

## **5.27 Student Extra Curricular Activity Drug Testing**

The Owasso School Board of Education, in an effort to protect the health and safety of its students from the use of illegal or performance-enhancing drugs, thereby setting a positive example for all students of the Owasso School District, adopts the following “Student Extra Curricular Activity Drug Testing Policy”. The Purpose of drug testing students in the Owasso Public Schools is to: a) keep students from using drugs; b) assist in referring to treatment those students who may be drug dependent.

### **Statement of Purpose and Intent**

1. It is the desire of the board of education, administration, and staff that every student in the Owasso School District refrains from using or possessing illegal or performance enhancing drugs. Notwithstanding this desire, the administration and board of education realize that their power to restrict the possession or use of illegal or performance enhancing drugs is limited. Therefore, the sanctions of this Policy relate solely to limiting the opportunity of any student determined to be in violation of this Policy to participate in extracurricular activities. This policy is intended to supplement and complement all other policies, rules and regulations of the Owasso School District regarding possession or use of tobacco, alcohol, and other illegal drugs.
2. Participation in school sponsored extra-curricular activities at the Owasso School District is a privilege. Students who participate in these activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship and training. 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, which includes avoiding the use or possession of illegal or performance enhancing drugs.
3. The purpose of this Policy is to:
  - a. Prevent the use of illegal or performance enhancing drugs.
  - b. Educate students as to the serious physical, mental and emotional harm caused by the use of illegal or performance enhancing drugs.
  - c. Alert students with possible substance abuse problems to the potential harms of use, to prevent injury, illness and harm as a result of the use of illegal or performance enhancing drugs.
  - d. Strive within the Owasso School District for an environment free of the use of illegal or performance enhancing drugs.

This Policy is not intended to be disciplinary or punitive in nature. The sanctions of the Policy relate solely to limiting the opportunity of any student found to be in violation of this Policy to participate in extra-curricular activities. There will be no academic sanction for violation of this Policy.

### **Definitions**

1. "Extracurricular" means any School District sponsored team, club, organization, or activity in which student participation is not required as part of the school district curriculum.
2. "Student" means a 7th through 12th grade member of any Owasso School District sponsored competitive organization that falls under Oklahoma Secondary Schools Association regulations for participation in competitive activities.
3. "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 Dangerous Substances Act](#), all prescription drugs obtained without authorization, all prescribed and over-the-counter drugs being used for an abusive purpose, and paraphernalia to use such drugs.
4. "Coach/Sponsor/Director/Instructor" means any person employed by the school district to coach athletic teams of the school district, to act as a sponsor or coach of a cheerleader or dance team of the school district, show choirs, direct and/or instruct "The Pride" marching band and color guard.
5. "Alcohol" means ethyl alcohol or ethanol and any alcoholic beverage.
6. "Performance enhancing drugs" include 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 dietary or nutritional supplements such as vitamins, minerals and proteins which can be lawfully purchased in over-the-counter transactions.
7. "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.
8. "Random Selection Basis" means a mechanism for selecting students for drug use testing that:
  - a. Results in an equal probability that any student from a group of students' subject to the selection mechanism will be selected.
  - b. Does not give the School District discretion to waive the selection of any student selected under the mechanism.
9. "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.
10. "Reasonable Suspicion" means a suspicion based on specific personal observations concerning the appearance, speech or behavior of a student, and reasonable inferences drawn from those observations in the light of experience. In the context of performance-enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight or other athletic abilities.
11. "Student Substance Abuse Education Program" A substance abuse education program provided by Owasso Public Schools Health Services Department, includes 3, one hour group therapy sessions facilitated by or under the supervision of a licensed substance abuse counselor.

## Participation and Procedures

1. Illegal drug use is incompatible with participation in extra-curricular activities on behalf of the Owasso School District. For the safety, health and well-being of students of the Owasso School District, the Owasso School District has adopted this Policy for use by all participating students at the 7th grade through 12th grade level. Any student found having used illegal drugs by drug use test would be considered to have violated this Policy.
2. Each student shall be provided with a copy of the "Student Drug Testing Policy". The "Student Contract and Consent for Drug Use Testing" shall be read, signed and dated by the student and parent or custodial guardian before such student shall be eligible to practice or participate in any extra-curricular activities. No student shall be allowed to practice or participate in any extra-curricular activities unless the student has returned the properly signed "Student Contract and Consent for Drug Use Testing".
3. The head coach/sponsor/director/instructor of each team or group shall provide all prospective student participants drug/alcohol information prior to the first practice in such sport/activity.
4. The consent for drug use testing shall be to provide a urine sample:
  - a. as part of mass screening
  - b. as chosen by the random selection basis
  - c. at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs.
5. Drug use testing for students will also be chosen on a random selection basis a minimum of one time per month. A drug screening company will determine all student names to be drawn at random to provide a urine sample for drug use testing for illegal or performance-enhancing drugs.
6. Any student may be required to submit to a drug use test for illegal or performance-enhancing drugs or the metabolites thereof at any time upon reasonable suspicion by the athletic director, principal, school nurse, athletic trainer, or coach/sponsor of the student.
7. The Owasso School District may set an activity fee to be collected from each student. (The fee should not eliminate participation in that activity).
8. Any drug use test required by the Owasso School District under the terms of the Policy will be administered by or at the direction of a professional laboratory chosen by the Owasso School District using scientifically validated toxicological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control and scientific testing.
9. 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 students 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. An adult monitor will accompany the student to a restroom or other private facility behind an unlocked or open stall. The

monitor may not observe the student while the specimen is being produced and the monitor shall be present outside the stall to listen for normal sounds of urination in order to guard against tampered specimens and to insure an accurate chain of custody. 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 student is tampering with the specimen, the monitor may stop the procedure and inform a site administrator who will then determine if a new sample should be obtained. If a student is determined to have tampered with any specimen, provides any assistance by providing a sample to another student or otherwise engaged in any conduct that disrupts the testing process of any student, then the student will be deemed to have committed a "second" offense under this policy and the sanctions for a second offense will be imposed. The student will report any medications he/she has taken in the preceding thirty (30) days. The medication list will be documented on the collection form and confirmed through infosnap or the parent/guardian.

