

## HUGO HIGH SCHOOL STUDENT DRUG TESTING POLICY

### **Purpose and Intent**

It is the desire of the board of education, administration, and staff that every student in the Hugo Public School District refrains from using or possessing illegal drugs. Notwithstanding this desire, the administration and Board of Education realize that their power to restrict the possession or use of illegal 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 Hugo Public School District regarding possession or use of illegal drugs.

Participation in school sponsored extracurricular activities such as interscholastic athletics in the Hugo Public School District is a privilege, not a right. 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 and performance-enhancing-drugs. Additionally, this school district is contracted to follow the rules and regulations of the OSSAA whose rules specifically state: 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.

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. 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. For the safety, health, and well-being of the students of the district, this policy has been adopted for use by all participating students at the junior high and high school level.

The Hugo Public School District may set a fee charge to be collected from each student participant when the Student Drug Testing Policy is signed and returned to the coach or sponsor at the start of each school year.

### **Definitions**

1. Student Participant in Extracurricular Activities - A school member of any district sponsored extracurricular activity.
2. Extracurricular - Activities that take place outside the regular course of study in school.
3. Drug Use Test - A scientifically substantiated method to test for the presence of illegal or performance-enhancing drug or the metabolites thereof in a person's urine.
4. Random Selection - 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 student athlete or extracurricular activities participant selected under the mechanism.

**HUGO HIGH SCHOOL STUDENT DRUG TESTING POLICY (Cont.)**

5. Illegal Drugs - Any substance that an individual may not sell, possess, use, distribute, or purchase 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.
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 that can be lawfully purchased in over-the-counter.
7. 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.
8. Reasonable Suspicion - A suspicion based on specific personal observations concerning the appearance, speech, or behavior of a student athlete or 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.

**Procedures**

Student participants in extracurricular activities shall be provided with a copy of this policy and the student drug testing consent form which shall be read, signed, and dated by the student, parent or custodial guardian, and coach or sponsor before a participating student shall be eligible to practice or participate in any extracurricular activity. The consent shall be to provide a urine sample (a) at the beginning of each school year or when the student enrolls in an extracurricular activity; (b) as chosen by the random selection basis; and (c) at any time requested, based on reasonable suspicion, to be tested for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed consent form.

All extracurricular activities participants will be required to provide a urine sample for drug use testing for illegal drugs and/or performance-enhancing-drugs. Students who move into the district after the school year begins and wish to participate in extracurricular activities will be required to provide a urine sample before they are eligible for participation in school sponsored extracurricular activities.

Drug-use testing for extracurricular activities participants will be chosen on a monthly, random selection basis from a list of all extracurricular activities participants in off-season and/or in-season activities. The Hugo School District will determine a monthly number of students' names to be drawn at random to provide a urine sample for drug use testing for illegal or performance-enhancing-drugs.

In addition to the drug test required above, any extracurricular activities participant may be required to submit to 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, sponsor, or coach of the student.

All aspects of the drug use 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 behind a closed stall. The athletic director/sponsor shall designate a coach or other school employee of the same sex as the student to accompany the student to a restroom or other private facility. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to ensure an accurate chain of custody. The monitor shall verify the normal warmth and appearance of the specimen.

**HUGO HIGH SCHOOL STUDENT DRUG TESTING POLICY (Cont.)**

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 athletic director/sponsor who will then determine if a new sample should be obtained. The monitor shall give each student a form on which the student may list any medications(s) he has taken or is taking or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing-drugs in the preceding 30 days.

**Confidentiality**

If the drug use test for any student has a positive result, the laboratory will contact the athletic director or designee with the results. Procedures for maintaining confidentiality will be practiced. The athletic director or designee will contact the principal, 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 athletic director. The student and the parent or custodial guardian may, at their expense, have an additional test performed by a professional laborator.

**Appeal**

A student who has been determined by the athletic director 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). Such appeal must be lodged within five (5) school 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 extracurricular activities as well as ineligibility. The superintendent or designee(s) shall then determine whether the original finding was justified. There is no further appeal right from the superintendent'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 superintendent, which shall be final and non-appealable.

**Refusal to Submit a Drug Test**

If a student refuses to submit a drug test at any time during the school year he/she will immediately be ineligible for any participation in extracurricular activities.

**Consequences**

First Offense – The student will (a) be required to set out from all participation until he/she provides the school with a clean drug test from a professional laboratory, but may, at the decretion of the coach or sponsor based on safety concerns be allowed to practice; (b) be required to attend a session of drug counseling provided by the school counselor; and (c) complete the school's drug education program.

Second and Subsequent Offense (in the same school year) – The student will (a) be required to set out from all practice and participation until he/she provides the school with a clean drug test from a professional laboratory; (b) be required to attend a session of drug counseling provided by the school counselor.

**Assurance Provided to Students and Parents/Guardians under This Policy**

1. There will be no academic consequences resulting from testing under this policy.
2. Under no circumstance will drug test results be turned over to any law enforcement or other agency.
3. If a positive drug test is being challenged by a student or parent/guardian the test may be reviewed by a certified Medical Review Officer (MRO) prior to the determination of the policy violation at the expense of the student or parent/custodial guardian.