

***RANDOM DRUG TESTING OF STUDENT ATHLETES***

Participation by Lyon County School District students in Nevada Interscholastic Activities Association (NIAA) sanctioned sports is a privilege and responsibility. This requires all participants to adhere to athletic training rules, imposed by the school district and member or affiliate school the student attends and represents. Adherence to training rules ensures that all student athletes are in top physical condition, minimizes potential for injury, and further ensures that all member and affiliate school athletic teams are appropriately represented by their student athletes.

Therefore, the possession or use of drug paraphernalia or [use] of any controlled substance, including but not limited to marijuana, methamphetamines, cocaine, steroids, non-prescribed prescriptions, alcohol or tobacco products by a student athlete, whether it occurs on or off of school property, is prohibited.

In order to properly provide for the safety of all student athletes, and maintain the District's policy of zero-tolerance for the use or possession of controlled substances, alcohol and tobacco by students, the District will adopt a random drug testing program for all athletes participating in sports as a representative of the District's schools. The purpose of this program is not to punish students, but rather to identify and direct students away from destructive behavior through treatment and counseling.

No student will be permitted to participate in NIAA-sanctioned sports as a representative of a school within the District unless a consent form permitting the student to be randomly tested, signed by both the student and the student's parent/guardian, is on file with the school.

This policy remains in effect for every calendar school year during the course of the student's high school career and when the student is directly involved in a school activity occurring at any time (summer leagues/camps, etc.). This policy remains in effect regardless of whether the student is currently participating on a high school athletic team.

References: LCSD Policy IGDC, JFCI

## ***ADMINISTRATIVE REGULATIONS***

Lyon County School District along with administrative staff have the responsibility to keep all our students safe from drug abuse, a behavior that destroys bodies and minds, impedes academic and athletic performance, and creates barriers to success and happiness. In accepting and undertaking this responsibility, LCSD has implemented a comprehensive educational and administrative program to inform our students about the mental and physical consequences of drug abuse and to discourage and prevent our students from abusing drugs. As part of this program, LCSD High Schools have implemented random drug testing of those students who want to represent the school on our athletic teams. This random drug testing program does not seek to punish student athletes but to steer young people away from a destructive behavior and to identify students in need of drug treatment. The random drug testing of LCSD student athletes is an important component of our overall effort to protect our students from the scourge of drug abuse and provide a safe, healthy environment for our students, staff, parents and families on our campus and at our athletic events.

### **OVERVIEW**

The procedure for initial and random testing (drugs, tobacco, or alcohol) of students in athletics is accomplished in conjunction with an independent drug testing Vendor selected by Lyon County School District. Following the initial testing, the Vendor is provided, by the each LCSD high school, a list of eligible students and in turn randomly selects up to 20% of these students for drug testing at regular intervals. An appointed neutral Lyon County School District Administrator (Designated Official) will visit the school and will oversee the collection of all specimens as outlined in this document. Specimens are collected as urine specimens.

#### **1. A STATEMENT OF NEED AND PURPOSE**

Recognizing that observed and suspected use of alcohol and illicit drugs by any LCSD student is a serious concern, a program of deterrence will be instituted as a pro-active approach to a truly drug free school. Likewise, students using illegal drugs pose a threat to their own safety, as well as to that of other students. The purpose of this program is fourfold:

- a. to provide for the safety of all students;
- b. to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs;
- c. to encourage students who use drugs to participate in drug treatment programs; and
- d. prevent the impact drug and alcohol use has on the learning centers of the brain allowing students to achieve their full academic potential while a student within LCSD.

The program is designed to create a safe, drug free, environment for students and assist them in getting help when needed.

## SUPPORTING DATA

Random urine drug testing of a public school is legal as determined by the United States Supreme Court in the case of Vernonia School District 47J (Oregon) v. Wayne and Judy Acton and Pottawatomie v. Earls.

