

INTERSCHOLASTIC ATHLETICS DRUG TESTING

The St. Mary Parish School Board acknowledges that interscholastic athletics are not an essential aspect of the educational process as enunciated in Louisiana Handbook for School Administrators, Bulletin 741. Therefore, student participation is not an absolute right, but a privilege offered to eligible students on an equal opportunity basis and thus is voluntary and not required by School Board policy or state and/or federal law. However, the nature of interscholastic athletics, together with the societal problems which a student encounters and the confirmed deleterious effects of drugs, requires that the St. Mary Parish School Board adopt reasonable steps to help protect the health and safety of athletes, cheerleaders, and dance team members and to provide the safest environment reasonably available. The hereinafter specified drug testing procedures have been enacted by the St. Mary Parish School Board to better assure the student's health, safety, and physical fitness to participate in interscholastic athletics and related programs and not to provide a means which may be used to punish participants. The drug testing procedures have been enacted by the St. Mary Parish School Board for the following reasons:

1. To test for any substance which could allegedly provide an unfair advantage over those who do not use such substances, (i.e., substances believed to, or which enhance performance).
2. To help prevent secondary student athletes, cheerleaders, and dance team members from using drugs.
3. To help protect their health and safety and to test for any substance which may impair one's performance or pose a threat to their health and safety or the safety of others, (i.e., any substance that may be mind-altering, addictive or illegal which increases the risk of interscholastic athletics/activities related injury).
4. To try to preserve and maintain a positive learning environment for the children who have been committed to the temporary custody of the School Board.

It is the position of the St. Mary Parish School Board that drug testing procedures are embraced by both parents and student participants to help achieve maximum protection of participants without compromise to the student's opportunities to participate safely, fairly, and competitively. It is also the position of the School Board that there are indications that the use and/or abuse of drugs by young people in St. Mary Parish has increased. St. Mary Parish was one of only six parishes to receive additional federal funds to

implement additional programs to combat drug abuse based on several factors such as a high number of arrests of juveniles for drug related offenses, an increase in the number of drug related suspensions and expulsions, and an increase in the number of students receiving in-patient and out-patient treatment for substance abuse. Moreover, the School Board further believes that the effects of drug use by students in certain interscholastic activities are not visited just upon the users, but upon the entire student body and faculty, as the educational process is disrupted, and the use of drugs increases the risk of sport-related injury.

Therefore, the St. Mary Parish School Board authorizes random use of breathalyzer and urinalysis drug testing of students who participate in the School Board's secondary schools' athletic programs, including cheerleaders and dance team members.

The drug testing program delineated herein is not adopted as a punitive measure. Further the St. Mary Parish School Board does not attempt to regulate the off campus, non-school related activities of its students by virtue of this policy. Moreover, it is not the intent of this policy to invade the privacy rights of those affected thereby. Rather, as stated above, the St. Mary Parish School Board strives only to maximize the opportunity to minimize injuries to the students that choose to participate in selected interscholastic activities.

All students who participate in interscholastic athletics, including cheerleaders and dance team members, are subject to the drug testing procedures herein specified. Therefore, the St. Mary Parish School Board hereby publicly declares that the administration of drug testing to participants is not and should not be construed as being premised upon suspicion that a particular student is under the influence of any drugs. This program is a mandatory condition for participation by a student in any interscholastic athletic program, including cheerleading and dance team. The test at issue here is only for drugs and not any other health related condition that participants may exhibit.

Therefore, the format hereby adopted by the St. Mary Parish School Board in implementation of a drug testing policy is as follows:

- A. All interscholastic athletic participants, including cheerleaders and dance team members, must submit to a physical examination by his/her duly licensed family physician;
- B. A medical history ([School Entrance and General Health Exam Form/Louisiana High School Athletic Association \(LHSAA\) Medical History](#)) of each participant

shall be submitted to the athletic director, faculty sponsor, principal, and/or team physician;

C. On a random basis at such times as may be designated by the authorized personnel, one or more urinalyses may be taken in order to ascertain possible warning signs which, by their nature, would endanger the participants' health and safety, and/or whether there is present any controlled substance which, by its nature, will impede the motor skills, judgment, memory, and performance required and thus, endanger the participant and/or others;

D. Samples will be routinely tested for amphetamines, cocaine, and marijuana but may be used to ascertain the presence of substances such as:

1.

