

***ACTIVITY STUDENT DRUG TESTING***

The Guthrie Board of Education, in an effort to protect the health and safety of its extracurricular activities' students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of the Guthrie School District, has adopted the following policy for drug testing of activity students.

**Purpose and Intent**

Although the Board of Education, administration, and staff desire that every student in the Guthrie School District refrain from using or possessing illegal drugs, district officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this policy governs only performance-enhancing and illegal drug use by students participating in extracurricular activities. This policy supplements and complements all others policies, rules, and regulations of the Guthrie Public School District regarding possession or use of illegal drugs.

The sanctions imposed for violations of this policy will be limitations solely upon the privilege of any student determined to be in violation of this policy to participate in extracurricular activities. No suspensions from school or academic sanctions will be imposed for violations of this policy. Students will not be subject to grade reductions or a change in academic standing.

Participation in school-sponsored extracurricular activities at the Guthrie School District is a privilege. Students who participate in these activities are respected by the student body and are representing the school district and the community. 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, sportsmanship, and training, which includes avoiding the use or possession of illegal drugs.

**The purposes of this policy are:**

1. To educate students of the serious physical, mental and emotional harm caused by illegal and performance-enhancing 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 and performance-enhancing drugs.
4. To prevent injury, illness, and harm for students that may arise as a result of illegal and performance-enhancing drug use.
5. To offer students practices, competition, and school activities free of the effects of illegal and performance-enhancing drug use.

Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extracurricular activities and upon the positive image these students project to other students and to the community on behalf of the Guthrie School District. For the safety, health and well-being of students in extracurricular activities, the Guthrie School District has adopted this policy for use by all participants in extracurricular activities in grades 7- 12.

**Definitions**

1. **“Extracurricular Activity Student”** means a member of any junior high school or high school Guthrie School District sponsored extracurricular team or program which participates in competition.
2. **“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 urine test.
3. **“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.
4. **“Illegal drugs”** means any substance which an individual may not sell, possess, use, distribute, or purchase under either Federal or Oklahoma law. “Illegal drugs” include, 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.
5. **“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.
6. **“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.
7. **“Reasonable suspicion”** means a suspicion of illegal or performance-enhancing drug use based on specific observations made by coaches/administrators/sponsors of the appearance, speech, or behavior of an activity student; the reasonable inferences that are drawn from those observations; and/or information of illegal or performance-enhancing drug use by an activity student supplied to school officials by other students, staff members, or patrons.

**Procedures**

Each extracurricular activity student shall be provided with a copy of the “Activity 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 extracurricular activities. The consent requires the activity student to provide a urine sample: (a) when the activity student is selected by the random selection basis; or (b) 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 extracurricular activities involving competition unless the student has returned the properly signed “Activity Student Drug Testing Consent Form.” Provided, however, the lack of a signature on the part of a coach/sponsor shall not invalidate consent to drug testing under the Contract.

Prior to the commencement of drug testing each year an orientation session will be held with each activity student to educate them of the sample collection process, privacy arrangements, drug testing procedures, and other areas which may help to reassure the activity student and help avoid embarrassment or uncomfortable feelings about the drug testing process.

Each extracurricular activity student shall receive a copy of the Activity Student Drug Testing Policy. The head coach or relevant sponsor shall be responsible for explaining the policy to all prospective students, and for preparing an educational presentation to acquaint the student with the harmful consequences of drug and alcohol use and abuse.

Drug use testing for activity students will be chosen on a random selection basis monthly form a list of all activity students who are involved in off-season or in-season activities. The Guthrie 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 or performance-enhancing drugs [no more than 10% of the eligible students].

In addition to the drug use tests required above, any activity 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 relevant sponsor has reasonable suspicion of illegal or performance-enhancing 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 Guthrie 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.

The monitor shall give each student a form on which the student may list any medications legally prescribed for the student he or she has taken in the preceding thirty (30) days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the twenty-four (24) hours following any drug test. The medication list shall be submitted to the lab in a sealed and confidential envelope and shall not be viewed by district employees.

An initial positive test result will be subject to confirmation by a second and different test of the same specimen. A specimen shall not be reported positive unless the second test is positive for the presence of an illegal or performance-enhancing 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 (6) months or the end of the school year, whichever is shorter. Student records will be retained until the end of the school year.

### **Costs**

The district will provide the financial mechanism to centrally fund the costs of random drug testing for activity students. Students who test positive will be responsible for paying the costs of required follow-up drug testing.

### **Confidentiality**

The laboratory will notify the relevant principal of any positive test. To keep the positive test results confidential, the relevant principal will only notify the student, district athletic director, head coach, relevant sponsor, and the parent or custodial guardian of the student of the results. The relevant principal, district athletic director, or assistant athletic director will schedule a conference with the student and parent or guardian and explain the student's opportunity to submit additional information to the relevant principal, district athletic director, or assistant athletic director or to the lab. The Guthrie 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.