## DEFINITIONS

**Adulterant/Adulteration** - Any attempt to alter the outcome of a urine drug test by adding a substance to the sample, attempting to switch the sample, or otherwise interfere with the detection of illicit or banned substances in the urine, or purposefully over hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

**Banned Substance** - A substance defined by School policy as being banned from use by students.

**Designated Official** - The individual selected by the school or district to oversee the drug testing program of the school or district.

**Illicit substance** - A drug classified by the Drug Enforcement Administration (DEA) as being available only by prescription from a physician or classified as being controlled and having no therapeutic use.

**Quantitative Levels** - The measurement levels of a specific chemical in the urine reported usually in nanograms per milliliter (ng/ml).

**Student Participant** - A qualified student participating in a sanctioned athletic team as defined by the State Athletic Association.

## PROCEDURES FOR STUDENTS

### a. Informed Consent for Testing

At the beginning of each school year or athletic season, students and parent/guardian/custodian will complete and sign the LCSD Code of Conduct and Expectations Informed Consent Agreement (Exhibit A). No student may participate in sports until this form is properly executed and on file with LSCD.

### b. Drug, Alcohol and Tobacco Testing Frequency

At the beginning of each year/season or when a student moves into the District, all students wishing to participate in athletics may be subject to testing for illicit or banned substances as specified in Paragraph 9 below. Following initial testing, up to 20% of eligible students will be randomly tested on up to a bi-weekly basis anytime during the school year. A senior athlete whose season is over and does not plan on participating for the remainder of the school year may be removed from the program with a signed contract stating that he will not be allowed to participate on any athletic teams for the remainder of their school career. Only senior athletes will be allowed to opt out of the drug testing program. Any student who refuses to submit to testing will not be allowed to participate in any LCSD school.

**c. Sample Collection**

Samples will be collected by the designated official as described in paragraph 6. Any eligible student selected randomly for a test who is not in school on the day of testing will be tested at the next available testing time. Students not able to provide an adequate urine specimen at the testing time will be unable to participate until the proper specimen is provided. A refusal to test will be handled as a positive test. Arrangements may be made for special collections at a pre-approved site with prior approval of the Principal or Designated Official. Participant will acknowledge that there may be a fee associated with the use of an off-site collection point and this fee will be paid by the student participant.

**5. CONFIDENTIALITY OF RESULTS**

All test results are considered confidential information and will be handled accordingly. Those persons having results reported to them as set forth by this Policy must sign a Confidentiality Statement (Exhibit B).

**6. RANDOM DRUG TESTING PROCEDURES**

**a. Random Selection of Eligible Students**

Once provided a list of eligible students, the Vendor must select the required number of students in a random and confidential manner. The selected student names will be given to the Designated Official, who will arrange for these students to report to the collection area.

**b. Collection of Urine Specimens**

The Designated Official will oversee the collection of urine specimens as outlined in the Procedures for Random Drug Testing of LCSD Students.

**c. Testing of Urine Specimens**

The Designated Official will follow the manufacture's recommended procedures outlined by the drug testing product specified by the Lyon County School District. The test gives immediate results upon completion of the procedures. The Designated Official will seal the cup, date it and sign the seal after the results have been read.

**d. Submission of Positive Tests**

The Designated Official will submit all disputed positive tests to the vendor for a complete analysis of the banned substances and amounts present in the urine specimen. The results will be reported to the parents/guardians of the student following the confidentiality guidelines.

**e. Reporting of Random Urine Test Results.**

The Designated Official will notify all urine drug screens as negative or positive. Positive findings will be reported in person or by telephone in a confidential manner to the Parent and the Principal.

**f. Statistical Reporting and Confidentiality of Urine Drug Test Results**

The Designated Official or Lyon County School District may not release any statistics on the rate of positive drug tests to any person, organization, news publication or media without expressed written consent of the Lyon County School District Board of Trustees. However, the school officials will compile annual reports of the amount of positive tests and the substances present.

