BETHEL PUBLIC SCHOOLS:
SCHOOL BOARD POLICY

ACTIVITY STUDENT DRUG TESTING POLICY

The Bethel Board of Education in an effort to protect the health and safety of its extra-curricular activities students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of the Bethel Public School District, proposes to adopt the following policy for drug testing of activity students.

STATEMENT OF PURPOSE AND INTENT

Although the Board of Education, administration, and staff desire that every student in the Bethel Public School district refrain from using or possessing illegal drugs, district officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this policy governs only performance-enhancing and illegal drug use by students participating in certain extra-curricular activities. The sanctions imposed for violations of this policy will be limitations solely upon limiting the opportunity of any student determined to be in violation of this policy to a student's privilege to participate in extra-curricular activities. No suspensions from school or academic sanctions will be imposed for violations of this policy. This policy supplements and complements all other policies, rules, and regulations of the Bethel Public School District regarding possession or use of illegal drugs.

Participation in school-sponsored interscholastic extra-curricular activities at the Bethel Public School District is a privilege. Students who participate in these activities are respected by the student body and are representing the school district and the community. Accordingly, students in extra-curricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, sportsmanship, and training, which includes avoiding the use or possession of illegal drugs.

The purposes of this policy is:

1. To educate students of the serious physical, mental, and emotional harm caused by illegal drug use.

2. To alert students with possible substance abuse problems to the potential harms that drug use poses for their physical, mental, and emotional well-being and offer them the privilege of competition as an incentive to stop using such substances.

3. To assist students who wish to remain drug free that may feel pressured from peers to engage in such activities.

4. To prevent injury, illness, and harm for students that may arise as a result from illegal and performance-enhancing drug use.

5. To offer students within this school district the opportunity for practices, competition, and school activities free of the effects of illegal and performance-enhancing drug use.

Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon the participants in extra-curricular activities and upon the positive image these students project to other students and to the community on behalf of the Bethel Public School District. For the safety, health, and well-being of students in extra-curricular activities the Bethel Public School District has adopted this policy for use by all participants in interscholastic extra-curricular activities in grades 7-12.

The administration may adopt regulations to implement this policy.

I. Definitions

"Activity Student" means a member of any middle school or high school Bethel Public School District sponsored extra-curricular organization which participates in interscholastic competition. This includes any student that represents Bethel Schools in any extra-curricular activity in interscholastic competition such as FFA, Academic Team, Band, Vocal, Cheerleader, and Athletics.

"Drug use test" means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drugs or the metabolites thereof in a person's urine.

"Random Selection Basis" means a mechanism for selecting activity students for drug testing that:

A. results in an equal probability that any student from a group of activity students subject to the selection mechanism will be selected, and
B. does not give the School District discretion to waive the selection of any activity student selected under the mechanism.

"Illegal drugs" means any substance which an individual many not sell, possess, use, distribute, or purchase under either Federal or Oklahoma law. "Illegal drugs" includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substance Act, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose. "Illegal drugs" shall also include alcohol.

"Performance-enhancing drugs" include the 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 drugs" does not include the dietary or nutritional supplements such as vitamins, minerals, and proteins which can be lawfully purchased in over-the-counter transactions.

"Positive" when referring to a drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

"Reasonable suspicion" means a suspicion of illegal or performance-enhancing drug use based on specific observations made by teachers, coaches/administrators/sponsors of the appearance, speech, or behavior of

an activity student; the reasonable inferences that are drawn from those observations; and/or information of illegal or performance-enhancing drug use by an activity student when supplied to school officials by other students, staff members, or patrons.

II. Procedures

Each activity student shall be provided with a copy of the "Student Drug Testing Consent From" which shall be read, signed, and dated by the student, parent or custodial guardian, coach/sponsor and returned to the school office before such student shall be eligible to practice or participate in any extra-curricular activities. The consent requires the activity student to provide a urine sample: (a) as part of the student's eligibility for participation; (b) when the activity student is selected by the random selection basis to provide a urine sample; and (c) at any time when there is reasonable suspicion to test for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any extra-curricular activities involving interscholastic competition unless the student has returned the properly signed "Student Drug Testing Consent Form and paid the required activity student drug testing fee. A student who moves into the district after the school year begins will have to undergo a drug test before they will be eligible for participation.

Prior to the commencement of drug testing each year an orientation session will be held with each Activity Student to educate them of the sample collection process, privacy arrangements, drug testing procedures, and other areas which may help to reassure the activity student and help avoid embarrassment or uncomfortable feelings about the drug testing process.

