Policy 3400: Extracurricular Activities Drug-Testing Program

Status: ADOPTED

Original Adopted Date: 07/10/2000 **| Last Revised Date:** 04/21/2025 **| Last Reviewed Date:** 04/21/2025

The administration, staff, many students and parents believe a mandatory drug-testing program for all students in grades 6-12 who participate in activities is necessary for the following reasons:

1. *Health and safety of the individual and others.* Anyone participating in an activity under the influence of an illegal drug is a potential danger to everyone.
2. *Prevention* - students will potentially be able to say no to drugs because they will have a legitimate reason, "I want to participate in activities."
3. *Intervention* - individuals desiring to participate in activities will be encouraged to seek help if there is a drug problem.

It is the goal of St. Maries Joint School District No. 41 that this policy will benefit all activity students, thus all students of St. Maries Joint School District No. 41. This philosophy is an effort to address what the District perceives to be a real problem in society and in the schools. The District believes this program will help foster a drug-free environment in St. Maries Joint School District No. 41.

Purpose
The drug-testing program is not intended to be disciplinary or punitive in nature. However, the students involved in extracurricular activities need to be exemplary in the eyes of the community and other students. When students involved in extracurricular activities test positive, there will be disciplinary actions.

Scope
Participation in extracurricular activities is a privilege. This policy applies to all District students in grades 6-12 who wish to participate in extracurricular activities that are listed in the current student handbook and any other school-sponsored extracurricular activities not listed.

Consent Form
It is mandatory that each student who participates in extracurricular activities signs and returns the Consent Form prior to participation in any extracurricular activity. Failure to comply will result in non-participation.

Each extracurricular participant shall be provided with the Consent Form (3400 (E1), which shall be dated and signed by the participant and by the parent or guardian. In so doing, the student is agreeing to participate in the random drug - testing program at St. Maries Joint School District No 41.

Policy Statement
St. Maries Joint School District No. 41 is conducting a mandatory random drug-testing program for activity students in grades 6-12. Its purpose is threefold: (1) to provide for the health and safety of all activity students; (2) to undermine the effects of peer pressure by providing a legitimate reason for student participants to refuse to use illegal drugs; and (3) to encourage activity students who use drugs to participate in receiving an assessment from a state-certified substance abuse counselor, of which all costs will be the responsibility of the parent or guardian.

All students who test positive will have their custodial parent or guardian notified so he or she can obtain an assessment from a state-certified substance abuse counselor and follow the recommended program completely. All costs associated with the assessment and the recommended treatment program will be the responsibility of the parent or legal guardian. The cost of the drug testing done in school will be paid for by the District. If a parent or guardian disputes the results, a re-test through a state-approved lab can be obtained. However, it will be the parents' or guardians' responsibility. In the event of a hardship, St. Maries Joint School District No. 41 may help offset expenses.

Testing Procedures

1. **Random testing** will be conducted a minimum of once a month during the activity season. Selection for random testing will be by lottery drawing from a "pool" of all students participating in co-curricular activity programs in the St. Maries Joint School District No. 41 at the time of the drawing. Students who participate in co-curricular activities will remain in the "pool" and be subject to random testing for a period of one (1) calendar year. The Drug Testing Coordinator shall take all reasonable steps to assure the integrity, confidentiality, and random nature of the selection process, including, but not necessarily limited to: assuring that the names of all participating activity students are in the pool; assuring that the person drawing names has no way of knowingly choosing, or failing to choose particular students for the testing; assuring that the identity of students drawn for testing is not known to those involved in the selection process; and assuring direct observation of the selection process by at least two (2) adults. Urine, saliva, and/or breath will be used for drug testing.
2. **Sample Collection.** Samples will be collected from the student at the time and day specified by the Drug Testing Coordinator, 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. Discretion may be used on the part of the Drug Testing Coordinator if unusual circumstances occur, making it difficult to provide a sample. All students providing urine samples will be given the option of doing so in an individual stall with the door closed. Students should rinse their hands with water prior to giving a urine sample. Students will have the option of District on-site testing at no cost to them, or testing by the clinic laboratory of St. Maries Family Medicine or Benewah Community Hospital. If the student desires to have the testing completed at St. Maries Family Medicine or Benewah Community Hospital, the student shall be responsible for the cost of the testing.
3. **Prescription Medication**. Students who are taking prescription medication should provide a copy of the prescription or a doctor's verification in a sealed envelope to school personnel in the event a positive sample is taken. The prescription will be considered as additional information in the event of a positive test. Such information provided by the student will not be disclosed to any school official, unless a parent or guardian so chooses. Students who refuse to provide verification and test positive will be subject to the actions specified below for the appropriate "positive test".
4. **Scope of Tests.** The independent testing lab will be instructed to test for one (1) or more illegal drugs that show up positive in the test cup administered by the Drug Testing Coordinator. Activity students' samples will be screened only for the presence of any substances in the categories that tested positive in the test cup. Samples will not be screened for the existence of any physical condition other than drug intoxication.
5. **Security of Results.** After a testing window, testing result sheets will be returned to the principal or administrative designee, identifying students by number and not by name. Names of students tested will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the principal and/or administrative designee has access.

Testing Procedure
On the day the numbers are drawn, those selected will be notified and will report to the designated place to produce a sample. They will be given a sample collector and will proceed to a stall where they will produce the sample. He or she may do so behind a closed door if he or she wishes. All excess clothing, coats, extra shirts, etc. will be removed before entering the stall. Student participants may be asked to empty pockets to assure counterfeit samples are not hidden on his or her person. After the sample is given, it will then be sealed with the number of the student participant or other confidential marking that is printed clearly on the sample.

