

OWENSVILLE HIGH SCHOOL

DRUG TESTING PROGRAM FOR STUDENTS INVOLVED IN EXTRACURRICULAR ACTIVITIES

The Gasconade County R-II School District recognizes that drug abuse is a serious problem in America, and America's schools – including Owensville High School – are experiencing an increase in this problem. Students participating in extracurricular activities, including Gasconade County R-II School District students, are increasingly experimenting with controlled substances which they are legally prohibited from possessing, using, or distributing. Some student athletes are also attracted to so-called “performance-enhancing” drugs, such as steroids, in misguided efforts to increase their strength and endurance.

Specifically, in the Gasconade County R-II School District, there have been five to ten suspensions during each of the last five years which were drug and/or alcohol related offenses. Moreover, law enforcement agencies have noted a severe drug and alcohol problem in communities located within the District. Finally District students themselves have expressed concern over a growing drug problem in the District schools, especially Owensville High School.

Participation in extracurricular activities is a privilege, not a right or entitlement. Thus, no student is guaranteed participation in any extra-curricular activity. District officials possess the authority to eliminate this privilege at any time upon the exercise of their professional judgment and discretion.

Our District believes that drug usage is inconsistent with the guidelines for student participation in extracurricular activities. Extra-curricular activity participants are admired by a large segment of the student body and the community. Accordingly, students in these 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 of illegal drugs. Moreover, drug use causes serious physical, mental and emotional harm. A student athlete or District representative using drugs is a danger to him or herself as well as other students and community members. Finally, all students in the District who choose to participate in extra-curricular activities are entitled to be able to do so in a drug-free environment.

The following mandatory drug testing policy was adopted July 2008, for all students in grades 9-12 who participated in extracurricular activities. Students participating in covered activities will be subject to drug testing throughout the calendar year. The specific details of the testing program and the consequences of a violation are described below.

Components of Drug-Testing Program

Covered activities: Extra-curricular activities subject to testing under this policy shall include all extra-curricular activities for which students do not receive a grade.

Tested Drugs: The drugs to be tested may include the following:

Prohibited Substances

THC/marijuana
Benzodiazepines
Cocaine/benzoylecgonine
Amphetamines
Barbiturates
Phencyclidine
Methamphetamine
Opiates/morphine/methadone
Propoxyphene
Ecstasy
Performance-enhancing drugs (may include anabolic steroids)

Adulteration Indicators, including:

Creatinine

Nitrites

pH

(Note: These substances are always present in urine, but variations in levels can indicate adulteration of the sample. These will only be collected if a sample is required to be laboratory tested.)

Consent: The parent or legal guardian and the student participant will be required to agree to and sign a written consent for testing prior to the student's participation in the covered activity. This consent form will also bind the student and parent to compliance with the terms of this policy. The refusal to consent to the application of any provision in this policy will result in the automatic exclusion of a student from all covered activities until consent is provided. The consent of a parent/legal guardian, as well as the student, is required for all students under the age of 18.

Privacy and Confidentiality: Parents of students who are under 18 and who still have the right of access to student records will receive all information applicable to the testing of their children under this policy. All information and records relating to a student's participation in the testing program under this policy shall remain confidential as required by law and shall be maintained in a file separate from the student's educational records.

Selection for Testing: In addition to the random testing process described below, the District may conduct drug testing of all covered activity participants at the beginning of the school year and/or at the beginning of any covered activity (also, if a student joins the covered activity while it is ongoing, that student may be subject to testing before participating in that activity). The District may conduct random drug testing of students participating in covered activities to be randomly tested during each school year shall be no less than 5 percent of the total number of students participating in all covered activities in the given school year.

Prior to testing, each participant in a covered activity will be assigned an identification code. The Activities Director will maintain one cross-referenced list of names and codes. Only the Activities Director, Principal/Assistant Principal, and Superintendent/Assistant Superintendent will have access to this list. The testing provider/laboratory shall provide the randomization protocol, and will notify the Activities Director and/or the Principal/Assistant Principal of the students selected for testing. **Students not participating in continuous activities will remain in this testing group for the calendar year and, thus, will be subject to random testing at any time during the calendar year.**

Analysis and Finding by Provider/Laboratory: The testing provider/laboratory will perform a screening test on the urine specimen. The testing provider/laboratory shall receive a sealed copy of the names and identification numbers of the tested students, as well as contact information for their parents/legal guardians, if the student is under age 18. The sealed copy will be used by the testing provider/laboratory for reference, in the event that a student tests positive for drug use. The term "non-negative" under this policy refers to a test result which is considered to demonstrate the presence of a Tested Drug using the standards established by the testing provider/laboratory administering the test.