1. Alcohol

2. Glucose

3. Protein

4. Blood

5. Narcotics such as codeine, morphine, meperidine, normeperidine, methadone, primary metabolite and pentazocine

6. Depressants such as diazepam, mordiazepam, methaqualone, propoxyphene, norpropoxphene, and ethanol

7. Barbiturates such as amobarbital, butabarbital, butabital, pentobarbital, secobarbital, and phenobarbital

8. CNS stimulants such as amphetamine, methamphetamine, caffeine, benzoylecgonine, and phencyclidine (PCP)

9. Miscellaneous substances such as phenothiazines (reported as a class only), quinine or quinidine, tripeleennamine (known as a "T-S and Blues" when present with tentazocline), and cannabinoids (if positive, Tetrahydrocannabinol metabolite confirmation)

10. Anabolic steroids

11. LSD and any other substances defined as "controlled dangerous substances" by law including but not limited to La. Rev. Stat. Ann. [§40:961](#), et seq.

- E. Breathalyzer use is encouraged to ensure that participants are not using alcohol and may be used periodically with the entire participating population.

As alluded to earlier, all testing shall be strictly enforced, and participation in the testing program is mandatory based upon the fact that the parent(s)/guardian(s) of the participants have freely chosen to permit their child to participate in the interscholastic athletic programs, including cheerleading and dance team, offered by the St. Mary Parish School Board. No student shall be tested unless the parent(s) or guardian(s) and the student sign the proper forms permitting the performance of the subject tests. By signing and submitting the drug testing authorization and consent form, the parent(s) or guardian(s) and the student acknowledge that they have consented to the administration of the tests and waive any claim of invasion of privacy and waive any objection to the necessary action which may be adopted in the implementation of this drug testing program and in furtherance of the goals which serve as its basis. It shall also be understood that by agreeing to any tests, the parent(s) or guardian(s) and the student authorize the St. Mary Parish School Board to have the tests enumerated herein administered as a necessary and mandatory aspect for participation in its interscholastic athletic programs, including cheerleading and dance team. Refusal to sign the following form and/or to submit to the tests shall constitute immediate notice that the student shall not be permitted to participate or continue to participate in interscholastic athletic-related programs offered by the school system.

"I _____ AUTHORIZE THE ST. MARY PARISH SCHOOL BOARD 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 ST. MARY PARISH SCHOOL BOARD THROUGH ITS AGENTS (THE SUPERINTENDENT AND/OR HIS/HER DESIGNEES) AND TO MY PARENTS AND/OR GUARDIAN.

IF I AM, OR HAVE BEEN TAKING, PRESCRIPTION MEDICATION I ACKNOWLEDGE THAT I MUST PROVIDE VERIFICATION (EITHER BY A COPY OF THE PRESCRIPTION OR BY DOCTOR'S AUTHORIZATION) PRIOR TO BEING TESTED. I AM AWARE THIS REQUESTED INFORMATION CONCERNING PRESCRIPTION MEDICATION SHALL BE PROVIDED IN A SEALED ENVELOPE

AND THE CONTENTS THEREOF WILL ONLY BE REVEALED TO THE TESTING AGENCY.

I AM FULLY AWARE OF THE ST. MARY PARISH SCHOOL BOARD POLICY ON DRUG AND ALCOHOL USE AND ALSO THE ADDITIONAL RULES SET FORTH BY MY SCHOOL'S ATHLETIC DEPARTMENT. I UNDERSTAND THAT SHOULD I VIOLATE THESE RULES I AM SUBJECT TO SEVERE PENALTIES INCLUDING LOSS OF ATHLETIC PRIVILEGES."

