

RUSH SPRINGS PUBLIC SCHOOLS

STUDENT DRUG TESTING POLICY

(Adopted April 23, 2018)

In an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse, the Rush Springs Board of Education proposes to adopt the following policy for drug testing of students. Activity students and any student who wishes to drive a vehicle to school will be tested.

STATEMENT OF PURPOSE AND INTENT

Although the Board of Education, administration, and staff desire that every student in the Rush Springs 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 illegal drug use by students participating in extra-curricular activities. The sanctions imposed for violations of this policy will be limitations solely upon the opportunity of any student determined to be in violation of this policy to a student's privilege to participate in extracurricular activities. Provided, further, a parent, legal custodian, or legal guardian of any student who does not participate in any of these activities, may request a drug test for that student on a random and a reasonable suspicion basis, with permission of a parent, legal custodian or legal guardian. This would allow parents and guardians to be notified as to a potential drug problem, and enable them to seek help. This policy supplements and complements all other policies, rules, and regulations of the Rush Springs Public School District regarding possession or use of illegal drugs.

School-sponsored interscholastic extra-curricular activities at the Rush Springs Public School District are a privilege. Students who participate in these activities should be respected by the student body as well as the school district and the community they represent. 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.

The purposes of this policy are 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 illegal 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.

Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extra-curricular activities and upon the positive image these students project to other students and to the community on behalf of Rush Springs Public Schools. For the safety, health, and well-being of students in extra-curricular activities the Rush Springs Public School District has adopted this policy for use by all participants in interscholastic extra-curricular activities in grades 6-12.

The administration may adopt regulations to implement this policy.

I. Definitions

“Activity Student” means a member of any middle school or high school Rush Springs Public School District sponsored extra-curricular organization which participates in interscholastic competition. This includes any student who represents Rush Springs Schools in any extra-curricular activities in interscholastic competition, including FFA, Academic Bowl Team, Band, Cheerleaders, TSA, Student Council, Color Guard, Art Club, Science Club, Speech/Drama, Yearbook/Newspaper, 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 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 alcohol.

“Participating student” means any student participating in the Rush Springs Public Schools drug testing program which is the subject of this Rush Springs Public Schools Drug Testing Policy.

“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 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/teachers of subtle changes in the appearance, speech, or behavior of a student; the reasonable inferences that are drawn from those observations; and/or information of illegal drug use by a student supplied to school officials by credible sources. In order for a student to be referred for testing on “reasonable suspicion,” his or her activity sponsor, (or one of his/her teachers) and at least two building administrators must agree to the reasonable suspicion. The name and identity of students referred on “reasonable suspicion” will be kept confidential. “Reasonable suspicion” would not include overtly recognizable signs of present illegal drug use, such as a perceptible odor of drugs, erratic behavior reasonably attributable to illegal drug or alcohol use, or perceptible odor of alcohol. Instances such as these would subject the student to ordinary disciplinary action apart from this policy.

II. Procedures

Each 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 student to provide a urine sample: (a) as part of the activity student’s annual physical or for eligibility for participation; (b) when the student is selected by the random selection basis to provide a urine sample; (c) at any time when there is reasonable suspicion to test for illegal or performance-enhancing 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.”

Prior to the commencement of drug testing each year, an orientation session will be held for all sixth graders and students in grades 7-12 who are new to the district. The purpose will be to educate participating students of the sample collection process, privacy arrangements, drug testing procedures and other areas which may help to reassure the student and help avoid embarrassment or uncomfortable feelings about the drug testing process.

Each sixth grader and all students in grades 7-12 who are new to the district will receive a copy of the Student Drug Testing Policy. The policy will be available to any other participating student who requests it. The administration will be responsible for explaining the policy to all prospective students, and for preparing an educational presentation to acquaint the students with the harmful consequences of drug and alcohol use and abuse.

All Activity Students will be required to provide a sample before the student can participate in an extra-curricular activity covered under this policy. A student who moves into the district after the school year begins will have to undergo a drug test before they will be eligible for participation in any extra-curricular activity.

Drug use testing for students will also be chosen on a random selection basis monthly from a list of all participating students. The Rush Springs Public School District will determine a monthly number of student names to be drawn at random to provide a urine sample for drug use testing for illegal drugs.

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

Any drug use test will be administered by or at the direction of a professional laboratory chosen by the Rush Springs 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 principal/athletic director shall designate two coaches, sponsors, or school employees of the same sex as the student to accompany the student to a restroom or other private facility behind a closed stall. The monitors shall not observe the student while the specimen is being produced, but the monitors shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to insure an accurate chain of custody. The monitors shall verify the normal warmth and appearance of the specimen. If at any time during the testing procedure the monitors have reason to believe or suspect that a student is tampering with the specimen, the monitors 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 utilizing this 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 the end of the school year, whichever is shorter. Student records will be retained until the end of the school year.

III. Confidentiality

The laboratory will notify the principal of any positive test. To keep the positive test results confidential, the principal will only notify the student, the head coach/sponsor, and the parent or custodial guardian of the student of the results. The principal 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 Rush Springs Public School District will rely on the opinion of the laboratory which 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 files 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. These records will be destroyed upon graduation or permanent withdrawal from Rush Springs Schools.

IV. Appeal

An Activity Student who has been determined by the principal 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 calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any extracurricular 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 this policy shall be in the sole and exclusive judgment and discretion of the superintendent which shall be final and non-appealable.