Each Activity Student shall have access to a copy of the Activity Student Drug Testing Policy. The head coach or sponsor shall be responsible for explaining the Policy to all prospective students, and for preparing an educational presentation to acquaint the student with the harmful consequences of drug and alcohol use and abuse.

Drug use testing for Activity Students will be chosen on a random selection basis monthly from a list of all Activity Students who are involved in off-season or in-season activities. The Bethel Public School District will determine a monthly number of student names to be drawn at random to provide a urine sample for drug use testing for illegal drugs or performance-enhancing drugs.

In addition to the drug tests required above, any Activity Student may be required at any time to submit to a test for illegal or performance-enhancing drugs, or the metabolites thereof when an administrator, teacher, coach, or sponsor has reasonable suspicion of illegal or performance-enhancing drug use by that particular student.

Any drug use test will be administered by or at the direction of a professional laboratory chosen by the Bethel Public School District. The professional laboratory shall be required to use scientifically validated toxicological testing methods, have detailed written specifications to assure chain of custody of the specimens, and proper laboratory control and scientific testing.

All aspects of the drug use testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular,

the specimen must be collected in a restroom or other private facility behind a closed stall. The principal/athletic director shall designate a coach, sponsor, or school employee of the same sex as the student to accompany the student to a restroom or other private facility behind a closed stall. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to insure an accurate chain of custody. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the principal/athletic director who will then determine if a new sample should be obtained.

An initial positive test result will be subject to confirmation by a second and different test of the same specimen. The second test will use the gas chromatography/ mass spectrometry technique. A specimen shall not be reported positive unless the second test utilizing the gas chromatography/ mass spectrometry procedure is positive for the presence of an illegal drug or the metabolites thereof. Student records will be retained until the end of the school year.

III. Confidentiality

The laboratory will notify the principal/athletic director or designee of any positive test. To keep the positive test results confidential, the principal/athletic director or designee will only notify the student, head coach/sponsor, and the parent or custodial guardian of the student of the results. The principal/athletic director or designee will schedule a conference with the student and parent or guardian and explain the student's opportunity to submit additional information to the principal/athletic director or to the lab. The Bethel Public School District will rely on the opinion of the laboratory which performed the test in determining whether the positive test result was produced by something other than consumption of an illegal or performance-enhancing drug.

Test results will be kept in files separate from the student's other educational records, shall be disclosed only to those school personnel who have a need to know, and will not be turned over to any law enforcement authorities.

IV. Appeal

An Activity Student who has been determined by the principal/athletic director to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within 48 hours of notice of the positive test. A student requesting a review will remain eligible to participate in any extra-curricular activities until the review is completed. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Superintendent's decision will be provided and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgement and discretion of the Superintendent which shall be final and non appealable.

V. Consequences

Any activity student who tests positive in a drug test under this policy shall be subject to the following restrictions:

A. First Positive Test:

The student will be suspended from participation in all extra-curricular activities for (10) school days. The student and parent/guardian must show proof that the student has received drug counseling from a qualified drug treatment program or counseling entity. The student must provide a negative test result from an approved laboratory prior to participating in any extra-curricular activity. The student may be required to test each time for up to 180 school days.

B. Second Positive Test:

The student will be suspended from participation in all extra-curricular activities for (45) school days. The student and parent/guardian must show proof that the student has received (5) hours of drug counseling from a qualified drug treatment program or counseling entity. The student must provide a negative test result from an approved laboratory prior to participating in any extra-curricular activity. The student will be required to test each time for 180 school days.

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C. Third Positive Test:

The student will be suspended from participation in all extra-curricular activities for (180) school days. The student must provide a negative test result from an approved laboratory prior to participating in any extra-curricular activity.

VI. Time Line:

The effective time line for a student to be held accountable for each subsequent offense shall be as follows. Students who test positive in grades 7-8 shall be considered middle school students and positive test results during these grades shall follow the above mentioned consequence steps. Students in grades 9-12 shall be considered high school and positive test results during these grades shall follow the above mentioned consequence steps also. A student in high school shall only have consequences for any offense that occurred during their high school years. Previous middle school offenses will not carry on to high school.

VII. Self Referral

A student who self refers to the athletic director, principal, coach, or sponsor prior to being notified to submit to a drug test will be treated as having committed their first offense with the exception of a (5) day suspension from all extra-curricular activities instead of 10. The student must not have committed any prior offenses for this policy to be in effect.

