AR-5131.61 (a)

STUDENT EXTRA-CURRICULAR ACTIVITIES RANDOM DRUG TESTING

Random drug testing may be required during the extra-curricular activity season for high school students who participate in the following high school level activities: Baseball, Boys/Girls Basketball, Cross Country, Softball, Volleyball, Wrestling, Cheerleading, Pep Band, All-state Band & Choir, Music Honor Festival, Drama/Debate/Forensics, FCCLA, BPA, Close-Up, Art Festival and any other district-sponsored extracurricular activities.

Prior to the beginning of each activity season, each student and, if the student is a minor (under the age of eighteen), his or her parent will be required to complete and sign the District Informed Consent Agreement. The agreement will state that the student, and his or her parent, if applicable, understands that by participation in the extra-curricular activity he/she agrees to subject himself/herself to the district's random drug testing policy. No student will be allowed to participate in practice or competition until this form is completed, signed and on file with the district.

Testing Procedure

Random testing may be conducted during the season for each extra-curricular activity. Approximately 10% of the students participating in covered extra-curricular activities will be tested during each testing administration.

Testing will be performed for the following drugs: marijuana (THC), benzodiazepines, cocaine, amphetamines, methamphetamines, and opiates. Students shall not be tested for the presence of any substance other than an illegal drug, nor shall they be tested for the existence of any physical condition other than drug intoxication and/or the presence of illegal drugs in their systems.

The district shall designate a certain area in the high school building as the collection site.

Students to be tested shall present verification of their identities to the test administrator, if they are not personally known to the test administrator. They shall be asked to remove any jackets or coats and to wash and dry their hands prior to collection of the specimen. Students must leave their purses or packs outside the collection site but may remove and retain their wallets. These procedures must be completed in the presence of the test administrator.

A student shall be given a choice of at least two sealed drug-testing kits. The student's selected kit shall be opened in full view of the student. The student shall then be directed to a private area for production of a urine specimen. After testing, the student must present the specimen to the test administrator prior to washing his/her hands or flushing the toilet. The specimen shall remain in the student's visual field while the test administrator conducts the appropriate manufacturer procedures.

STUDENT EXTRA-CURRICULAR ACTIVITIES RANDOM DRUG TESTING

The test administrator shall then divide the specimen in half and shall conduct initial screening using one of the halves. If that screening yields a negative result, the entire specimen will be discarded. If the screening yields an inconclusive or presumptively positive result, the remaining half of the specimen shall be secured for transmission to a testing laboratory for confirmatory testing, except as provided below when a student accepts the initial test results. The student shall be requested to initial and date a form identifying the specimen.

The testing laboratory shall conduct confirmatory testing using gas chromatography/mass spectrometry (GC/MS) techniques. Tests shall not be considered positive unless the substance to be tested is present at a level equal to or greater than the cutoff level established by the United States Department of Health and Human Services for that substance. All positive GC/MS test results shall be reviewed by a licensed physician or Osteopath. The licensed medical provider shall contact the student and a parent, if the student is a minor, within 72 hours of receiving a confirmatory positive test/result from the laboratory and offer an opportunity to discuss the test results. Students may be requested to provide verification of prescriptions or other relevant medical information. Test results that the physician or osteopath concludes are caused by medicine prescribed for the student or by the legal ingestion of any substance shall be reported as negative.

All testing will be scheduled by the administration. A parent of any minor student tested will be notified of the testing within 24 hours following the initial screening. A student and a parent, if the student is a minor shall be notified of the results of initial screening and confirmatory testing as soon as possible after those results are available to the district.

If an initial screening is positive, the student may accept or challenge the test results. Students have the right to consult a parent or legal guardian before discussing the results. If the student accepts the results, then the consequences stipulated by the district's random drug-testing policy will be enforced. If the student challenges results, then the second sample will be sent to a qualified lab provided by the contractor. The student will be allowed to participate in district-sanctioned extra-curricular activities until results are returned to the school from the lab. If the results confirm the initial positive test, the student's parents and/or student will be responsible for paying the lab fee, unless excused due to financial inability to pay. If the result comes back negative, the student will be allowed to continue participating in district-sanctioned extra-curricular activities and the school will pay the lab fee.

The district shall provide an opportunity for the student and a parent, if the student is a minor, to comment on or explain a positive test result to the principal in a confidential setting prior to taking any action to exclude the student from participation in an extra-curricular activity.

AR-5131.61 (c)

STUDENT EXTRA-CURRICULAR ACTIVITIES RANDOM DRUG TESTING

A student shall have the right to appeal an exclusion based on random drug testing results in accordance with the procedures established for other exclusions from extra-curricular activities in AR-6145.

Students and the parents of minor or dependent students have the right to review any records the district maintains related to the student's testing. Written test results will be maintained for at least six months following testing. Students and the parents of minor or dependent students shall have the right to obtain the written results of the student's tests if they make a written request to the principal for those results within six months after the date of the test. The principal shall provide those results to the student or parent within five working days of receiving a timely written request for test results.

