The testing lab will be instructed to test for one or more dangerous drugs. Student athlete samples will not be screened for the presence of any substance other than an illegal or performance-enhancing drug or for the existence of any physical condition other than drug ingestion.
6. Limited Access to Results: The testing lab will be authorized to report results only to the Superintendent or to such person as the superintendent may designate.

Pre-Season Testing

1. The district may conduct pre-season testing as follows:
 - a. Participation in the sport may be contingent upon the test results;
 - b. Prospective student athletes must have signed the drug testing consent form.
 - c. Prior to being directed by the district to a collection site for drug or alcohol testing, the student athlete will be notified that the sample collected shall be tested for the presence of drugs and that breath testing may be conducted for the presence of alcohol;
 - d. Failure to report to the collection site for testing within the time frame specified by the district shall constitute a refusal to report for testing and shall result in the consequence of being treated as a "positive result."
 - e. Drug and alcohol testing will be paid for by the district;
 - f. Refusal to submit to drug and alcohol testing as required by the district shall result in the consequence of being treated as a "positive result."
 - g. The district will not provide exceptions to any pre-season drug and alcohol testing requirements.

Random Testing

1. The district shall conduct random drug testing during the season as follows:
 - a. Testing rates shall provide for a reasonable sampling number;
 - b. The testing rate may be adjusted periodically;
 - c. The testing process shall, in fact, be random. All student athletes will remain in the pool for each subsequent testing period, whether or not they have been chosen for testing in the past;
 - d. The process selected by the district will ensure that all student athletes shall have an equal chance of being tested each time selections are made;
 - e. All such testing shall be unannounced and time will be selected reasonably throughout the testing period;
 - f. Following notification of testing, selected student athletes shall proceed to the district selected collection site immediately or as soon as practicable;
 - g. Student athletes who are absent will remain subject to random testing. Student athletes drawn for such testing will be notified and will be given the tests as soon as practicable upon return to school.

Drug and Alcohol Testing Procedures

1. The district, in cooperation with contracted collection and testing facilities, shall maintain drug and alcohol testing procedures as follows:

a. Drugs:

- (1) The student athlete reports to the district designated collection site and provides positive identification.
- (2) The student will produce an appropriate sample for testing.
- (3) The superintendent or designee will report positive testing results to the student athlete and discuss the type of dangerous substance found and determine whether there is any valid medical reason for the positive testing results. As part of due process, a positive sample will automatically be sent to a certified laboratory for further testing.
- (4) A verified medical reason for a positive testing result will be reported as a negative testing result to the superintendent or designee.
- (5) If no legitimate reason exists for positive testing, the student will be in violation of this policy.
- (6) All laboratory results will be reported to the superintendent.
- (7) Any sample that appears to be diluted or tampered with will be sent to the certified laboratory for further testing. If the laboratory verifies the sample is dilute or tampered with it is considered a positive test.
- (8) The testing agency or trained personnel will follow all standard procedures including chain of custody, verification of positive testing results and maintenance of confidentiality requirements.

b. Alcohol:

- (1) The student athlete reports to the district designated testing site and provides positive identification.
- (2) Under the alcohol testing rule, a positive alcohol test result will be considered positive even if over-the-counter or legally prescribed medication is involved.
- (3) All testing will be conducted by a trained breath alcohol technician and using evidential breath testing devices. Testing may be conducted at a Department of Health and Human Services (DHHS) certified laboratory or other location including mobile facilities equipped for such testing.
- (4) Under certain circumstances, a properly trained district employee may conduct such testing in the absence of another breath alcohol technician.

The student athlete submits to breath testing:

- (1) If the result of the testing indicates an alcohol concentration rate of 0.02 or greater, a second confirmation breath testing is administered.
- (2) The breath alcohol technician will report any invalid tests in which the initial positive test and the confirmation test do not match, confirmed positive and negative results to the superintendent or designee.
- (3) Student athlete refusal to sign forms as required shall be considered as refusal to be tested.

Procedures in the Event of Positive Result

If student's test result indicates the presence of illegal or performance-enhancing drugs as described above, it will be considered to be confirmation of a Group I offense of the district's Board policy IGD/IGDJ - Extracurricular Participation Policy. The procedures and penalties for such offense are as stated in that policy.