VIII. Refusal to Submit to Drug Use Test

A participating student who refuses to submit to a drug test authorized under this policy, shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performance, and competitions for (180) school days. Additionally, such student shall not be considered for any interscholastic activity honors or awards given by the school.

Bethel Public Schools is committed to cooperating with parents/guardians in an effort to help students avoid illegal drug use. The Bethel Public School District believes accountability is a powerful tool to help some students avoid using drugs and that early detection and intervention can save lives.

IX. Invalid Test

The following guidelines will be followed for a student who submits an invalid specimen at the time of testing. An invalid specimen shall be defined as a specimen that will not register in the designated collection cup due to the temperature of the specimen being out of the temperature collection range or the specimen not registering in the collection cup due to altering of the specimen at the time of collection. If a student submits an invalid test, they will be required to retest immediately. If a student refuses to submit another sample for testing, this will fall under refusal to submit to drug use testing and the student shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performance, and competitions for (180) school days.

X. Sample Tampering

Any student who is caught, or admits to tampering with a urine sample in an effort to alter, deceive, or manipulate the sample shall have that sample deemed as invalid. The student will be required to retest immediately, and shall be suspended from participation in all extra-curricular activities for 45 days for sample tampering. If during the retest the student tests positive, the 45 day suspension shall be added to the students appropriate consequence step restictions.

XI. Medical Marijuana

Any extra-curricular activity student who tests positive for marijuana or its metabolites shall not be considered to be in violation of the Bethel Activity Student Drug Policy if they are in possession of a valid medical marijuana card at the time of testing. A student extra-curricular activity participant who is a medical marijuana license holder WILL be considered to be in violation of the Bethel Public Schools non extra-curricular drug and alcohol policy if he or she uses, possesses, sales, distributes, purchases, or is under the influence of medical marijuana or a medical marijuana product during school hours and during school sponsored activities/events which will lead to a school suspension.

XII. Student Drug Testing Consent Form Statement of Purpose and Intent

Participation in school sponsored extra-curricular activities in the Bethel Public School District is a privilege. Activity Students carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes the use or possession of illegal drugs.

Drug use of any kind is incompatible with participation in extra-curricular activities on behalf of the Bethel Public School District. For the safety, health, and well being of the students of the Bethel Public School District, the Bethel Public School District has adopted the attached Activity Student Drug Testing Policy

and the Student Drug Testing Consent for use by all participating students at the middle school and high school levels.

Participation in Extra-Curricular Activities

Each activity student shall be provided with a copy of the "Student Drug Testing Consent From" which shall be read, signed, and dated by the student, parent or custodial guardian, coach/sponsor and returned to the school office before such student shall be eligible to practice or participate in any extra-curricular activities. The consent requires the activity student to provide a urine sample: (a) as part of the student's eligibility for participation; (b) when the activity student is selected by the random selection basis to provide a urine sample; and (c) at any time when there is reasonable suspicion to test for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any extra-curricular activities involving interscholastic competition unless the student has returned the properly signed "Student Drug Testing Consent Form and paid the required activity student drug testing fee. A student who moves into the district after the school year begins will have to undergo a drug test before they will be eligible for participation.

Bethel Public Schools
Student Drug Testing Consent:
Activity Students

Student's Last Name_____ First Name_____MI _____

I understand after having read the "Student Activity Drug Testing Policy" and "Student Drug Testing Consent," that, out of care for my safety and health, the Bethel Public School District enforces the rules applying to the consumption or possession of illegal and performance-enhancing drugs. As a member of a Bethel extra-curricular interscholastic activity, I realize that the personal decision that I make daily in regard to the consumption or possession of illegal or performance-enhancing drugs may affect my health and well-being as well as the possible endangerment of those around me and reflect upon any organization with which I am associated. If I choose to violate school policy regarding the use or possession of illegal or performance-enhancing drugs any time while I am involved in in-season or off-season activities, I understand upon determination of that violation I will be subject to the restrictions on my participation as outlined in this Policy.

Signature of Student Date

We have read and understood the Bethel Public School District "Activity Student Drug Testing Policy" and "Student Drug Testing Consent." We desire that the student named above participate in the extra-curricular interscholastic programs of the Bethel Public School District and we hereby voluntarily agree to be subject to its terms. We accept the method of obtaining urine samples, testing and analysis of such specimens, and all other aspects of the program. We further agree and consent to the disclosure of the sampling, testing, and results as provided in this program.

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Signature of Parent or Custodial Guardian Date

Signature of Coach/Sponsor Date