10. If the initial drug use test is positive, the initial 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. The laboratory shall preserve the unused portion of a specimen that tested positive for a period of 1 year.
11. If the drug test for any student has a positive result, the laboratory will contact the referring administrator and/or drug testing coordinator with the results. The administrator will contact the student, coach/athletic trainer/sponsor, principal, school nurse, and the parent or custodial guardian of the student and schedule a conference. At the conference, the administrator will solicit any explanation of the positive result and ask for doctor prescriptions of any drugs that the student was taking that might have affected the outcome of the drug use test. If the student and his/her parent or custodial guardian desires another test of the remaining portion of the specimen, the administrator will arrange another test at the same laboratory or at another laboratory with the same ranges. Any such re-test shall be at the expense of the student and his/her parent or custodial guardian.
12. A student who has been determined to be in violation of this Policy shall have the right to appeal the decision to the superintendent or his/her designee(s). Such appeal must be lodged within five (5) business days of notice of the initial report of the offense as stated in this Policy, during which time the student will remain ineligible to participate in any extra-curricular activities. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. There is no further appeal right from the superintendent's or designee's decision 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 judgment and discretion of the superintendent, which shall be final and unable to be appealed.
13. Before a student, who has tested positive in a drug use test, may rejoin his/her extra-curricular activity after a first or second offense, such student may be required to undergo one or more additional drug use tests to determine whether the student is no longer using illegal or performance-enhancing drugs. The Owasso School District will rely on the opinion of the laboratory, which performed or analyzed the additional drug use test in determining whether a positive result in the additional drug use test was

produced by illegal or performance-enhancing drugs used by the student before the offense or by more recent use.

### **Refusal to Submit to Drug Use Test**

1. If a participating student refuses to submit to a drug use test authorized under this Policy, such student shall not be eligible to participate in extra-curricular activities including all meeting, practice, performances, and competition for eighteen (18) continuous and successive school weeks or the remainder of his/her Owasso school career, depending on the number of the offense. Such suspension will extend into a succeeding school year if necessary to fulfill the suspension. Upon refusal, the monitor will discontinue the collection process, record that no specimen was provided and notify the site administrator.
2. If a student is unable to void at the time of the drug test they will be encouraged to drink fluids and must produce a specimen no longer than one hour later. If it is determined that the student is experiencing a "Shy Bladder" occurrence an additional half hour will be granted. The monitor will continue "Shy Bladder" interventions. The monitor will explain to the student that they have an additional half hour or 30 minutes to produce a specimen. They will be encouraged to drink fluids, while remaining at the collection site. If the student refuses to remain at the collection site until he/she has provided an adequate specimen or until the one (1.5) hour time frame has elapsed, it is a "refusal to test". The monitor will discontinue the collection process and record that no specimen was provided. If the student does not produce a specimen in the specified amount of time he/she shall not be eligible to participate in extra-curricular activities including all meetings, practices, performances, and competitions for eighteen (18) continuous and successive school weeks or for the remainder of his/her school career, depending on the number of the offense. Such suspension will extend into a succeeding school year if necessary to fulfill the suspension.

### **Violation**

1. Any student who is determined by a drug test to have violated this Policy shall be subject to the loss of their privilege to participate in extra-curricular activities.
2. For the first offense: the student will immediately be required to miss a minimum of two (2) consecutive games, contests, or events (scrimmages as well as regular competitions). In addition, the student will be suspended from participation in all scheduled extra-curricular activities except meetings (including all practices, performances and games/competitions) for 15 days with the student participating in three (3), one-hour sessions of the Substance Abuse Education Program. However, the student may return to practice if a Doctor's note is obtained saying the student is safe to practice. The Physician will be given the results of the test. The suspension will start the first day following the parent conference or if not in season the first day of practice. Such suspension will extend into a succeeding competition season if necessary to fulfill the suspension. During the class period, for these 15 days the student will report to an area designated by the principal and/or program director/sponsor/instructor. A reinstatement meeting shall be held with the student, parent(s)/guardian, the activity sponsor/coach and the principal/athletic director/fine arts director or designee.
3. For the second offense: complete suspension from participation in all extra- curricular activities including all meetings, practices, performances, and competition for eighteen

(18) continuous and successive school weeks from the present date of the conference reporting the results of the positive drug use test. Such suspension will extend into a succeeding school year if necessary to fulfill the suspension.

4. For the third offense: participation in all extra-curricular activities including meetings, practices, performances, and competitions will be suspended for the remainder of time the student is enrolled in and attending the Owasso School District.
5. Self-Referral: As an option to the consequences for a first-offense, a student may self-refer to the Principal, Athletic Director, School Nurse, or Coach/Athletic Trainer/Sponsor before being notified of an observed Policy violation or requested to submit to a drug use test. A student who self-refers will be allowed to remain active in all extra-curricular activities after the following conditions have been fulfilled:
  - a. A conference has been held with the student, school site administrator, school Nurse, coach/athletic trainer/sponsor and the parent or custodial guardian of the student to discuss the Policy violation;
  - b. A drug use test is provided that is not positive.
  - c. Participation commitment by student in three (3), one-hour substance abuse education program.
6. A student that self-refers will, however, be considered to have committed his/her first offense under this Policy. A self-referral may be used only once in a student's time in Owasso School District.