

Cache County School District

Policy Series 3000: Students

Policy No. 3260 P1

Drug and Alcohol Testing of Student Participants

Definitions:

- A. Alcohol: Any alcoholic liquor as defined under Utah Code 34-38-2.
- B. Non-Punitive: Test results will not be disclosed to law enforcement or juvenile authorities absent a valid and binding subpoena or other legal process issued by a court of competent jurisdiction.
- C. Drug: Any controlled substance as defined in Utah Code 34-38-2, except those possessed and/or used pursuant to a valid prescription.
- D. UHSAA: The Utah High School Activities Association
- E. Sample: "Sample" means urine, blood, breath, saliva, or hair.
- F. Extracurricular: All activities sponsored by the UHSAA.
- G. Student Participant: Any student participating in extracurricular activities recognized by UHSAA and sponsored by the Cache School District.
- H. Activity Season: The period beginning on the first day of practice allowed by the UHSAA for any sport/activity in which a student/athlete participates and ending the last day of competition for the sport/activity season.
- I. Random Test: All participating students are subject to a weekly random drawing for drug testing.

Written Consent Required

Before any student participates in any UHSAA extracurricular program, the student and the student's custodial parent or lawful guardian shall execute and deliver to their local high school a written consent in the form attached hereto as exhibit A.

Any student who refuses or fails to provide a duly executed consent or who refuses or fails to comply with the provision of this policy shall not be allowed to participate in any extracurricular program sponsored by the District until the student/parent fully complies.

Any student who willfully provides a false sample, or who otherwise tampers with a sample or undertakes any effort to obstruct, evaluate or impair the accuracy of a drug test, shall be suspended from participation in extracurricular activities according to this policy.

Educational Drug Awareness Course

Prior to a student's participation in any UHSAA activity, he/she is required to attend a one-time mandatory 1-2 hour educational drug awareness course taught by Bear River Health department.

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The local schools will coordinate the date and time with Bear River Health Department for this instructional class. Student attendance is to be documented by the local school. Students are ineligible to participate until this course has been completed.

Student Selection

At the option of the District, random testing will be conducted during the season on a weekly basis or any other frequency determined by the District.

Selection for random testing will be by lottery drawing from a “pool” consisting of all students participating in extracurricular programs sponsored by the District at the time of the drawing. Separate pools may be established on a team-by-team basis.

The Superintendent or designee shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not necessarily limited to:

1. assuring that the names of all participating students are in the pool,
2. assuring that the person drawing names has no way of knowingly choosing or failing to choose particular students for the testing,
3. assuring that the identity of students drawn for testing is not known by the person making the selection or by persons involved in the analysis of the sample, and
4. assuring direct observation of the selection process by at least two (2) adults.

Procedure for Random Drawing

Prior to the start of competition for a particular activity, all students who wish to participate in an activity shall submit a signed consent form attached hereto as Exhibit A. From the date of the first practice until the date of the final competition/performance for each activity, up to 10% of the total number of participants on the team/group may be tested each week.

To assure the anonymity of the participants tested, each participant will be assigned a number at the beginning of testing. These numbers and the identity of the student to whom the number is assigned will be known only to the participant and the Superintendent or designee. The Superintendent or designee will keep the number lists in a secure place accessible only to authorized personnel.

After all student numbers are drawn for a particular week, they will immediately be returned to the pool of numbers for that activity in order to assure randomness of draw. It is possible that a student number may be drawn several times during the season, or not drawn at all.

Urine Sampling Procedure

Cache School District will contract professional service from a local agency to conduct the testing process and to provide testing results to the designated school official.

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Testing procedures will be provided by the testing agency (no direct observation). On the day of testing, those students selected will be notified and must immediately report to the designated place to produce a urine sample. Samples will be collected at an appropriate school site, in a controlled environment, at a mutually convenient time for the school officials and local agency, and on the same day the student is selected for testing.

If the student is absent on that day, on the day of the student's return to school, the testing will take place.

If a student is unable to produce the urine sample, they will remain under supervision until a sample can be provided.

Prescription Medication

Students who are taking prescription medication must provide a copy of the prescription or a doctor's verification to testing personnel at the time a urine sample is collected or within forty-eight (48) hours after the urine sample is taken.

If test results are still unclear due to the possibility of prescription drugs, the test, along with copies of the prescription, will be sent to a lab for further analysis.

Students who refuse or fail to provide timely verification of prescriptive drug use and who test positive will be subject to the actions specified below for "positive tests" irrespective of their use of prescriptive medications.

Scope of Tests

1. Amphetamines Barbiturates Benzodiazepines
2. Cocaine Alcohol Methadone
3. Opiates (Oxycotin) Marijuana (level 20, 50, and 100)
4. PCP Propoxyphene Creatinine level
5. Urinalysis test uses a panel-integrated cup with adulteration strip.