### **Appeal**

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 a review must be submitted to the superintendent in writing within five (5) calendar day 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.

### **Consequences**

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

#### **1. First Offense:**

The parent/guardian will be contacted immediately 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, assistant athletic director, district athletic director or relevant principal concerning the positive drug test. The student may not participate in any meetings, practices, scrimmages or competitions until they have completed three (3) hours of counseling furnished by the school. Additionally, the student must voluntarily submit to a second drug test to be administered within two (2) weeks in accordance with testing provisions of this policy.

If parent/guardian and student agree to these provisions, the student will continue to participate in the activity after the counseling is completed. Should the parent/student not agree to these provisions, the consequences listed in this policy for the second offense will be imposed.

#### **2. Second Offense (retest):**

Suspension from participation in all activities covered under this policy will consist of fourteen (14) calendar days and successful completion of six (6) hours of substance abuse education/counseling provided by the school. 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 relevant principal, district athletic, or assistant athletic director.

#### **3. Third Offense (in the same school year):**

Complete suspension from participation in all extracurricular activities including all meetings, practices, and competitions for the remainder of the school year, or eighty-eight (88) school days (1 semester) whichever is the longer.

#### **4. Refusal to Submit to Drug Use Test**

A participating student who refuses to submit to a drug use test authorized under this policy shall not be eligible to participate in any activities covered under this policy including all meetings, practices, and competitions for the remainder of the school year. Additionally, such student shall not be considered for any activity honors or awards given by the school.

**Medical Marijuana**

1. Notwithstanding the provisions above, a student extracurricular activities participant in possession of a valid medical marijuana license shall not be considered in violation of this policy based on a positive drug test for marijuana or its metabolites. While on school grounds or participating in school activities a student extracurricular activities participant who is a medical marijuana license holder may be considered in violation of this policy if he or she uses, possesses, sales, distributes, purchases or are under the influence of medical marijuana or medical marijuana product.
  
2. As used in this section, a determination of whether a student or employee is “under the influence of medical marijuana or medical marijuana product” shall be based on the totality of circumstances. Circumstances that may contribute to a determination that the student is under the influence may include, but are not limited to:
  - A. Observation of any of the conduct or phenomenon described below:
    - (i) the smell of marijuana on or around the individual;
    - (ii) Disorganized thinking;
    - (iii) Paranoia and/or confusion;
    - (iv) Bloodshot eyes;
    - (v) Increased heart rate;
    - (vi) Increased appetite; or
    - (vii) Loss of Coordination and
  
  - B. Any circumstance that would permit the school district to engage in “reasonable suspicion” drug or alcohol testing of the student under this policy.

*Guthrie Public Schools is committed to cooperating with parents/guardians in an effort to help students avoid illegal and performance-enhancing drug use. The Guthrie 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.*

**ACTIVITY STUDENT DRUG TESTING CONSENT FORM**

**Statement of Purpose and Intent**

Participation in school-sponsored extracurricular activities at the Guthrie 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 extracurricular activities on behalf of the Guthrie School District. For the safety, health, and well-being of the students of the Guthrie School District, the district has adopted the attached Activity Student Drug Testing Policy and the Activity Student Drug Testing Consent Form for use by all participating students at the junior high and high school levels.

**Participation in Extracurricular Activities**

Each activity student shall be provided with a copy of the Activity Student Drug Testing Policy and Activity Student Drug Testing Consent Form which shall be read, signed, and dated by the student, parent/guardian and coach before such student shall be eligible to practice or participate in any activities. The consent shall be to provide a urine sample: (a) as chosen by the random selection basis; or (b) at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drug. No student shall be allowed to practice or participate in any activity governed by the policy unless the student has returned the properly signed Activity Student Drug Testing Consent Form.

My signature below indicates that I understand and agree with the above statements concerning participation in extracurricular activities.

Student's Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_

I further understand after having read the "Activity Student Drug Testing Policy" and "Activity Student Drug Testing Consent Form" that, out of care for my safety and health, the Guthrie School District enforces the rules applying to the consumption or possession of illegal and performance-enhancing drug. As a member of a Guthrie extracurricular activity, I realize that the personal decision that I make daily in regard to the consumption or possession of illegal or performance-enhancing drug 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 drug 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 this policy.

Signature of Student \_\_\_\_\_ Date \_\_\_\_\_

**ACTIVITY STUDENT DRUG TESTING CONSENT FORM (Continued)**

We have read and understand the Guthrie School District’s “Activity Student Drug Testing Policy” and “Activity Student Drug Testing Consent Form.” We desire that the student named above participate in the extracurricular program of the Guthrie School District and we hereby voluntarily agree to be subject to its terms. We accept the method of obtaining urine 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. We agree to assume financial responsibility for any follow-up drug testing if a positive result occurs.

\_\_\_\_\_  
Signature of Parent or Custodial Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Coach/Sponsor

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Activity/Team/Organization

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Signature of Coach/Sponsor

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