

**STUDENT DRUG TESTING PROGRAM  
EXTRACURRICULAR ACTIVITIES AND OPERATION OF MOTOR VEHICLES**

The Cement Board of Education, in an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug-use and abuse, thereby setting an example for all other students of the Cement Public School District, has adopted the following policy for drug testing of students participating in extracurricular activities and/or operating a motor vehicle on campus.

**Purpose and Intent**

It is the desire of the board of education, administration, and staff that every student in the Cement Public School District refrains from using or possessing illegal drugs. The administration and board of education realize that their power to restrict the possession or use of illegal drugs is limited. 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 or operate a motor vehicle on campus. This policy is intended to complement all other policies, rules, and regulations of the Cement Public School District regarding possession or use of illegal drugs.

Participation in school-sponsored extracurricular activities and/or operating a motor vehicle on campus at Cement Public Schools is a privilege. Students who participate in extracurricular activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, students in extracurricular 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 drugs. Additionally, this school district is contracted to follow the rules and regulations of the Oklahoma Secondary Schools Activity Association whose Rule No. 4 Section 1(a) specifically states "A student under a discipline plan or whose conduct or character outside the school is such as to reflect discredit upon the school shall be ineligible until reinstated". Driving on campus comes with the responsibility of being a careful and courteous driver and being mindful of pedestrians as well as other vehicles. It is the intent of the Cement Board of Education to protect students and visitors alike from drivers who might be impaired or under the influence, as well as deter students from using or experimenting with illegal drugs.

The purposes of this policy are to prevent illegal drug-use, to educate students as to the serious physical, mental, and emotional harm caused by illegal drug-use; to alert students with possible substance abuse problems to the potential harms of illegal drug-use; to help students avoid drugs; to help students get off drugs; to prevent injury, illness, and harm as a result of illegal drug-use; and to strive within this school district for an environment free of illegal drug-use and abuse. This policy is not intended to be disciplinary or punitive in nature. The sanctions of this policy relate solely to limiting the opportunity of any student found to be in violation of the policy to participate in any extracurricular activities or operate a motor vehicle on campus. There will be no academic sanction for violation of this policy.

Illegal drug-use of any kind is incompatible with participation in any extracurricular activities or the operation of a motor vehicle. For the safety, health, and well being of the students of the district, this policy has been adopted for use by all extracurricular activity participant students in grades 7–12 and any student that operates a motor vehicle on campus.

**Definitions**

1. **Extracurricular** means those activities that take place outside the regular course of study in school, and **participants** are those students involved in those activities. Extracurricular activities include, but are not limited to: competitive athletics; FFA stock shows, shooting competitions, speech contests, and conventions; academic meets, and cheerleading.
2. **Student driver** is any student that operates a motorized vehicle on the school campus.

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3. **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.
4. **Random tests** are given periodically to participants from the random selection pool. The frequency of the random tests and the number of participants in each random test are determined by the administration at the beginning of each school year.
5. **Random selection** means a mechanism for selecting students for drug testing that:
  - A. Results in an equal probability that any student from a group of students subject to the selection mechanism will be selected, and
  - B. Does not give the school district discretion to waive the selection of any extracurricular activities participant selected under the mechanism.
6. **Random selection pool** is the group of participants that have taken an initial drug-use test and are subject to random selection for follow-up tests.
7. **Follow-up tests** are drug-use tests that are given at any time after the initial drug-use test. Follow-up tests are given periodically to participants from the random selection pool. Follow-up tests can also be given at any time to any participant who has tested positive under a previous test, or may be under suspicion of being under the influence.
8. **Illegal drugs** mean any substance that an individual may not sell, possess, use, distribute, or purchase under either federal or state law. Illegal drugs include, but are 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.
9. **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 that can be lawfully purchased in over-the-counter transactions.
10. **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.
11. **Reasonable suspicion** means a suspicion based on specific personal observations concerning the appearance, speech, or behavior of an extracurricular participant, and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight, or other athletic abilities.
12. **Self-referral** is when a participant believes he/she will test positive for illegal or performance-enhancing drugs, prior to submission for a drug-use test under this policy, and so notifies the principal, athletic director, coach, or sponsor of such belief.

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1. **Consent** - Extracurricular participants in all extracurricular activities shall be provided with a copy of this policy and an Extracurricular Activities Student Drug Testing Program consent form that must be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before a participant student shall be eligible to practice in any extracurricular activity. Extracurricular participants who move into the district after the school year begins must undergo the same processes before being eligible to participate. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed consent form.

By signing the consent form, the extracurricular participant agrees to provide a urine sample (a) at the beginning of the school year or when the student enrolls in an extracurricular activity; (b) when chosen as part of the random selection pool; and (c) at any time requested by the athletic director, principal, sponsor, or coach of the student based on reasonable suspicion of illegal or performance-enhancing drugs or the metabolites thereof.

2. **Sample Collection** - All extracurricular participants shall be required to provide a urine sample for drug-use testing for illegal drugs and/or performance-enhancing drugs. A professional laboratory of the district's choosing that uses scientifically validated toxicological methods will collect all samples. The professional laboratory shall be required to have detailed, written specifications to assure chain of custody of the specimens, proper laboratory control, and the use of scientific testing.

The laboratory technician shall give each student a form on which the student may list any medications he/she has taken or is taking, as well as being able to list any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding 30 days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the 24 hours following any drug-use test. The medication list shall be submitted to the lab in a sealed and confidential envelope. Students testing positive for authorized prescription medications will be precluded from any consequences of that positive test.

All aspects of the drug-testing program, including the taking of specimens, will be conducted to safeguard the personal and privacy rights of students to a 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 with an enclosed stall or stalls. The laboratory technician, to ensure the privacy of the student as well as the integrity and validity of the sample, shall secure the specimen collection area. All collection procedures used by the laboratory technician shall be pre-approved by the administration.

