

Drug Testing of Student Athletes

PROCEDURE FOR DRUG TESTING STUDENTS

Relates to Policy 09.313, 09.313.01F

ACKNOWLEDGEMENT OF POLICY AND PROCEDURES

All students and their parents are required to read the Random Drug Testing of Student Athletes (Policy 09.313 hereinafter “the Policy”) and the Procedures for Random Drug Testing of Students (09.313 AP1, hereinafter “the Procedure”), and must acknowledge, in writing that they have read the policy and procedures, understand it and agree to be bound by its terms and conditions, prior to participating in their sport/extracurricular activity. It shall be the responsibility of the particular coach/sponsor of the sport/activity to ensure that all students have acknowledged their understanding of the Policy and Procedure in writing. The Policy and Procedure described herein will be provided to all students at the beginning of each school year to encourage students to participate voluntarily.

APPLICABILITY

THIS POLICY AND PROCEDURE APPLY TO

1. ALL STUDENTS CHOOSING TO PARTICIPATE AT THE HIGH SCHOOL LEVEL IN KENTUCKY HIGH SCHOOL ATHLETIC ASSOCIATION (KHSAA) SANCTIONED SPORTS, ALL VOLUNTARY, COMPETITIVE EXTRACURRICULAR ACTIVITIES,
2. ALL STUDENTS CHOOSING TO PARTICIPATE IN INTERSCHOLASTIC SPORTS AT THE MIDDLE SCHOOL LEVEL AS SANCTIONED BY OCBF, MANY OF WHICH ARE VOLUNTARY EXTRACURRICULAR ACTIVITIES, AND
3. ANY OTHER STUDENTS OR STAFF MEMBERS VOLUNTARILY CHOOSING TO BE SUBJECT TO THE POLICY AND PROCEDURE.

IN THE EVENT THAT A STUDENT TRANSFERS INTO THE SCHOOL DISTRICT OR OTHERWISE BEGINS PARTICIPATING AT THE HIGH SCHOOL LEVEL DURING THE MIDDLE OF THE SCHOOL YEAR, THE STUDENT SHALL BE REQUIRED TO SIGN THE APPROPRIATE FORMS AND BE SUBJECT TO TESTING AS OUTLINED IN THE POLICY AND PROCEDURE AND SPECIFICALLY IN SECTION VI HEREIN, “TIMING OF TESTING.”

TESTING PROGRAM

Each participant shall be required to undergo substance abuse testing. Testing shall be accomplished by the analysis of urine specimens obtained from the student participant. Collection and testing procedures shall be established, maintained and administered to reasonable ensure

- a. randomness of selection procedures,
- b. proper student identification,
- c. that each specimen is identified with the appropriate student participant,
- d. maintenance of the unadulterated and integrity of the specimen, and
- e. the integrity of the collection and test process as well as the confidentiality of the test result.

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Participants' urine specimens may be tested for any, a combination, or all of the following:

- a) alcohol
- b) amphetamines
- c) marijuana
- d) cocaine and its derivatives
- e) LSD
- f) opiates
- g) phencyclidine (PCP)
- h) benzodiazepine
- i) barbiturates
- j) steroids
- k) methadone
- l) methaqualone
- m) propoxyphene
- n) any other abused, illegal, or banned substances as determined by the Board of Education
- o) ecstasy P. nicotine

COMPLETION OF REQUIRED FORMS**A. Consent Forms**

Any student undergoing drug testing per this Policy and Procedures shall sign a "Student Athlete Consent to Perform Urinalysis for Random Drug Testing" from (09.313.01F) before the participant provides a urine specimen for urinalysis.

The parent or guardian of any person undergoing drug testing per this Policy and Procedures who is under the age of eighteen (18) must also sign a "Parent/Guardian Consent to Perform Urinalysis for Random Drug Testing" form (09.313.01F) before the participant provides a urine specimen for urinalysis.