A trained staff member will collect all samples. Results will be kept confidential and reported only to the Drug Testing Coordinator.

Procedures in the Event of a Positive Result
Whenever an activity student's test result indicates the presence of illegal drugs or nicotine (positive test), a second tobacco test may be administered testing for levels more than 50 mg/100 to rule out the possibility of second-hand smoke. In the event that the initial test indicates a presence of illegal drugs or the second nicotine test indicates more than **50 mg/100** nicotine, a meeting will be scheduled with the student and the parent or guardian and the following will occur:

1. The student, at the discretion of the parent or guardian, may choose to provide another sample as soon as possible to be assessed by an independent testing facility at their expense. If a student fails to provide another sample or unduly delays in providing such a sample (longer than twenty-four (24) hours), the results of the first sample shall be considered accurate. It will be the responsibility of the parent or guardian to provide written evidence of the negative test

sample from any additional test to the building principal. The results from the optional second drug testing sample will be considered as additional information.

2. In the event of a positive test, the building principal will keep an activity student /athlete from participating in the practice, game or match for safety reasons.

Positive Test Results

1. The student shall be suspended from participating in any game, contest, competition or event for a period of 25% of competitions/events. The 25% of missed events/competitions might filter into the next season. The 25% calculation is figured by using information from the current season. If the event or competition has a season makeup that allows for administration to calculate one-half (1/2) of a competition, then that .5 will be factored into the 25%.
2. If a student-athlete commits a criminal or law enforcement infraction that is not during the season, or during the summer months, the activity suspension will last 25% of the subsequent season.
3. If a citation related to controlled substances is issued to a student, that student must disclose the citation to a school administrator or coach on the next school day or earliest school event.
4. The principal or athletic director will be notified of a student testing positive (if the test shows that drug residues are in the student's system after using at least two (2) different types of analysis). The principal or athletic director will notify the student and his or her parent or guardian. The student or student's parent or guardian may submit any documented prescription, explanation, or information that will be considered in determining whether a positive test has been satisfactorily explained.
5. The principal or Athletic Director will meet with the student and the student's parent or guardian at the school. The student and parent or guardian will be given the names of counseling and assistance agencies that the family may want to contact for help.

Second and Third Violations

A. For the second violation, the activity suspension will be 50% of the season. The 50% of missed events/competitions might filter into the next season. The 50% calculation is figured by using information from the current season. If the event or competition has a season makeup that allows for administration to calculate one-half (1/2) of a competition, then that .5 will be factored into the 50%.
B. For the third violation, the activity suspension will be suspended for the rest of the remainder of the season and into the next two seasons. (i.e. If an athlete is suspended for the remainder of a basketball season in 2024/2025. The athlete could not play in the spring nor the fall season of 2025. The athlete would be reinstated for the winter season of 2025/2026.
C. This type of activity suspension cannot be appealed.

The progression of drug/alcohol violations and any law enforcement citations are reset after their middle school career, and, as they transition into high school.

Reinstatement After a Third Violation (drugs or alcohol)
As a condition prior to reinstatement, the Board of Trustees may require an individualized behavior plan, including but not limited to sanctions, community service, or other requirements.

Activity Suspension for Criminal Conduct or Drug Use in any Location during the off season or summer.

A. If a student-athlete commits a criminal or law enforcement infraction that is not during the season, or during the summer months, the activity suspension will be 25% of the athlete's upcoming season.

B. For the second violation in the off-season or summer months, the activity suspension will be 50% of their upcoming season.

C. For the third violation, in the off-season or summer months, the activity suspension will result in a suspension for three full seasons.

E. This type of activity suspension cannot be appealed.

Confidentiality
Under this drug-testing program, any staff member, coach, or sponsor of the District who may have knowledge of the results of a drug test will not divulge to anyone the results of the test or the disposition of the student involved, other than to the parent or guardian.

Testing Procedures
After the sample is given, it will be checked for temperature and signs of tampering. It will then be sealed with the number of students participating printed clearly on the sample. **If** there is suspected tampering, the Drug Test Coordinator and administration may require another test in a more restricted area like the hospital or district office.

Legal References
Idaho Compilation of Student Discipline

Cross Policy References

3380	Extracurricular and Co-curricular Participation Policy
3330	Student Discipline

Board Policy No. 503.11 History

Adopted	07/10/2000
Reviewed	08/13/2007
Reviewed	07/14/2008
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Reviewed	06/11/2018
Amended	06/11/2018
Reviewed	07/25/2019
Amended	07/25/2019
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Amended	01/10/2022
Reviewed	07/11/2022
Reviewed	02/24/2025
Reviewed	04/21/2025
Amended	04/21/2025

Legal References	Description
119 S.Ct. 68 (1998).	Todd v. Rush County, 139 F.3d 571 (7th Cir.), cert. Denied
515 U.S. 646 (1995).	Vernonia School District 47J v. Acton

ST. MARIES JOINT SCHOOL DISTRICT NO. 41
P. O. BOX 384
ST. MARIES, ID 83861

EXHIBIT "A"

STUDENT/PARENT/GUARDIAN
DRUG TESTING CONSENT 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 St. Maries Joint School District No. 41 and the sponsors for the activity in which I participate.

I also authorize St. Maries Joint School District No. 41 to conduct tests on urine specimens, saliva samples, and/or breath, which I provide to test for drugs. I also authorize the release of information concerning the results of such a test to the Drug Testing Coordinator at St. Maries Joint School District No. 41, appropriate school personnel, and to my parents or guardians.

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

This Consent shall remain in effect for a period of one (1) calendar year from the date of parent and/or guardian signature.

_____	_____
Student Signature	Parent or Guardian Signature
_____	_____
Print Name	Print Name
_____	_____
Date	Date