Refusal to be Tested

Should a student refuse to be tested under this regulation, the student will be considered ineligible to participate in the activity for which the test was required.

First Positive Test Result

In response to the first positive test result, a student will be given the option of exclusion from participation in all district-sanctioned extra-curricular activities that the student is participating in at the time of the testing for the rest of the season or, if the student agrees to participate in and successfully completes a district-approved drug assessment/intervention plan and agrees to submit to periodic drug testing for the rest of the season, exclusion from participation in 50% of the competitive events of those extra-curricular activities during the season. A student who has tested positive must also successfully complete a district approved drug/assessment/intervention plan and agree to submit to periodic drug testing to participate in any other district-sanctioned extra-curricular activity for the remainder of the school year following the positive test.

Second Positive Test Result

In response to a student's second positive test result during his or her high school career, the student shall be excluded from participation in all district-sanctioned extra-curricular activities that the student is participating in at the time of the testing for the rest of the season. In addition, the student shall be excluded from participation in any new district-sanctioned extra-curricular activities for a period of 90 school days and must successfully complete a district-approved drug assessment/intervention plan to participate in any district-sanctioned extra-curricular activity for the remainder of the school year.

AR-5131.61 (d)

STUDENT EXTRA-CURRICULAR ACTIVITIES RANDOM DRUG TESTING

If less than 90 school days are left in a school year at the time of a student's positive test, the period of exclusion and the requirement that the student successfully complete a district-approved drug assessment/intervention plan before participating in any district-sanctioned extra-curricular activities shall carry over into the following school year. A student who has tested positive must submit to periodic drug testing to participate in any district-sanctioned extra-curricular activity for the remainder of the school year following the period of exclusion.

Third and Subsequent Positive Test Results

In response to a student's third positive test result, or any positive test result thereafter, during a student's high school career, the student shall be excluded from participation in all district-sanctioned extra-curricular activities for a period of 12 calendar months. The student must demonstrate successful completion of a district-approved drug assessment/intervention plan to participate in any district-sanctioned extra-curricular activity following the period of exclusion. A student who has tested positive for a third time, or any additional time, thereafter, must submit to periodic drug testing to participate in any district-sanctioned extra-curricular activity for the remainder of the student's high school career.

PERIODS OF EXCLUSION – GENERAL

Periods of exclusion shall commence immediately following the exhaustion of the student's opportunity to explain positive test results to the principal/designee, unless the principal/designee determines that good cause exists to delay, modify or revoke the exclusion requirement. Periods of exclusion imposed pursuant to these regulations are governed by the general provisions contained in AR-6145, the District's Extracurricular Disciplinary Guide.

RESTRICTIONS ON DISCLOSURE AND USE OF DRUG TEST RESULTS

The results of a drug test will be considered medical records and held confidential to the extent permitted by law. The District will limit disclosure of information acquired in a drug test, including the positive and negative results, to the following individuals unless the student consents in writing to other disclosures: (1) the student; (2) the student's parents; (3) the student's principal and other school officials with a need to know; (4) the test administrator and laboratory personnel; (5) medical review personnel; (6) a counselor or other rehabilitation personnel if the student seeks or is required to use such service. The results of random testing will not be disclosed to criminal or juvenile authorities absent a legal requirement to do so.

AR-5131.61 (e)

STUDENT EXTRA-CURRICULAR ACTIVITIES RANDOM DRUG TESTING

Except as provided above, students shall not be excluded from participation in activities, penalized academically or otherwise disciplined in response to a positive result from a random drug test. This regulation does not govern the consequences to be applied to students who test positive in response to drug tests based on reasonable suspicion that the student has engaged in conduct prohibited by BP-5131.6.

When a student tests positive in response to a drug test administered as part of a series of required periodic drug tests and the positive test result is attributable solely to the fact that a drug the student had ingested prior to commencement of the series of tests has not yet cleared the student's system, the positive test shall not be treated as a second or subsequent positive test for purposes of imposing additional consequences on the student pursuant to this regulation.

Definitions

Drug – For purposes of BP-5131.61 and this regulation, a drug is defined as a substance considered unlawful under AS 11.71 or the metabolite of the substance. This definition is different from the definition of drug used in BP-5131.6 and its accompanying regulation, in recognition of the differing circumstances and interests addressed by the two policies.

Parent – For purposes of BP-5131.61 and this regulation, parent is defined to include a student's natural parent, guardian, or an individual acting as a parent in the absence of a parent or guardian.

Adopted in Consultation with Legal Counsel:	July 12, 2005
Revised in Consultation with Legal Counsel:	June 26, 2006
Revised and Renumbered:	September 20, 2010
Reviewed:	February 17, 2014
Revised:	December 14, 2016
Revised:	April 14, 2025