For the protection of the school system in general and the student participants, and to preserve the integrity and validity of the testing program, all urinalysis tests shall be performed by a professional laboratory to be selected by the Superintendent and approved by the School Board. The results of the tests shall be maintained in confidence in the office of the Superintendent or the Superintendent's designee. Positive results of any drug testing shall be evidence that substances are present in the student's system. Samples yielding positive results shall be immediately retested by a NIDA approved lab and the results of testing shall be communicated to the parent(s) or guardian(s) and the student affected thereby. In all cases, any parent or guardian shall be permitted to engage in a confidential conference with the Superintendent, Superintendent's designee, or principal to discuss the results of any positive test.

Collection procedures shall be as follows:

1. There shall be no advance notice of the test or students to be tested. Participants will be selected and tested the same day, if possible.
2. Students shall remain under school supervision until they can produce an adequate specimen (approximately 30 ml.). If they cannot do it in the specified time, one (1) hour, they become ineligible for practice or competition until the next testing date.
3. Substance cut-off levels will be generally the same as those used by the Department of Transportation and National Institute for Drug Abuse Standards.
4. Any specimen registering below 92 degrees Fahrenheit, as indicated by a temperature strip attached to the specimen bottle will be rejected. If the lab technician or school authority suspects tampering, another specimen must be provided prior to the student's dismissal.

5. If tampering is proved intentional or a student refuses to take the test, he/she will be dismissed from the test and the tampering or refusal will be treated as a positive screening result.
6. Any specimen found to be diluted calls for a re-testing at the next available opportunity.
7. A school official will escort the student(s) to the test site. Students will bring all books and personal belongings with them but are not permitted to go to their lockers or out of sight of the school official.
8. Once at the site, the student(s) must sign in and immediately provide a specimen or begin drinking water provided by the school.
9. Students must remove all coats, wash their hands in cold water and in the presence of a test administrator, of the same sex, go behind closed doors to provide a specimen. The technician will wait outside the stall. The toilet will contain a blue dye that prevents the water in the commode from being used to dilute the specimen. The unit may not be flushed until the administrator/technician does it.
10. Upon receiving the specimen bottle identified only by the student's assigned number, the students sign a form verifying that the bottle was untainted when presented to them. The bottle does not leave their hand or sight until a safety seal, initialed by the student, is placed over the cap. This seal may be broken only by the testing agency at the time of testing.
11. The specimen will be sealed in a plastic bag, and the students and test administrator will sign a form verifying the sealing. A copy of the form will be given to the students, the lab, and the school and two (2) additional copies placed in the bag containing the sample. If any of the seals are tampered with, the test is deemed invalid, and the student must be retested at the next opportunity.

All costs associated with the administration of this drug testing program shall be the sole and exclusive responsibility of the St. Mary Parish School Board, except as hereinafter noted.

However, any evaluation or drug counseling which may be mandated as a result of positive tests shall not, under any circumstances, be the responsibility of the St. Mary Parish School Board.

The student and his/her parent(s) or guardian(s) shall be required to submit, along with the drug consent form, a sealed envelope containing a list of medications the student is currently taking and the name, phone number, and address of the physician prescribing the medication. The envelope shall be

placed in the specimen bag for the lab to be used to assist with interpreting results of tests taken.