**7. PROCEDURES IN THE EVENT OF A POSITIVE RESULT**

Whenever a student's test result indicates the presence of illegal drugs or banned substances or adulteration, the following will occur:

**a. Notification to Parents/Students/Coach**

The Designated Official, within 24 hours, will notify the Principal first, then the student's parents or legal guardian of any positive results. The student and the head coach will be notified of the NIAA violation by the Principal or designee within 24 hours. All individuals who will come into contact with this information will be bound to uphold strict confidentiality and sign the confidentiality agreement outlined in this report. A written notification in the form of required NIAA paperwork from the Principal or designee will be sent to the parent/guardian/custodian. The Principal may keep all test results for a period up to one year.

**b. Periodical Testing of Positive Student**

The student will be notified and be required to submit to 5 periodical urine tests throughout the next calendar year. Dates of periodical urine tests will be determined by the Principal or designee.

**c. Contesting the Results**

If the parent/guardian/custodian or student wishes to contest the results, the parent will arrange for another drug test to be conducted by a medical facility or through the school. This is done at parent/guardian/custodian or student expense. Such a request must be made to the Principal within 24 hours of parent notification. The results must be submitted to the Principal with 24 hours of the request.

**d. Results of Future Testing**

The vendor may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the vendor feels the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

**NEVADA INTERSCHOLASTIC ATHLETIC ASSOCIATION ALCOHOL, TOBACCO AND OTHER DRUG POSSESSION, USE, ABUSE and PENALTIES POLICY**

Participation in Nevada Interscholastic Athletic Association sanctioned sports is a privilege and responsibility which requires all participants to adhere to athletic training rules imposed by the school district and member or affiliate school the student attends and represents. Adherence to training rules ensures that all student-athletes are in top physical condition, minimizes potential for injury, and further ensures that all member and affiliate school athletic teams are appropriately represented by their student-athletes. Therefore, the possession or use of any controlled substance, alcohol or tobacco products by a student athlete, whether it occurs on or off of school property, is prohibited and shall result in the penalties set forth herein.

This regulation shall begin once the student begins participation as a student athlete in high school athletics. This policy remains in effect for every calendar school year during the course of his/her high school career and when he/she is directly involved in a school activity occurring at any time (summer leagues / camps, etc.). This policy remains in effect regardless of whether the student is currently participating on a high school athletic team.

**1. First Positive Result**

A positive result from the urine test or an altered sample will constitute a first positive: a six (6) competitive week suspension from participation in interscholastic competition beginning with the first scheduled competition after the suspension occurs. Four (4) competitive weeks of the suspension of eligibility may be waived if the student successfully completes all components of the appropriate substance abuse intervention program set forth in subparagraphs (d) (1) (A) and (d) (1) (B) below. The student may practice with the team during the period of suspension if approved by the coach and principal.

**2. Second Positive Result**

A second positive result from the urine test or adulteration will constitute a second positive: The student shall be suspended from interscholastic competition for a minimum of ninety (90) school days which shall include a minimum of six (6) competitive weeks of competition. The student shall not be allowed to practice with the team, or participate in any out of season activities and must complete the requirements set forth in subparagraphs A and B below, in order to be considered for reinstatement of future athletic eligibility, which shall be determined following the ninety (90) day suspension of athletic eligibility by a group composed of one of the student's parents/legal guardians, the school principal, athletic director, coach and a substance abuse program coordinator.

a. A substance abuse evaluation assessment conducted by a licensed alcohol and drug counselor at the expense of the parent/legal guardian of the student must be completed within ten (10) school days following the suspension and all assessment recommendations must be satisfactorily met before athletic eligibility may be reinstated.

b. The student must successfully participate in all sessions of the appropriate substance abuse intervention program set forth in subparagraphs (d) (1) (a) and (d)(1) (B) below, and

successfully complete a minimum of ten (10) tobacco or alcohol/drug related support sessions.

