

Student Drug Testing ** (Version 2)

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 – Nonprescription Medication and JFCDA – Prescription Medication and accompanying administrative regulation. “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 physician. Nonprescription medication does not include dietary food supplements.

Consent

Each student wishing to participate in athletics and/or extracurricular activities sanctioned by the OSAA 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 sanctioned by the OSAA without such consent.

Selection

All student athletes and extracurricular activity participants in OSAA sanctioned events may be tested during 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 or designee 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.

Testing

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

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.

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 administration.

Discipline

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

First Positive Result

1. Notify student and parent(s);
2. Meeting scheduled by the administration, with the parent(s) and student;
3. The student will be suspended from participation in athletics and other interscholastic activities which are sanctioned by the Oregon School Activities Association (OSAA) for the 14 consecutive calendar days starting with the day of suspension and suspension from extracurricular activities for the remainder of the suspension.
4. During the suspension the student will not participate in any activities and/or school sponsored events (which also include dances and non-academic field trips).
5. Student will be assigned to school Drug Education and Diversion program and complete steps required.

Second Positive Result (in high school career)

1. Notify student and parent(s);
2. Meeting scheduled by the administration, with the parent(s) and student;
3. The student will be suspended from participation in athletics and other interscholastic activities which are sanctioned by the Oregon School Activities Association (OSAA) for the 45 consecutive calendar days starting with the day of suspension and suspension from extracurricular activities for the remainder of the suspension.
4. During the suspension the student will not participate in any activities and/or school sponsored events (which also include dances and non-academic field trips).
5. Student will be assigned to school Drug Education and Diversion program and complete steps required. If student has not met requirements by the end of 45 day suspension; they may rejoin team but must complete requirements. They will bring weekly progress updates to coach, at any point they fail to meet requirements after reinstatement; they will be suspended pending completion.

Third Positive Result (in high school career)

1. Notify student and parent(s);
2. Meeting scheduled by the administration, with the parent(s) and student;
3. The student will be suspended from participating in athletics and other interscholastic activities which are sanctioned by the OSAA for the remainder of their high school years at Lebanon High School.

4. During the suspension the student will not participate in any activities and/or school sponsored events (which also include dances and non-academic field trips).
5. Students will be referred to school's Drug Education and Diversion program.

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 superintendent or his/her designee will determine whether the original finding was justified.

If dissatisfied with the superintendent's decision, the student may appeal to the Board by providing notice within five calendar days of the superintendent's decision.

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.

One Time Only – Voluntary Student Admission

If prior to being randomly selected for testing, a student voluntarily admits that they have an issue with drug use and will test positive; that student, together with a parent/legal guardian will then sign the voluntary student admission form and agree to enter into the school district diversion education program. If the student, along with the parent/legal guardian are meeting the expectations of the program the student may participate in competition with out consequence. At any time if the student or parent/legal guardian fail to meet the expectations of the program, the student becomes ineligible and assumes the appropriate code of conduct consequence.

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 Lebanon Community School District.

I also authorize Lebanon Community 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

Date

Parent Signature Date

Date

**Athletic & Activity Code and Random Athletic Drug Testing Program
Opt Out Form**

Student's printed name: _____

In accordance with the Lebanon High School, Athletic & Activity Code and Random Athletic Drug Testing Program consent form signed by me and my parent on _____, (copy attached) I hereby choose to exercise my right to opt out of drug testing, for the _____ season.

I understand the consequences of opting out and agree to complete the diversion program as outlined in the policy detailed below.

Student Signature _____ Date _____
Parent Signature _____ Date _____

ONE TIME ONLY - Voluntary Student Admission

If a student voluntarily admits at the beginning of the sport season that he/she will test positive, that student, with his/her parent/guardian, will then sign a voluntary student admission statement declaring the student positive for a controlled substance and subjecting the student to follow up testing at his/her own expense every 4 weeks for two (2) successive tests from the day the student declared him/herself positive. The student will also be required to complete the Diversion Plan. However, as soon as the plan is established they will be allowed to return to competition. This option is only available to a student one time throughout their entire high school career at Lebanon High School.