

STUDENT DRUG TESTING PROGRAM EXTRACURRICULAR ACTIVITIES

The Enid 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 other students of the Enid Public School District, has adopted the following policy for drug testing of students participating in EPS sponsored extracurricular activities.

Purpose and Intent

It is the desire of the board of education, administration, and staff that every student in the Enid Public School District refrain from using or possessing illegal drugs and performance-enhancing drugs. The administration and board of education realize that their power to restrict the use of illegal drugs and performance-enhancing 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 EPS sponsored extracurricular activities. This policy is intended to complement all other policies, rules, and regulations of the Enid Public School District regarding use of illegal drugs and performance-enhancing drugs.

Participation in school-sponsored extracurricular activities at the School District is a privilege, not a right. Students who participate in these activities are respected by the student body and are expected to conduct themselves as good examples of behavior, sportsmanship and training. Accordingly, students who participate in EPS sponsored extracurricular activities carry a responsibility to themselves, their fellow students, their parents and their school to set the highest possible example of conduct, which includes avoiding the use of illegal or performance-enhancing drugs.

The purpose of this Policy is to prevent illegal or performance-enhancing drug use, to educate students who participate in EPS sponsored extracurricular activities as to the serious physical, mental and emotional harm caused by illegal or performance-enhancing drug use, to alert students participating in EPS sponsored extracurricular activities who have possible substance abuse problems to the potential harms of use, to prevent injury, illness and harm as a result of illegal or performance-enhancing drug use, and to strive within the School District for an environment free of illegal or performance-enhancing drug use. 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 who participates in EPS sponsored extracurricular activities and who is found to be in violation of the Policy to participate in EPS sponsored extracurricular activities. There will be no academic sanction solely for a violation of this Policy. **Notwithstanding the foregoing, a student may be disciplined, including suspended out of school, if a violation of this policy also results in a violation of the School District's Student Behavior Policy.**

Definitions

"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, and paraphernalia to use such drugs.

"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.

“Drug or alcohol use test” means a chemical test administered for the purpose of determining the presence or absence of illegal or performance-enhancing chemical substances or their metabolites in a student’s blood, bodily tissue, fluids, products, urine, breath or hair.

“Random selection basis” means a mechanism for selecting activity students for drug and/or alcohol use 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.

“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.

“Reasonable suspicion” means a suspicion based on specific personal observations concerning the appearance, speech or behavior of an activity student 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.

ENID PUBLIC SCHOOL ACTIVITY STUDENT DRUG TESTING POLICY

This policy governs illegal and performance-enhancing drug use by students participating in EPS sponsored extra-curricular activities governed by the OSSAA in grades 7-12. This policy supplements and complements all other policies, rules, and regulations of the Enid Public Schools regarding use of illegal drugs and performance-enhancing drugs.

Each activity student 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/ guardian, and activity director before such student shall be eligible to practice or participate in any EPS sponsored extra-curricular activities. The consent requires the activity student to provide a hair follicle: (a) when the activity student is selected by the random selection basis to provide a hair follicle; and (b) at any time when there is reasonable suspicion to test for illegal drugs. No student will be allowed to practice or participate in any EPS sponsored extra-curricular activities until the student has returned the properly signed “Student Drug Testing Consent Form.”

Prior to the beginning of drug testing each year, an online session will be available for any EPS sponsored activity student to educate them to the sample collection process, privacy arrangements, and drug testing procedures. Each student will have online access of the Activity Student Drug Testing Policy. The head coach or sponsor shall be responsible for explaining the Policy to all prospective students.

Drug use testing for EPS sponsored activity students will also be chosen on a random selection basis quarterly from a list of all EPS sponsored activity students who are involved in off-season or in-season activities. The School District will determine the number of student names to be drawn randomly for drug testing. In addition to the drug test required above, any activity student may be required at any time to submit to a test for illegal drugs when there is reasonable suspicion of drug use by that particular student.

Any drug use test required by the School District under the terms of this Policy will be administered by or at the direction of a professional laboratory chosen by the 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.

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 activity students to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. Hair follicle drug testing analyzes the hair shaft to determine whether illegal drugs are present in the specimen donor. Compared to the analysis of body fluids, hair testing is highly resistant to evasion by adulteration or sample substitution, and provides a wider window of detection. Many of today's drugs can be rapidly excreted and usually can be undetectable in body fluids within 72 hours after use. Hair follicle testing can cover a period over several months rather than hours or days.

