

## **Student Drug Testing\*\***

### **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. Section 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 - Nonprescription Medication and accompanying administrative regulation and JHCDA - Prescription Medication. “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 eye, 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.

### **Consent**

Each student wishing to participate in athletics and/or extracurricular activities and the student’s parent(s) shall consent in writing to drug testing. Written consent shall be in the form attached to this administrative regulation. No student shall be allowed to participate in athletics and/or extracurricular activities without such consent.

### **Selection**

All student athletes and extracurricular activity participants may be tested at the beginning of the athletic season or extracurricular activity in which they participate. In addition, selection for random testing will be by lottery from a pool of all students participating in athletic and/or extracurricular activity programs in the district at the time of the drawing.

The superintendent shall take reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not limited to, assuring that:

1. The names of all participating students are in the pool;
2. The person drawing names has no way of knowingly choosing or failing to choose particular students for testing;
3. The identity of students drawn for testing is not known to those involved in the selection process;
4. The selection process is observed by at least two adults.

### **Screening**

Screening will be conducted by district personnel and will consist of the following procedures:

1. Samples will be collected at a mutually convenient time on the same day the student is selected for screening or, if the student is absent on that day, on the day of the student's return to school. If a student is unable to produce a sample at any particular time, the student will be allowed to return later that same day to provide samples in private. Students who refuse to provide a sample will be considered to have tested positive and will be subject to the procedures listed below.
2. The sample will be screened using a screening kit provided by a supplier of the district's choice.
3. If the screening yields a negative result the sample will be disposed of.
4. If the screening yields a positive result the sample will be sent to a laboratory for testing.

### **Testing**

Testing will be conducted by a laboratory selected by the district. Chain of custody procedures, as recommended by the laboratory, will be followed.

The testing laboratory will test for one or more illegal or performance-enhancing drugs. The superintendent shall decide prior to selection of students which illegal or performance-enhancing drugs shall be screened. 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 intoxication.

Samples will be split at the time of testing. The duplicate samples will be sealed and maintained by the laboratory in the event a second test is requested.

The testing laboratory will report results only to the superintendent or his/her designee.

## **Positive Test Results**

If the student's test results indicate the presence of illegal or performance-enhancing drugs, the following will occur:

1. The student or parent may request within 72 hours of a positive test notification that the second specimen sample be tested. The student may voluntarily disclose use of prescription medication which may have affected the outcome of the test;
2. If the second sample tests negative, the student and parent will be notified and no further action will be taken. If the second sample tests positive, notification will be made and a meeting will be scheduled with the student, the parent(s) and the building principal.

## **DISCIPLINE**

Due process procedures will be followed for all discipline arising from violation of the district's policy.

### **First Positive Result:**

For the first positive result, the student will be given the option of:

#### **Option 1.**

- a. Suspension from athletics and/or extracurricular activities for a period of three weeks.
- b. Submission to an evaluation for substance abuse at parent/student expense.
- c. Drug testing for a period of six weeks at the parent/student expense.
- d. The parent/student will be encouraged to follow the recommendations of the evaluation.

#### **Option 2.**

Suspension from athletics and/or extracurricular activities for 40 school days even if this will continue to the following school year.

### **Second Positive Result:**

For the second positive result the student will be given the option of:

#### **Option 1.**

- a. Suspension from participation in athletics and/or extracurricular activities for forty ( 40) school days.
- b. Mandatory participation in drug/alcohol evaluation and following the recommendations of the evaluation, at the parent's expense.
- c. Drug testing for a period of six weeks at the parent/student expense.

#### **Option 2.**

Suspension from athletics and/or extracurricular activities for 12 months.

**Third Positive Result:**

A student who receives a third positive result during their high school enrollment will:

1. Be suspended from athletics and/or extracurricular activities for the remainder of their high school enrollment.
2. The parent/student will be strongly encouraged to participate in an evaluation for substance abuse and to follow the recommendations of that evaluation.

**Appeal Process**

A student who has been determined to be in violation of the district's drug testing policy shall have the right to appeal the decision to the superintendent or his/her designee. The appeal must be submitted to the superintendent, in writing, within five calendar days following the meeting with the principal. The student will remain ineligible to participate in athletics and/or extracurricular activities pending the appeal. The Board will determine whether the original finding was justified. The Board's decision shall be final.

**Relationship to Student Discipline Policies**

Normal disciplinary measures which may affect eligibility are still applicable for violations which do not arise from these testing procedures.

**STUDENT DRUG-TESTING**

**AUTHORIZATION FORM**

I understand that my performance as an athlete and/or participant in extracurricular activities and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the Board policies, administrative regulations and rules of the Paisley School District.

I also authorize Paisley School District to conduct a test for drug use on a urine specimen which I provide.

I also authorize the release of information concerning the results of such a test to the district and to my parent(s).

This shall be deemed a consent pursuant to the Family Educational Rights and Privacy Act for the release of the above information to the parties named above.

I have received a copy of this release. I have read and understand the district policy and administrative regulation.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date