Any student and his/her parent/guardian must sign the above-referenced consent forms prior to participating in any tryout activities or organized activity for any extracurricular. Refusal to sign the required consent forms shall be the basis of denial of participation in the activities for that team or extracurricular organization, including practices and competitive contests.

A. Chain of Custody Form

All participants shall also sign a "Chain of Custody" Form provided by the Company.

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To the greatest extent possible, this test shall be performed randomly. Students are subject to testing:

1. At any time between first day of the school year and the last day of school

Scheduled times for random drug testing shall be selected by the DPP and must be conducted no fewer than nine (9) times during the school year.

During each random drug test, no fewer than twenty-five percent (25%) of all student's subject to drug testing during the year shall be tested.

RANDOM DRAWING

The Company will provide a computerized method by which to randomly select the students to be tested for each random test performed. The selection will be conducted by a person from the testing vendor and supervised by the DPP.

COLLECTION PROCESS

The company will work closely with the DPP to develop, maintain and administer collection procedures for urine specimens. These procedures shall be accepted in the testing industry as appropriate procedures to minimize intrusion or embarrassment to students, ensure proper identification of student and urine specimens, reduce the likelihood of adulteration of urine specimens, and make reasonable efforts to maintain confidentiality of test results. To that end, the following procedures shall apply:

- A. A coach/sponsor of the athletic team/ extracurricular or the principal or designee at the school shall be present immediately prior to the collection process to ensure proper student identification.
- B. At least one representative of the Company shall be present to conduct the collection process.
- C. The Company shall provide the participants with a container in which to collect urine. The participant shall be permitted to absolute privacy during the collection process.
- D. Immediately prior to entering the bathroom facility being used for the collection process, the participant shall be required to leave all personal belongings (including jackets, purses, book bags, pocket contents, etc.) in the custody of the school representative present for student identification.

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- E. Within four (4) minutes of the collection of the urine specimen, a representative of the Company must utilize a temperature strip to test the temperature of the urine specimen. Urine specimens testing below ninety (90) degrees Fahrenheit shall be discarded and the participant shall be required to produce another urine specimen. A participant whose specimen has a temperature of over one hundred (100) degrees Fahrenheit shall be subject to having his/her temperature taken orally by a representative of the Company. If the differential between the participant's body temperature and the temperature of the urine specimen is not within the acceptable range as determined by the Company, the participant will be required to produce another urine specimen.
- F. Student marked absent by the school office or on an approved field trip on the day of random testing, shall not be penalized for not undergoing testing. If a student is marked present at school on the day of testing, but does not appear for testing, school staff will attempt to locate student. If reasonable efforts to locate the student are unsuccessful, the student will be considered to be refusing to submit to testing. If the student does not produce a sample within three (3) hours of the first attempt, the student will be considered to be refusing to submit to testing and will be excluded from his/her sport or extracurricular activity until such time as he/she is randomly selected for another drug test. This exclusion may include the entire school year if the computer does not randomly select that student.
- G. Students having difficulty producing a sample will be required to remain with the representative of the Company and the DPP at the school testing location until he/she produces a urine sample.
- H. The bathroom facility used shall be selected by the school representative and the DPP and shall be on the premises of the school whose students are being tested.

TESTING PROCESS

- A. All scientific analyses of the collected specimens must be conducted by a professional testing laboratory that is certified in the industry or by the federal government. Each specimen shall be tested by testing laboratory using a highly accurate immunoassay technique. Initial positive results must be confirmed by gas chromatography/mass spectrometry (GC/MS). The confirmation test shall not be considered a separate test, but shall be part of the initial test as it will be conducted on a portion of the urine collected for the initial test.
- B. The Company will preserve a portion of the urine specimens given by each student who test results are positive for a minimum of six (6) months.