The initial urine sample will be tested on site. If the first test is negative, then that result will be reported to the District's Activities Director. If the on site test is non-negative, it will be split into two specimens, that test shall be sent to the laboratory for confirmation testing. The laboratory test will use the gas chromatography/mass spectrometry technique. A specimen shall not be reported as "positive" unless the laboratory test utilizing the gas chromatography/mass spectrometry technique is positive for the presence of Tested Drug or the metabolites thereof. If the gas chromatography/mass spectrometry test has a positive result, TOMO Drug Testing will provide the option to parents of contacting a Medical Review Officer (MRO) for the purposes of soliciting any information on medication or other health conditions which could create a positive test. After analyzing the test results in light of any medical information provided, the MRO will confirm the result and contact the District's Activities Director with the final result.

Consequences and Follow-up Testing Obligations:

First Offense: A student who tests positive for a Tested Drug shall be suspended from participating in all extra-curricular activities for 30-calendar –days from the date the District learns of the positive test result. The term “participation” includes all activities, contests, and events.

1. The student-participant will practice with the team or group during the time he/she is suspended from interscholastic competition or activities.
2. If a suspension from participation for one calendar year occurs; this suspension shall be for all activities, athletics, clubs, etc.

The student shall be retested (at District expense) at the end of the 30-calendar-day suspension. If, at that time, the student continues to test positive for a Tested Drug, the student will remain under suspension, and subsequent tests will be conducted (at District expense) every 10 to 15 schools until the student tests negative for Tested Drugs such that the student can return to participation in covered activities.

Alternative First Offense: With the consent of the student and his or her parent/guardians, the District may reduce the suspension so that the student is only prohibited from participating in covered activities for a total period of 15-calendar-days as long as the student meets the following requirements:

- (1) Within one week of the conference, the student must receive or be enrolled in substance abuse counseling from an alcohol and drug abuse agency certified by the Missouri Department of Mental Health, Division of Alcohol and Drug Abuse. The parents/guardians are responsible for all costs associated with the counseling. The parents/guardians must provide written verification that the student has been seen by the alcohol and drug abuse agency at least once before the student is allowed to begin participation again. If the student does not attend counseling as promised, the District will immediately implement the original consequences.
- (2) The student will be required to submit to drug tests every time the District conducts random drug testing on other students for the rest of the school year. Such follow-up drug testing shall be conducted using the provider/laboratory protocol described above in this policy. This testing shall be at District expense.
- (3) Should the student choose the Alternative First Offense, the student will be allowed to resume covered activities.

Second Offense: Offenses are cumulative during a student’s high school career. If a student has committed a first offense and has been cleared to return to participation in a covered activity, that student will be deemed to have committed a second offense if he/she incurs a subsequent positive test result for a Tested Drug at any time during the remainder of the student’s high school career. If the student commits a second offense by testing positive for a Tested Drug, that student will be suspended from participation in covered activities for 90-calendar-days from the date the District learns of the positive test result. The term “participation” includes all meetings, practices, activities, contests, and events. The student shall be retested (at District expense) at the end of the 90-day suspension period. If, at that time, the student continues to test positive for a Tested Drug, the student will be permanently banned from participation in a covered activity. The term “participation” includes all meetings, practices, activities, contests, and events.

Third Offense: No third offenses are permitted. Therefore, a student who tests positive for Tested Drugs on a third occasion will be permanently banned from participation in a covered activity for the rest of their enrollment with the District. The term “participation” includes all meetings, practices, activities, contests, and events.

Refusal to Submit or Falsifying Results: If a student refuses to submit to drug testing when he or she fails to provide adequate urine for testing when notified of the need to do so engages in conduct that clearly obstructs that testing process. A participating student who refused to submit to drug testing or who takes action that is considered, in the judgment of the testing laboratory or the District, to be an attempt to evade the testing requirements of this policy and/or an attempt to alter the sample provided will be suspended from all covered activities for the period of one (1) year and will forfeit eligibility for the student who has a positive initial test and refuses to complete the required paperwork for a confirmation test will be treated as a refusal to submit to testing.

Self-Reporting: When a student self-reports consuming drugs or alcohol in violation of District policy to an Administrator, Coach, or Extra-Curricular Sponsor before receiving notification that he or she will be tested, that student shall be treated as if he or she committed a First Offense under this policy, even if the student had tested positive previously. A self-report is considered the same as testing positive for the purpose of future positive tests. A student may only take advantage of self-reporting once during their high school career.

Appeals: Because participation in activities is a privilege, and not a legal entitlement, there is no right to hearing to challenge a suspension or ban under this policy. However, the District will provide the opportunity for a student or parent/legal guardian to appeal any suspension or ban from activities under this policy.

