

**PIEDMONT PUBLIC SCHOOLS
ACTIVITY STUDENT DRUG TESTING POLICY**

The Piedmont Board of Education, in an effort to protect the health and safety of its extra-curricular activities students from illegal drug use and abuse, thereby setting an example for all other students of the Piedmont 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 Piedmont Public School District refrain from using or possessing illegal drugs, district officials realize that their power to restrict the possession or use of illegal drugs is limited. Therefore, this policy governs only illegal drug use by students participating in certain extra-curricular activities. The sanctions imposed for violations of this policy, under random drug testing, 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 Piedmont Public School District, such as the Student Code of Conduct, regarding possession or use of illegal drugs. Participation in school-sponsored interscholastic extra-curricular activities at the Piedmont 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.

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

The purpose of this policy is five-fold:

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. Ensure that students adhere to a training program that bars the intake of drugs.
4. To prevent injury, illness, and harm for students that may arise as a result from illegal drug use.
5. To offer students practices, competition and school activities free of the effects of illegal drug use.

The administration may adopt regulations to implement this policy.

I. Definitions

ACTIVITY STUDENT DRUG TESTING POLICY (Cont.)

“Activity Student” means a member of any middle school or high school Piedmont Public School District sponsored extra-curricular organization, which participates in interscholastic competition. This includes any student that represents Piedmont Schools in any extra-curricular activity in interscholastic competition, such as, but not limited to, Band, Cheerleader and Athletics.

“Drug use test” means a scientifically substantiated method to test for the presence of illegal 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 activity student from a group of grade level 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 may 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, but is not limited to, alcohol and anabolic steroids.

“Positive” when referring to a drug use test administered under this policy means a toxicological test results which is considered to demonstrate the presence of an illegal 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 drug use based on specific observations made by 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 drug use by an activity student supplied to school officials by other students, staff members, or patrons.

Students in attendance at school and/or school sponsored event(s) and under the influence of illegal drugs as determined by school personnel and/or in possession of an illegal drug(s) and/or paraphernalia are subject to Piedmont Public Schools Board Policy/Student Code of Conduct and are subject to suspension from school.

II. Procedures

Each activity student shall be provided with a copy of the “Student Drug Testing Consent Form” which shall be read, signed and dated by the student, parent or custodial guardian and coach/sponsor 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 when the activity student is selected by the random selection basis to provide a urine sample and at any time when there is reasonable suspicion to test for illegal 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.”

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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. In addition, each Activity Student shall have access to the Activity Student Drug Testing Policy. The head coach, sponsor or other designated school official shall be responsible for explaining the Policy to all prospective students.

All Activity Students will be required to sign a "Student Drug Testing Consent Form" before the student may participate in an extra-curricular activity covered under this policy. A student who moves into the district after the school year begins will be required to sign a "Student Drug Testing Consent Form" before the will be eligible for participation.

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

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

Any drug test will be administered by or at the direction of a professional laboratory chosen by the Piedmont 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 professional testing company shall provide an employee to monitor the sample collection. All drug testing employees will be required to have a criminal background and sex offender registry check conducted by the OSBI and on file with the school district. If in the opinion of the drug testing company the urine specimen contains an adulterant or has been tampered with, the specimen will be treated as positive and policy consequences will be in effect. The monitor shall verify the normal warmth and appearance of the specimen. 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 utilizes the gas chromatography/mass spectrometry procedure is positive for the presence of an illegal drug or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of one year. Positive student records will be kept on file for five years. Requests for additional testing will be at the expense of the parent/guardian.

ACTIVITY STUDENT DRUG TESTING POLICY (Cont.)**III. Confidentiality**

The laboratory will notify the parent/guardian of any positive test or adulterated/tampered specimen. If unable to contact the parent/guardian within a 48 hour period the lab will contact the building principal or designee. To keep the positive test results confidential, the principal/athletic director or designee will only notify the student 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 Piedmont Public School District will rely on the opinion of the laboratory that 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 file 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 five (5) calendar days 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 the policy shall be in the sole and exclusive judgment and discretion of the Superintendent which shall be final and non-appealable. The Superintendent shall report to the Board of Education all appeals and the Superintendent's decision.

V. Consequences

Any Activity Student who tests positive in a random drug test under this policy shall be subject to the following restrictions:

A. *For the First Offense:*

The parent/guardian will be contacted immediately and a private conference will be scheduled to present the test results to the parent/guardian. A meeting will then be set up with the student, parent/guardian, athletic director, and principal concerning the positive drug test. In order to continue participation in the activity, the student and parent/guardian must, within an agreed upon time or 10 days of the joint meeting, show proof that the student has received drug counseling from a qualified drug treatment program or counseling entity. Additionally, the student must voluntarily submit to a subsequent drug test to be administered in accordance with the testing provisions of this policy.

If the parent/guardian and student agree to these provisions, the student will continue to participate in the activity. Should the parent/guardian no agree to these provisions the consequences listed in this policy for the second offense will be imposed.

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B. For the Second Offense (in the same year):

Suspension from participation in **all** activities covered under this policy for fourteen (14) calendar days, and successful completion of four (4) hours of substance abuse education/counseling. The student may not participate in any meetings, practices, scrimmages or competitions during this period. The student will be tested monthly for the remainder of the school year. The time and date will be unknown to the student and determined by the principal/athletic director or designee.

These restrictions and requirements shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test. Provided, however, a student who on his/her own volition informs (self-refers) the athletic director, principal, or coach/sponsor of usage before being notified to submit to a drug test will be allowed to remain active in all activities covered under this policy. Such student will however, be considered to have committed his/her first offense under the policy, and will be required to re-test as would a student who has tested positive.

C. For the Third Offense (in the same school year):

Complete suspension from participation in **all** extra-curricular activities including all meetings, practices, performances, and competition for the remainder of the school year, or eighty-eight (88) school days (1 semester) whichever is the longer.

VI. 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, performances and competitions for the **remainder of the school year** or eighty-eight (88) school days whichever is the longer. Additionally, such students shall not be considered for any interscholastic activity honors or awards given by the school.

VII. Voluntary Participation

If the student is not a member of an extra-curricular activity involving competition but the parent/guardian wants them to be subject to the random drug testing, the parent/guardian may do so by contacting the building principal and completing a "voluntary participation" form.

Piedmont Public Schools is committed to cooperating with parents/guardians in an effort to help students avoid drug use. The Piedmont 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.