**3. Third Positive Result**

A third positive urine test or adulteration will constitute a third positive: The student shall be ineligible to participate in interscholastic athletics for the remainder of the student's high school career in Nevada.

**4. Appeal**

A student who serves his/her third violation and still has more than one year of remaining eligibility can appeal through the Nevada Interscholastic Athletic Association Board of Control. Both the student and his/her parent must attend this meeting of the Board to present their appeal.

**8. NON-PUNITIVE NATURE OF POLICY**

No student will be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process.

**9. ILLICIT OR BANNED SUBSTANCES**

For the purpose of this Policy, the following drug classes, substances or their metabolites that can be tested for are considered illicit or banned for LCSD Students:

Amphetamine (AMP)	Methylenedioxy-meth-amphetamine (MDMA)
Barbiturates (BAR)	Methamphetamine (M-AMP)
Benzodiazepines (BZO)	Opiates OPI300 & OP1200
Cocaine (COC)	Oxycodone (OXY)
Marijuana (THC)	Phencyclidine (PCP)
Methadone (MTD)	Tricyclic Antidepressants (TCA)

**Procedures for Random Urine Drug Testing of Dayton High School District Students**

**1. LIST OF ELIGIBLE STUDENTS**

The Designated Official will prepare a list of eligible students. This list will be forwarded to the Vendor for the random selection of students who will submit urine specimens for testing.

**2. RANDOM SELECTION OF STUDENTS FOR TESTING**

The Vendor will use a system to assure that students are selected in a random fashion. This system will utilize a computer based system designed specifically for the purpose of randomly selecting individuals for drug testing.

**3. SCHEDULING OF TESTING**

Random drug testing is unannounced. The day and date are selected by the Designated Official and confirmed with the Vendor. Random testing may be done up to bi-weekly, but not during holidays and spring break.

**4. INITIAL TESTING**

At the beginning of the year, all eligible students may be subject to urine drug testing. This testing will be accomplished on a date and time coordinated with the appointed Administrator. The Designated Official is responsible for seeing that all students and their parent/guardian/custodian properly sign the Informed Consent Agreement (Policy Exhibit A) prior to testing. Any student moving into a LSCD school shall be tested at the time they join an athletic team.

**5. TESTING YEAR**

The testing year begins the date the first activity for the upcoming school year commences and continues for 365 days thereafter.

**6. COLLECTION PROCESS**

A specimen of urine is collected following this process:

- a. No purses, bags or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
- b. Student is asked to rinse their hands and dry them. If no water is easily accessible, a non-alcoholic wipe may be used instead.
- c. The student is told to urinate directly into the provided container and should provide a sufficient amount of urine (at least 30ml) in one attempt. The student is also told they are to hand the container of urine to the Designated Official.
- d. The student then provides the required specimen.
- e. The Designated Official checks the volume, checks the temperature within four minutes of collection, and looks for evidence of tampering. If tampering is suspected, a second specimen will be requested. A second suspected tampered specimen will be considered refusal to test and the Principal will be notified.



- f. The Designated Official takes the properly signed and initialed bottle seals and places them on the container.
- g. The Student may wash their hands and is then sent back to class.
- h. The Designated Official then records the results and notifies the Principal of the results.

**LYON COUNTY SCHOOL DISTRICT  
CODE OF CONDUCT AND EXPECTATIONS & INFORMED CONSENT AGREEMENT**

Student Name \_\_\_\_\_

(Please Print)

Grade \_\_\_\_\_

Student# \_\_\_\_\_

**AS A STUDENT:**

- I understand and agree that participation in athletics is a privilege that may be withdrawn for violations of the Code of Conduct and Expectations, hereinafter Code of Conduct.
- I have read the Code of Conduct and thoroughly understand the consequences that I will face if I do not honor my commitment to the Code of Conduct.
- I understand and realize that there is risk of injury in participating in activities.
- I understand that when I participate in any athletic program, I will be subjected to initial and random urine drug testing, and if I refuse, I will not be allowed to practice or participate. I have read the consent on the reverse side of this form and agree to its terms.
- I understand this is binding while enrolled in any LCS D school.
- I have read and understand the Policy for Random Urine Drug Testing.

