

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. § 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.
5. "Student athlete" means any student participating in interscholastic athletic programs sponsored by the district.
6. "Sport season" means Fall, Winter, and Spring season begin on the first day of practice allowed by the Oregon School Activity Association and ends the day prior to the beginning date of practice of the next season.

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.

Student Selection

At the option of the district, random student athletes may be drug tested at the beginning of any athletic season. In addition, random testing will be conducted 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 or his/her impartial designee shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not limited to:

1. Assuring that the names of all participating student athletes are in the pool;
2. Assuring that the person drawing names has no way of knowing, choosing or failing to choose particular students for the testing;
3. Assuring that the identity of students drawn for testing is not known to those involved in the selection process; and
4. Assuring direct observation of the selection process by at least two adults.

Sample Collection

Samples will be collected at a mutually convenient time on the same day the student is selected for testing or, if the student is absent on that day, a randomly selected alternate student shall be substituted for testing.

Scope of Tests

The testing lab will be instructed to test for one or more illegal drugs, typically referred to as a “5 Panel Screening” (includes testing for: amphetamines, cocaine metabolites, marijuana metabolites, opiates and phencyclidine). Student athlete samples will not be screened for the presence of any substances other than an illegal drug or alcohol or for the existence of any physical condition other than drug intoxication.

Samples will be collected at a mutually convenient time on the same day the student is selected for testing 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 the sample. All students selected for testing will be given the option of providing 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.

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.

Limited Access to Results

The testing lab will be authorized to report results to the superintendent and the athletic director.

Procedures for Positive Test Results

Whenever a student athlete's test results indicates the presence of illegal drugs (positive test), 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 principal.

First Positive Result

For the first positive test result, the following procedures shall be implemented:

1. The student shall be given the following options:
 - a. Assessment and treatment, if treatment is a condition of the assessment results, within district guidelines as described in "First Positive Result" part two of this administrative rule; or
 - b. Immediate suspension from the present sport as well as for the next season in which the student normally participates;
2. If assessment is chosen:
 - a. The assessment will be scheduled with the appropriate county department or private-assessor by the parent(s):

NOTE: If the parent chooses to use a private assessor, the district reserves the right to approve of the person or organization conducting the student assessment. Further, the cost of using a private assessor shall be the responsibility of the - parent(s).
 - b. The parent(s) shall be responsible for the cost of all treatment as prescribed by the assessment findings;
 - c. The assessment needs to be arranged and completed within five working days after the positive results are disclosed to the district. Failure to do so will result in the student being immediately suspended from the present sport as well as for the next season in which the student normally participates;
 - d. Parent(s) and students must agree to have the assessment results and subsequent treatment results fully disclosed to the district;
 - e. The student may practice once the assessment has been scheduled but remains ineligible for interscholastic competition until the assessment has been completed and disclosed to the district.
 - f. If treatment is prescribed by the assessment, the student must be participating in or have completed the treatment to remain eligible for interscholastic competition. Failure to complete

- the prescribed treatment shall result in the student being immediately suspended from the present sport as well as for the next season in which the student normally participates;
- g. In addition to the assessment/treatment option, the parent(s) and student must agree to random drug testing for the student on a schedule to be determined by the district. Cost of random drug testing shall be the responsibility of the district.
 - h. If the student tests positive during the district mandated random drug testing, the student shall be placed at “Second Positive Result” level of this administrative rule.

Second Positive Result

For the second positive test result, the following procedures shall be implemented:

- 1. The student will be given the following options:
 - a. Assessment and treatment, if treatment is a condition of the assessment results, within district guidelines as described in “First Positive Result” part two of this administrative rule; or
 - b. Immediate suspension from the present sport as well as for the next season in which the student normally participates;
- 2. If assessment is chosen:
 - a. The assessment will be scheduled with the appropriate county department or private assessor by the parent(s):

NOTE: If the parent chooses to use a private assessor, the district reserves the right to approve of the person or organization conducting the student assessment. Further, the cost of using a private assessor shall be the responsibility of the parent(s).
 - b. The parent(s) shall be responsible for the cost of all treatment as prescribed by the assessment findings.
 - c. The assessment needs to be arranged and completed within five working days after the positive results are disclosed to the district. Failure to do so will result in the student being immediately suspended from the present sport as well as for the next season in which the student normally participates;
 - d. Parent(s) and students must agree to have the assessment results and subsequent treatment results fully disclosed to the district;
 - e. The student may practice once the assessment has been scheduled but remains ineligible for interscholastic competition until the assessment has been completed and disclosed to the district and the parent(s) and student have completed the “reinstatement process” as described below:
 - f. If treatment is prescribed by the assessment, the student must be participating in or have completed the treatment to remain eligible for interscholastic competition. Failure to complete the prescribed treatment shall result in the student being immediately suspended from the present sport as well as for the next season in which the student normally participates;
 - g. In addition to the assessment/treatment option, the parent(s) and student must agree to random drug testing for the student on a schedule to be determined by the district. Cost of random drug testing shall be the responsibility of the district.
 - h. If the student tests positive during the district mandated random drug testing, the student shall be placed at “Third Positive Result” level of this administrative rule.

Reinstatement Process

The student may request reinstatement in interscholastic competition 30 days after the completion of the assessment. The reinstatement process is as follows:

1. The student must be participating in or have completed the treatment program if one is prescribed by the assessment results;
2. The student may not have tested positive during the district mandated random drug testing;

NOTE: If the parent(s) have opted to use a private drug testing company, the proof of negative tests must be provided to the district.

3. At such time as the reinstatement request is made, the parent(s) must present negative test results from a drug testing source of their choosing, the cost of such testing to be the responsibility of the parent(s);

NOTE: The testing done by the independent source (at the parents choosing) must use the same standards as the district uses for student drug testing.

4. The parent(s) and student must agree to student drug testing on a schedule to be determined by the district in every sport for which the student participates for one year following reinstatement;

NOTE: The cost of this district mandated testing shall be the responsibility of the district.

Third Positive Result

For a third positive test result, the following procedures shall be implemented:

1. If the student tests positive three times in any given calendar year (12 months), the student shall be suspended from participating in athletics for the remainder of the current season and the next two athletic seasons for which the student participates.
2. If a student tests positive a third time but more than 12 months have lapsed since the last positive test result, the student shall be placed at the "Second Positive Result" level of this administrative rule.

Appeals

A student and/or his/her parent may appeal any and all decisions to the Board of Education. Notice of an appeal shall be presented to the superintendent within five days of the parent and student being notified of a positive test result.

Willamina School District 30J
Student Athlete Drug Testing Consent
Exhibit A

General Authorization Form

I understand that my performance as a participant 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 standards, rules, and regulations set forth by Board of Education and the sponsors for the activity in which I participate.

I also authorize the district to conduct a test on a urine specimen which I provide, to test for drugs and/or alcohol use. I also authorize the release of information concerning the results of such a test to the district and to the parents and/or guardians of the student.

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

Student Signature

Date

Parent or Legal Guardian Signature

Date

Please provide student social security number in the space provided below. The social security number shall serve as identification rather than the student's name for purposes of student confidentiality.

Student Name: _____

Social Security Number: _____