V. Consequences

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

A. For the First Offense:

The parent/guardian will be contacted 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, and principal concerning the positive drug test. The student will be suspended from participation in all activities covered under this policy for 14 consecutive days from the date of notification. The student may not participate in any meetings, practices, scrimmages, activities, or competitions during this period. In order to be reinstated for participation in extracurricular activities following the suspension, the student and parent/guardian must show proof that the student has received a minimum of two hours of drug counseling from a qualified drug treatment program or counseling entity. The school district will not be responsible for any cost associated with first offense.

counseling or treatment. Prior to continued participation, the student must follow through on the scheduled assessment and counseling. Additionally, the student must voluntarily submit to a second drug test to be administered within 15 days in accordance with the testing provisions of this policy. After the initial 15 days, a re-test must be clean or determined at a substantially lower level. After the first offense, the student will automatically be included with the next two groups of random testing. Should the parent/student not agree to these provisions, the consequences listed in this policy for the second offense will be imposed.

If a student, who receives a positive test, chooses to no longer participate in extra-curricular activities, that student will not be held to the expectations of this policy. However, if the student wishes to return for participation in any extracurricular activities (the student quit and wants to come back) all provisions of the policy will be reinstated and must be met prior to any participation in any meetings, practices, scrimmages, or competitions.

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 or her own volition informs (self-refers) to the athletic director, principal, or coach/sponsor of usage before being notified to submit to a drug use 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. A student will be allowed to self-refer only once during the time he/she spends in the Rush Springs School District.

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

Suspension from participation in all activities and driving privileges covered under this policy for 28 consecutive days, from the date of the notification, and successful completion of four hours of substance abuse education/counseling from a qualified drug treatment program or counseling entity. The school district will not be responsible for any costs associated with second offense counseling or treatment. Parents should consider seeking additional assistance, including the possibility of drug treatment centers. School officials will help expedite this procedure, if it is determined necessary by student and parents. The student may not participate in any meetings, practices, scrimmages or competitions during this period. The student will be randomly 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.

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

Complete suspension from participation in all extra-curricular activities including all meetings, practices, performances, competition and for the remainder of the semester and the next semester. The length of the suspension could include parts of two different

school years. Parents should strongly consider additional assistance from outside sources, including, but not to be limited to, the possibility of drug treatment centers. The school district will not be responsible for any costs associated with third offense counseling or treatment. School officials will cooperate to help expedite this procedure, if it is determined necessary by the student and parents.

V1. 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, performance and competitions for the remainder of semester and the following semester. The length of the suspension could include parts of two different school years. Additionally, such student shall not be considered for any interscholastic activity honors or awards given by the school.



RUSH SPRINGS PUBLIC SCHOOLS IS COMMITTED TO COOPERATING WITH PARENTS/GUARDIANS IN AN EFFORT TO HELP STUDENTS AVOID ILLEGAL DRUG USE. THE RUSH SPRINGS 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.



Statement of Purpose and Intent

Participation in school sponsored extra-curricular activities at the Rush Springs School District is a privilege. Activity students 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.

Drug use of any kind is incompatible with participation in extra-curricular activities on behalf of the Rush Springs Public School District. Furthermore, the district wishes to make available to students who do not participate in extra-curricular activities equal opportunities for testing. For the safety, health, and well-being of the students of the district, the Rush Springs Public School District has adopted the attached Student Drug Testing Policy and the Student Drug Testing Consent for use by all participating students in grades 6-12.

Students Participating in Extra-Curricular Activities

Each Activity Student shall be provided with a copy of the Student Drug Testing Policy and Student Drug Testing Consent 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 interscholastic activities. The consent shall be to provide a sample: a) as part of their annual physical or for eligibility for participation; 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 activity governed by the policy unless the student has returned the properly signed Student Drug Testing Consent.

Student's Last Name	First Name	M.I.
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Students Not Participating in Extra-Curricular Activities

Each student shall be provided with a copy of the Student Drug Testing Policy and Student Drug Testing Consent which shall be read, signed, and dated by the student and parent or custodial guardian. The consent shall be to provide a sample: a) as chosen by the random selection basis; and b) at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs. Results will be confidential and will be shared only with the parents and/or custodial guardian. No punitive action will be taken as a result of a positive test when done in conjunction with this policy. Parents will be encouraged to take advantage of the counseling provisions of this policy.

Student's Last Name	First Name	M.I.
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I understand after having read the “Student Drug Testing Policy” and “Student Drug Testing Consent,” that, out of care for my safety and health, the Rush Springs School District enforces the rules applying to the consumption or possession of illegal and performance-enhancing drugs. I realize that the personal decision I make daily in regard to the consumption or possession of illegal or performance-enhancing drugs may affect my health and well-being as well as the possible endangerment of those around me and reflect upon any organization with which I am associated. If I choose to violate school policy regarding the use or possession of illegal or performance-enhancing drugs any time while I am involved in in-season or off-season activities, I understand upon determination of that violation I will be subject to the restrictions on my participation as outlined in the Policy.

_____ YES, I CHOOSE TO PARTICIPATE IN THE DRUG TESTING PROGRAM.
(I have not been coerced into participating.)

_____ NO, I CHOOSE NOT TO PARTICIPATE IN THE DRUG TESTING PROGRAM.

Signature of Student

Date

We have read and understood the Rush Springs School District Student Drug Testing Policy and Student Drug Testing Consent. We desire that the student named above participate in the extra-curricular interscholastic programs of the Rush Springs School District (or voluntarily submit to testing if not participating in these programs) and we hereby voluntarily agree to be subject to its terms. We accept the method of obtaining samples, testing and analysis of such specimens, and all other aspects of the program. We further agree and consent to the disclosure of the sampling, testing and results as provided in this program.

_____ YES, WE AGREE TO THE TERMS OF THIS POLICY.

_____ NO, WE DO NOT WANT OUR SON/DAUGHTER TESTED ACCORDING TO THE TERMS OF THIS POLICY.

Signature of Parent or Custodial Guardian

Date