The following procedures shall be followed upon receipt of a positive result from the drug testing described herein:

1. First positive: Both the individual who has tested positive and his/her parent(s) and/or guardian(s) shall be immediately notified according to the procedures specified. Before continued participation will be permitted in the particular program, the student shall submit to drug evaluation in an effort to determine the necessity of drug counseling and/or other treatment, which, if needed, shall be at his/her expense. The refusal to participate in the recommended treatment after evaluation, or even to the evaluation itself, shall constitute disqualification from participation in any interscholastic athletic program, including cheerleading and dance team. The student must test negative, at the end of a two (2) week counseling/treatment period, before being allowed to resume participation and will be tested monthly for the remainder of the school year. The two (2) week waiting period starts on the day the medical review officer (MRO) reports the positive drug test result to the School Board. Students may, during the two (2) weeks counseling/treatment period, observe any practices but may not participate in any games or related activities. The St. Mary Parish Athletic Director must sign off a student who has tested positive before that student is allowed to return to any participation.
2. Second positive: Both the individual who has tested positive and his/her parent(s) or guardian(s) shall be immediately notified according to the procedures specified. The participant shall be immediately dismissed from his/her activity and shall be ineligible for participation in any of the school's interscholastic athletic programs, including cheerleading and dance team for a period of twelve (12) months.
3. Third positive in eight (8) semesters: Any individual who tests positive for a third time during an eight (8) semester period (four (4) years of eligibility) shall be terminated from interscholastic athletic programs, including cheerleading and dance team, for the remainder of their time in high school.

All tests shall be received and reviewed by only the Superintendent or his/her designee. The parent(s) and/or guardian(s) shall be immediately notified by the responsible person. Such notification shall be confirmed in writing. Further, the Superintendent or his/her designee shall immediately notify the principal of the student's school who will then, without delay, notify the school's athletic director. The latter shall then advise the student as soon as possible. Confidentiality of the test results shall be maintained at all times.

Under no circumstances shall any law enforcement personnel be notified in case of positive test results. All tests' results shall be for school related purposes and addressed in accordance with the terms, provisions, and conditions specified herein.

A student or his/her parent(s) or guardian(s) may request a verification test from the specified testing agency, the cost of which shall be borne by the student and parent(s) and/or guardian(s) and shall be a test of the same specimen. However, should the student request a verification test from another laboratory or testing agency, the cost of the verification test shall be the responsibility of the student and his/her parent(s) or guardian(s) and shall be administered in accordance with the terms, conditions, and provisions of this drug testing policy.

The drug testing specified herein shall be administered on a random basis and all students who have elected to participate in any interscholastic athletics, including cheerleading and dance team, are subject thereto.

The Superintendent or his/her designee shall implement guidelines that ensure that the results of drug testing shall not be used as a basis for any disciplinary action and shall be used only to determine eligibility for interscholastic athletics, including cheerleading and dance team.

This drug testing policy has not been adopted in lieu of other drug policies or search and seizure regulations previously adopted by the St. Mary Parish School Board or enacted by law. Rather, the drug testing guidelines established herein are to be employed in conjunction with and in addition to other School Board policies which prescribe penalties for the possession of, use of, consumption of, being under the influence of, and/or distribution of illegal or prohibited substances on school grounds or at school related functions.

The parent(s) or guardian(s) and the student shall release the St. Mary Parish School Board, its members (both individually and in their official capacity) as well as any employee, teacher, principal or other school administrator or personnel from any liability in connection with this policy, the administration of the testing procedures and/or test results, any warranties addressing the accuracy of said tests and any and all medical or laboratory procedures employed by the referring laboratory. It is expressly understood the St. Mary Parish School Board assumes no responsibility for the diagnosis or treatment of any disease or condition that may become known as a result of any

laboratory test(s) conducted in the implementation of this drug testing program.

Revised: July, 1998 Revised: July, 2000
Revised: July, 1999 Revised: October,
2001

Ref: La. Rev. Stat. Ann. §§[17:81](#), [40:961](#), [49:1111](#)
[Vernonia School District 47J v. Acton](#), 515 U.S. 646 (1995)
[Official Handbook](#), Louisiana High School Athletic Association
Board minutes, [4-18-96](#), [4-9-98](#), [3-11-99](#), [3-9-00](#), [5-10-01](#)

St. Mary Parish School Board