Once a donor has been randomly selected, the nurse will accompany the student to the screening collector. The collection process **MUST** take place in a secure private location. Prior to the specimen being taken from the donor, both the donor and collector will complete a medication form which will be sent with the specimen to the testing lab. Once the form is completed, the specimen collector will unpack the hair collection kit and proceed to clean a pair of scissors or shaving razor with alcohol swabs. The alcohol swabs ensure that the scissors or shaving razor used to collect the hair sample are clean and free of any of any substance that may cause the specimen to be adulterated. The collection protocol allows the collector only to take the donors natural hair. Hair can be collected from several locations on the head, if head hair is not available, body hair can be collected as an alternative. The general amount of hair needed is equal to the thickness of a shoelace tip, which is roughly around 100-120 strands of hair. After sterilization of the collection tool (scissors or razor) the specimen collector will determine an area that will provide the best specimen sample and retrieve the sample from the donor. Once the collection is complete, the specimen is then wrapped in a collection tin and sealed in a tamper proof envelope. The specimen envelope and the medication form is then signed and initialed by both the collector and donor and promptly sealed in a pouch provided by the testing lab. Due to the confidential nature of the drug testing procedure, written consent must be completed and obtained with the proper signatures before the release of testing results can be given to the designated school representative.

If at any time during the testing procedure the nurse has reason to believe or suspect that a student is tampering with the specimen, the nurse may stop the procedure and inform the principal or athletic director who will then determine if a new sample should be obtained. If a student is determined to have tampered with any specimen 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 nurse shall give each student a form on which the student may list any medications he/she has taken or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding thirty (30) days. The medication list may be submitted to the lab in a sealed and confidential envelope.

Confidentiality

The laboratory office will contact the nurse. The nurse will contact the parent guardian of any positive test for the parent/guardian to submit additional information that might explain the positive test. The additional information will be provided to the lab by the school nurse. The nurse will notify the district activity director regarding positive results. The activity director will communicate findings to the appropriate program sponsor director/head coach.

The Enid Public Schools 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 drug or performance-enhancing drug.

Test results will be kept in files separate from the student's other educational records. They shall be disclosed only to those school personnel who have need to know and will not be turned over to any law enforcement authorities. However, students who are under the influence of illegal or performance-enhancing drugs during the school day, at any school activity, or on school property will be subject to the school discipline policy which does include referral to law enforcement.

Appeal

If the student and parent/guardian desire another test of the remaining portion of the specimen, the school will arrange for another test at a qualified lab. Any such re-test shall be at the expense of the student and his/her family. The Enid Public Schools will rely on the opinion of the original laboratory which performed the test in determining whether the positive test result was produced by other than consumption of an illegal drug.

An activity 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 request for review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any EPS sponsored extra-curricular activities until the review is completed. The Superintendent or designee(s) shall then determine whether the original finding was justified. No further review of the decision will be provided. Any necessary interpretation or application of this policy shall be in the sole exclusive judgment of the Superintendent which shall be final and not subject to appeal.

Consequences

There will be no academic sanction for violation of this policy.

Any EPS sponsored activity student who tests positive in a drug test under this policy shall be subject to the following restrictions:

First Offense:

–Parent/guardian will be contacted immediately and a private conference will be scheduled with student, parent/guardian nurse and/or principal.

The activity student shall be suspended from participation in all scheduled scrimmages, games, competitions or performances in all extracurricular activities for 10 school days which may be reduced by 5 school days for:

- *a) showing proof within five (5) calendar days of joint meeting that the student has received a substance abuse evaluation from the substance abuse counselor or another certified drug /alcohol counselor in the community. If the parent chooses to have this requirement met outside of the school system, payment will be the responsibility of the family; and
- *b) the student will be responsible for providing documentation that he/she is following the education/counseling recommendations of the evaluator.

*Agreeing to and then failing to comply with these terms will be considered a second offense. At the discretion of the school district a student may be requested to be administered a follow-up drug test.

Second Offense (within the same school year):

–Parent/guardian will be contacted and a private meeting will be set up with student, parent/guardian, nurse, and/or school substance counselor, and principal.

*The student shall be ineligible from participation in all scrimmages, games, competitions or performances covered under this policy for the remainder of the year, which may be reduced to half a year if:

- *a) the student will attend weekly counseling with school substance abuse counselor. With appropriate documentation, a student may choose to fulfill this requirement with another certified substance counselor at the expense of the family.

REFUSAL TO SUBMIT TO A DRUG USE TEST

If, after signing the Contract, an activity student refuses to submit to a drug use test authorized under this Policy, such student shall not be eligible to participate in any extracurricular activities including all meetings, practices, performances and competitions pending agreement and administration of a drug test followed by a negative result.