If at any time during the testing procedure the laboratory technician has reason to believe or suspect that a student is tampering with the specimen, the laboratory technician may stop the procedure and inform the athletic director/sponsor, who will then determine if a new sample should be obtained.

3. **Positive Test** - 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 unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of six months or to the end of the school year, whichever is shorter. Student records will be retained until the end of the school year.

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4. **Reporting** – If the drug-use test for any student has a positive result, the laboratory will contact the principal or designee with the results. Procedures for maintaining confidentiality will be practiced. The principal or designee will contact the student, the head coach/sponsor, and the parent or custodial guardian of the student and schedule a conference. At the conference, the student will be given the opportunity to submit additional information to the principal or to the lab. The school district will rely on the opinion of the laboratory that performed the test in determining whether the positive test result was produced by other than consumption of an illegal drug or performance-enhancing drug. Under no circumstance will results from a drug-use test under this policy be turned over to any law enforcement officer or agency.

5. **Consequences** –

A. **First positive test.** The student will be suspended from participation in all extracurricular activities and/or driving on campus for a minimum of two weeks, and until a negative test result can be obtained from a district approved drug screening laboratory. The student and parent/guardian must attend counseling twice during the suspension period as well as an additional session following the suspension period. Counseling will consist of sessions with the Cement Public Schools counselor or sessions with a counseling service approved by the school.

B. **Reinstatement.** A student may be reinstated to participate in extracurricular activities and/or drive on campus once all conditions of his/her suspension have been met. Conditions for reinstatement will be determined by the principal and can include but are not limited to a prescribed number of days suspended from all extracurricular activities and/or driving on campus, counseling, and testing negative on regularly scheduled drug-use tests.

C. **Second positive test.** After a student has been reinstated to participate in extracurricular activities and/or drive on campus following a suspension from a positive drug-use test, that student will be subject to periodic random tests throughout the school year along with all other students enrolled in extracurricular activities and student drivers, and can be included in all random tests performed throughout the year as part of the student's condition for reinstatement.

A student receiving a second positive test result within the same academic school year will be suspended from participation in any extracurricular activity and/or driving on campus for a minimum of 30 days. A longer suspension may be imposed should the principal deem it appropriate and necessary.

D. **Self-Referral.** A student who self-refers to the athletic director, principal, coach, or sponsor before being notified to submit to a drug-use test will be required to take a drug-use test. If that drug-use test is negative, the student will be allowed to remain active in all extracurricular activities as well as drive on campus. However, the student will be considered to have committed his/her first offense under this policy, and will be required to retest and receive counseling as would a student who has tested positive.

Should the results of a drug-use test of a student who self-refers be positive, that student will be suspended from all extracurricular activities and/or driving on campus until a negative test is obtained from a professional laboratory of the district's choosing. This student will also be considered to have committed his/her first offense under this policy, and will be required to retest and receive counseling.

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A student who has received a positive drug-use test through either the initial drug-use testing procedure, or the periodic random testing procedure is not allowed the privileges of self-referral. In addition, a student who has self-referred at some time during the course of the school year, is not allowed the privileges of self-referral for a second time.

- E. Refusal to submit to a drug-use test.** Any extracurricular participant or student driver who refuses to submit to a drug-use test under this policy will not be eligible to participate in any extracurricular activity, including all meetings, practices, performances, and competition or drive on campus for 30 school days.
- 6. Periodic Random Tests** – All student drivers and students who are enrolled in extracurricular activities will be subject to periodic random drug-use tests throughout the school year. The frequency of tests and number of students to be randomly tested is to be determined by the district’s administration. All of the names of the students enrolled in extracurricular activities shall be provided to the drug-testing laboratory to form a random selection pool. The drug testing laboratory will randomly select the students to be tested. The laboratory will also select the dates on which the tests are to be performed, loosely corresponding with the intervals prescribed by the administration.
- 7. Non-Extracurricular Activity Students** – Parents or custodial guardians of students who are not enrolled in extracurricular activities may have their children included in the random selection pool by signing the drug testing program consent form. Non-extracurricular activity students will only be a member of the random selection pool and not the initial screening. Non-extracurricular activity students who test positive will not be subject to any disciplinary or punitive actions from the school staff or administration. Parental notification will be made and counseling will be offered.
- 8. Reasonable Suspicion** – In addition to the procedures as outlined above, any extracurricular participant, student driver, or member of the random selection pool may be required to submit a drug-use test for illegal drugs or performance-enhancing drugs or the metabolites thereof at any time upon reasonable suspicion by the athletic director, principal, coach, teacher, or sponsor of the student.
- 9. Appeal** - A student, or parent or custodial guardian of a student, who has been determined by the principal or designee to be in violation of this policy, shall have the right to appeal the decision to the superintendent or the superintendent’s designee(s), during which time the student will remain eligible to participate in any extracurricular activities or drive on campus. Should the parent or custodial guardian not agree with the superintendent’s decision, an appeal can be made to the School Board. Such appeal must be lodged within five business days of notice of the initial report of the offense as stated in this policy. Until the appeal can be heard by the School Board, the student will be subject to the restrictions placed upon the student by the Superintendent. The School Board shall then determine whether the original finding was justified. There is no further appeal right from the School Board’s decision and the 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 School Board, which shall be final and nonappealable.

The school district will incur the cost of the initial drug-use test and any tests drawn from the random selection pool. The cost of subsequent tests for the purpose of reinstatement to participate in extracurricular activities or drive on campus will be the responsibility of the student and/or the parent or custodial guardian.

**CROSS-REFERENCE:** Policy FNCF, Drug-free Schools