An appeal may be made in writing to the District's Superintendent within five (5) school days of the issuance of the suspension. Failure to appeal in a timely manner to the Superintendent waives any further right to appeal. After receiving the written appeal, the Superintendent will meet with the student and student's parent/legal guardian (who are responsible for clearing their schedules to meet with the Superintendent at the designated time). During this meeting, the student and parent/legal guardian will be permitted to explain their position and the facts that they believe warrant reversal of the decision. The Superintendent shall thereafter determine whether a different result be warranted.

The student or parent/legal guardian may appeal the decision of the Superintendent to the Board of Education by submitting a written appeal request no later than five (5) working days after the Superintendent has communicated the decision. In the written appeal request, the student or parent/legal guardian should set forth the specific relief sought, as well as the reasons why the Board should grant that relief. The Board has the right, in its sole discretion and judgment, to determine the appeal on the written documentation provided or, alternatively, request that the student and parent/legal guardian appear before the Board to address the matter.

The consequences of this policy (i.e., suspension or ban) remain in effect during the appeal.

Effect on Other Policies: This policy applies to the voluntary drug testing program and participation in extracurricular activities in the event of violation of a positive result as described herein. Students who test positive pursuant to random selection under this policy will not be subject to additional discipline under the District's discipline code.

However, all students, including students participating in the voluntary drug testing program, are subject to observation, search, testing, and discipline based upon individualized suspicion that the student has engaged in the use, possession, or distribution of drugs or alcohol in violation of the District's Discipline Code. Students who engage in the foregoing conduct shall be disciplined under the applicable discipline code. Such discipline may include but is not limited to exclusion from extra-curricular activities as provided herein and/or the student code of conduct.

Gasconade County R-II School District
Activity/Athletic Commitment Pledge
and Drug Testing Participation and Consent Form

Prior to participating in any practice or tryout sessions for any interscholastic sport, each athlete must:

1. Successfully pass a physical examination by a licensed physician in order to participate in athletics and the copy of such examination must be on file in the office of the building activities director. The physical exam is valid if issued on or after February 1 of the previous year.
2. Return this Activity/Athletic/Drug Testing Consent Form with the student and parent signatures.

As a school's student athlete voluntarily participating in interscholastic activities/athletics, I acknowledge that

1. I have read and understood the Gasconade County R-II School District's Student Activity/Athletic Handbook. I agree that participation in school sponsored activities/athletics is a privilege and not a right. I am aware of the District's requirements for participation in school sponsored activities/athletics and agree to abide by the requirements and penalties as outlined in the handbook. I am also aware that individual coaches/sponsors may impose additional requirements and penalties upon participation.
2. I will be a participant in, and fully and knowingly consent to participation in, the Gasconade County R-II School District's Drug Testing Program for Students Involved in Extracurricular Activities ("Testing Program"). I agree to comply with and abide by the terms of the policy explaining this program. I understand that my signature below authorizes the District to obtain a urine sample from the student whose signature appears below in accordance with the Testing Program. I also understand that my signature on this form authorizes the provider/laboratory selected by the District to test the urine sample for the presence of the drugs designed in the Testing Program, and to report all test results to the District, the student, and the student's parent/legal guardian. I also understand that if an initial "positive" test result arises, the student and parent/legal guardian may need to disclose to the provider/laboratory or its medical review officer any over the counter or prescription medications the student takes or has taken. I also understand that currently available drug tests are not 100% reliable and that false positive tests may result. I further understand and agree that the District may respond to a positive drug test result in accordance with the provisions of the Testing Program. My consent will remain in effect unless I have provided written notice of revocation to the Principal.
3. I have been properly advised, cautioned, and warned by administrative and coaching personnel of the Gasconade County R-II School District, that I am exposing myself to the risk of injury, including, but not limited to, the risk of sprains, fractures, and ligament and/or cartilage damage, which could result in a temporary or permanent, partial, or complete impairment in the use of my limbs, brain damage, paralysis, or even death. **Having been so cautioned and warned, it is still my desire to participate in sports and to do so with full knowledge and understanding of the risk of injury and with full consent of my parents/guardians.**
4. I, along with my parents/guardians, certify that I have read and understand all of the Gasconade County R-II School District activity/athletics/drug testing policies in this handbook. In order to be eligible for participation, I agree to comply with all the requirements listed for the duration of my participation in activities/athletics while a student at Gasconade County R-II School District. Our signatures will not be required again unless "Board approved" changes are made to the existing policy.

Student (sign legibly)

Grade

Student ID Number

Parent (sign legibly)

Date