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- A. The Company shall provide verbal results of positives to the DPP only. Those results must be in writing immediately to the DPP only. The DPP shall then inform the parents, the principal at the school the student attends and the coach (in the case of student athletes), or sponsor, once the GC/MS testing has confirmed positive results.
- B. The results shall list the student number for whom the test results are being reported, the type of test indicated on the custody and control form, the date and location of the test collection, the identity of the person(s) or entity performing the collection and analysis of the specimens and reporting the test results, and the verified results of the controlled substance (s) for which the test was verified positive. Test results must be forwarded to the Director of Pupil Personnel in a manner to ensure that the Principal cannot determine that any test was presumptive, positive test unable to be confirmed by GC/MS.
- C. Negative results must be provided to the DOO no later than 48 hours after a student gives a urine specimen. Positive test results must be provided and confirmed no later than 96 hours after a student gives a urine specimen.
- D. The screen cut-offs, which will be provided with the results, are:

Drug Class	Initial Test	Confirmation Level
Amphetamines	1000 ng/MI	500 ng/MI
Barbiturates	300 ng/MI	300ng/MI
Benzodiazepines	300 ng/MI	150 ng/MI
Cocaine	300 ng/MI	150 ng/MI
Methadone	300 ng/MI	300 ng/MI
Opiates	2000 ng/MI	2000 ng/MI
PCP	25 ng/MI	25 ng/MI
Propoxyphene	300 ng/MI	300 ng/MI
THC metabolites (marijuana)	50 ng/MI	15 ng/MI

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Violation of OCBE Policy 09. 313 AP1 are as set forth in that Policy with regards to all levels of offenses. In addition, for first offenses, if a student athlete elects to participate in a drug assistance program acceptable to the school district and undergo weekly testing, that student may not resume participation in their sport until such time as the level of drug initially detected in the system no longer impairs the student athlete's ability to participate in that sport safely, as determined by the Medical Review Officer with the Company. During weekly drug testing pursuant to a first offense under OCBE Policy 09.313 if the level of the drug(s) initially detected increases or if a new drug is detected, it shall be considered and treated as a second offense.

VOLUNTARY PARTICIPANTS

The Board of Education encourages all students, whether participating in extracurricular activities covered by this Policy or not, and all staff members to undergo voluntary random drug testing to promote a completely drug-free environment in our schools.

Voluntary participants will be subject to all the same procedures as student athletes and extracurricular activities.

Voluntary participants will be assigned identification numbers, that are not the person's social security number, and their names will be randomly selected by the same computer system as described above in Paragraph VII.

Voluntary participants are subject to selection at any time during the regular school year.

COST OF TESTING

The Board of Education shall be responsible for the cost of any random drug test on all students.

Subsequent testing due to a first offense shall be the responsibility of the student and the parent. Testing shall be performed by the Company and the rates will be the same as those given to the OCBE for random drug tests. Payment of those tests shall be issued to the OCBE within thirty (30) days after collection of urine for drug testing and sent to the Oldham County Board of Education, Att.: Director of Pupil Personnel, 6165 W. Highway 146, Crestwood, KY 40014.

APPEALS

Any student determined to be in violation of this Policy and Procedure may appeal the Principal's/designee's decision to the Superintendent of the Oldham County Schools. This appeal must be in writing and filed with the Superintendent no later than three (3) school days after the Principal's decision. The Superintendent will review the matter for any procedural errors. The

Superintendent will issue a written determination no later than ten (10) school days after receipt of the appeal.

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APPEALS (CONTINUED)

Any student may further appeal the matter by filing a written appeal with the Oldham County Board of Education (OCBE) no later than ten (10) school days after the Superintendent's decision. The OCBE will hold an informal hearing at the next regularly scheduled board meeting after it receives the appeal, at which time the student may present evidence in his/her favor. The hearing will be closed unless the student requests that it be open. The OCBE will make a decision at the ending of the hearing, which decision shall be final.

The student may not participate in any sport or extracurricular during this appeal process.

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