\_\_\_\_\_ Date \_\_\_\_\_

Student Signature

**AS A PARENT/GUARDIAN/CUSTODIAN:**

- I have read the Code of Conduct and understand the responsibilities of my son/daughter/ward as a participant in athletics at a LCS D school.
- I understand and realize that there is an assumed risk of injury involved for my son/daughter/ward as a participant in activities.
- I understand that my son/daughter/ward, when participating in athletics, may be subjected to initial and random urine drug testing, and if they refuse, will not be allowed to practice or participate. I have read the consent on the reverse side of this form and agree to its terms.
- I also understand that upon purchasing an athletic packet, they will be subject to random drug testing even though they may be out of season.
- After my son/daughter/ward has completed his/her season and has no intention of participating in any other activities for the remainder of the year, I may not remove them from the random program.
- I understand that if my child has a positive urine drug test, my child will be referred for a substance abuse evaluation by an assessment specialist.
- I understand this is binding while my son/daughter/ward is a student in a LCS D school.
- I have read and understand the Policy for Random Urine Drug Testing.

\_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian/Custodian Signature

\_\_\_\_\_ Parent/Guardian/Custodian Name (print)

\_\_\_\_\_ Home Phone

\_\_\_\_\_ Work Phone

**Consent to Perform Urinalysis for Drug Testing**

We hereby consent to allow the student named on the front of this form to undergo urinalysis testing for the presence of illicit drugs or banned substances in accordance with the Policy and Procedure for Random Urine Drug Testing of Lyon County School District Students as approved by the Lyon County School District.

We understand that the collection process will be overseen by a Designated Official assigned by the district.

We understand that any urine samples will be sent only to a certified laboratory in the event of a contested positive test.

We hereby give our consent to the medical vendor selected Lyon County School District, their laboratory, doctors, employees, or agents to perform urinalysis testing for the detection of illicit drugs or banned substances.

We further give permission to the vendor selected by LCSD, its doctors, employees, or agents, to release all results of these tests to the Principal at our student's school. We understand these results will be made available to us within 24 hours after the Principal being notified by the vendor.

We understand that consent pursuant to this Informed Consent Agreement will be effective for all athletic activities in which this student might participate during the current school year.

We understand that if a parent gives his/her child a prescription medication not originally prescribed under the child's name, it is a positive result.

We understand that after a positive test the following consequences must be completed prior to participating in athletics in the Lyon County School District.

First Positive Result: The student will receive a six (6) competitive week suspension from participation in interscholastic competition beginning with the first scheduled competition after the suspension occurs. Four (4) competitive weeks of the suspension of eligibility may be waived if the student successfully completes all components of the appropriate substance abuse intervention program.

Second Positive Result: The student shall be suspended from interscholastic competition for a minimum of ninety (90) school days which shall include a minimum of six (6) competitive weeks of competition. The student shall not be allowed to practice with the team or participate in any out of season activities.

Third Positive Result: The student shall be ineligible to participate in interscholastic athletics for the remainder of the student's high school career in Nevada.

We hereby release Lyon County School District from any legal responsibility or liability for the release of such information and records.

Lyon County School District Confidentiality Statement for Random Urine Drug Testing Program

\_\_\_\_\_, acknowledge that I will be privileged to hear and see sensitive information related to results of random urine drug testing performed on students in Lyon County School District. I pledge to keep any information given to me in strict confidence, and will only release this information to others as dictated by Board policy or with properly obtained permission of the student and parent/guardian/custodian.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date