Access to Results

The testing agency will be authorized to report results only to the Superintendent or other adult persons as the Superintendent may designate. Test results shall be destroyed no later than the individual's graduation.

Procedures in the Event of a Positive Result

A student may contest the results of a random test. If a student or parent contests the test results, a second test can be administered as soon as a second sample is produced. Students will remain under the supervision of the test administrator until the second sample is produced.

Consequences of Positive Result (Imposed consequences follow the guidelines of the UHSAA Handbook.)

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A. First Offense

- a. Suspension from two consecutive games, meets, matches, competitions or performances at the same level of play.
- b. A student shall be reinstated after he/she has successfully completed a personal assessment completed by and documentation by a licensed substance abuse intervention or treatment agency (i.e. Bear River Health Department) and provides a negative sample.
- c. This assessment and testing will be paid for by the student or parent. A list of available assessment providers will be furnished upon request by the school counselor.
- d. If the student chooses not to complete the assessment, he/she will not be allowed to participate for the remainder of that activity season.

B. Second Offense

- a. If a second offense should occur during any activity season, the student will be suspended for six weeks from games, matches, competitions or performances.
- b. In order to participate in another activity season during that school year, the student must participate in an assessment by a licensed substance abuse intervention or treatment program where a prescribed follow-up is required.
- c. Participation may continue only after the assessment has been completed, positive participation in the prescribed follow-up is occurring, and a negative sample (paid by student or parent) has been produced.

C. Third Offense

- a. If a third offense should occur during any activity season, the student will be suspended for eighteen weeks from games, matches, competitions or performances.
- b. In order to participate in another activity, the student must participate in an assessment by a licensed substance abuse intervention or treatment program where a prescribed follow-up is required,
- c. Participation may continue only after the assessment has been completed, positive participation in the prescribed follow-up is occurring, and a negative sample (paid by student or parent) has been produced.

Non-Punitive Nature of Policy

No student shall be penalized academically for testing positive for use of illegal drugs or alcohol, nor shall any student be denied the right to participate in or otherwise be denied any benefits, services, or programs of the District, other than participation in the UHSAA activity programs as outlined above.

The results of drug tests pursuant to this policy will not be documented in any student's academic records.



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Information regarding the results of drug tests shall be kept confidential between the Superintendent, the building principal or designees, the student's parent or legal guardian, and the student.

In particular, test results will not be disclosed to law enforcement or juvenile authorities absent a valid and binding subpoena or other legal process issued by a court of competent jurisdiction. In the event of service of any such subpoena or legal process, the student's custodial parent or legal guardian will be notified in writing as soon as reasonably possible, but in no event less than seventy-two (72) hours before a response is made by the District unless a response is due within a shorter time frame. Notification shall be made in writing and shall be deemed complete upon the deposit thereof in the U.S. Mail, postage prepaid, addressed to the last known address of the student or his or her parent or legal guardian or upon personal service upon the student participant's parent or legal guardian. Verbal notification may be given, if time does not permit written notification within the seventy-two (72) hour time period.

Voluntary Testing Program

Cache School District is committed to helping students who are encountering drug or alcohol problems. The District recognizes that a student with a drug dependency or use problem is not able to work to his or her fullest potential. To assist in the ultimate goal of drug-free schools and drug-free students, the District will provide voluntary drug testing to any student whose parents request the testing be done.

The procedure for sampling and testing shall be conducted under the same sampling procedure as set forth above (volunteer students will be part of a random pool). Results will be provided to the student's parent/legal guardian. Voluntary testing is at the parent/legal guardian's expense. Test results will be kept absolutely confidential, except for the parent/legal guardian, student, and test laboratory personnel.

No legal or criminal actions will be taken by the District based upon such tests results. No record will be kept of such voluntary test results. This service is offered solely for the information of the parent(s) and it is ultimately their decision what to do with the information.

UHSAA Sports and Activities (as published by the UHSAA):

Sports

1. Baseball
2. Basketball (boys and girls)
3. Cheer
4. Cross Country (boys and girls)
5. Drill (girls)
6. Football
7. Golf (boys and girls)
8. Soccer (boys and girls)
9. Softball (girls)
10. Swimming (boys and girls)

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11. Tennis (boys and girls)
12. Track and Field (boys and girls)
13. Volleyball (girls)
14. Wrestling

Activities

1. Music
2. Speech/Debate
3. Theatre

Other Non-club Activities

Elected class officials, exec council, Boys and Girls Association (BAGA), and Representatives
Marching Band

Legal References:

Utah Code 34-38-2

Synopsis:

Approved by District Administration: April 19, 2007. Last Revised: October 27, 2016. Last Reviewed: July 28, 2021