

ACTIVITY STUDENT DRUG TESTING

The Deer Creek Board of Education in an effort to protect the health and safety of its extra-curricular activities students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of the Deer Creek Public School District, has adopted the following policy for drug testing of Activity Students.

STATEMENT OF PURPOSE AND INTENT

Although the Board of Education, administration, and staff desire that every student in the Deer Creek Public 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 extra-curricular activities. The sanctions imposed by this policy for any violations hereof are only limitations upon the opportunity of a student to participate in extra-curricular activities involving interscholastic competition. This policy supplements and complements all other policies, rules, and regulations of the Deer Creek Public School District regarding possession or use of illegal drugs and therefore, any conduct which violates this policy may also be a violation of other policies of the District for which appropriate sanctions under the other policies may be imposed.

Participation in school-sponsored interscholastic extra-curricular activities at the Deer Creek Public 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 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 and performance enhancing drugs.

The purposes of this policy are five-fold:

1. To help ensure the safety of our students and to educate them on the serious physical, mental and emotional harm caused by the use of illegal and performance enhancing drugs.
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 from illegal and performance-enhancing drug use.
5. To offer to 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 extra-curricular activities and upon the positive image these students project to other students and to the community on behalf of the Deer Creek Public School District. For the safety, health and well-being of students in extra-curricular activities the Deer Creek Public School District has adopted this policy for use by all participants in interscholastic extra-curricular activities in grades 7-12.

The administration may adopt regulations to implement this policy.

I. Definitions

"*Activity Student*" means a member of any middle school or high school Deer Creek Public School District sponsored extra-curricular organization which participates in interscholastic competition. This includes any student in grades 7-12 who represents Deer Creek Schools in any extra-curricular activity in interscholastic competition, such as Academic Team, Speech and Debate, Band, Vocal, Pom, Cheer, and Athletics.

"*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 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.

"*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.

"*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 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.

II. Procedures

Each Activity Student shall be provided with copies of this Activity Student Drug Testing Policy and 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 Activity Student to provide a urine sample: (a) when the Activity Student is selected by the random selection basis to provide a urine sample; and (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 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 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. The head coach, sponsor or other designated school official shall be responsible for explaining the Policy to all prospective students.

Drug use testing for Activity Students will be chosen on a random selection basis from a list of all Activity Students who are involved in off-season or in-season activities. The Deer Creek 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.

In addition to the random testing 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 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 Deer Creek 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 professional testing company shall provide an employee of the same sex as the student to accompany the student to the restroom. All drug testing employees will be required to have a criminal background and sex offender registry check conducted by the OSBI and on file with the school district. If, in the opinion of the drug testing company, the urine specimen contains an adulterant or has been tampered with, the specimen will be treated as positive and policy consequences will be in effect. The monitor shall verify the normal warmth and appearance of the specimen. 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 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 the gas chromatography/mass spectrometry procedure 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 one year. Records regarding a positive result on a drug test of an individual Activity Student will be kept on file for five years. Requests for additional testing will be at the expense of the parent/guardian.

III. Confidentiality

The laboratory will notify the principal/athletic director or designee of any positive test. To keep the positive test results confidential, the principal/athletic director or designee will only notify the student, the head coach/sponsor, and the parent or custodial guardian of the student of the results. The principal/athletic director or designee 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 Deer Creek 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 and shall be disclosed only to those school personnel who have a need to know. The Board of Education will be presented a summary report at the conclusion of each nine week period of school. This report shall include the number of students tested by grade level, the number of positive tests, and the types of illegal substances.

IV. Appeal

An Activity Student who has been determined by the principal/athletic director 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 days of notice of the positive test. A student requesting a review will remain eligible to participate in all extra-curricular 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 or his/her designee(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 or his/her designee(s) 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:

Suspension from participation in all extra-curricular activities involving interscholastic competition covered under this policy for seven (7) calendar days, and successful completion of four (4) hours of substance abuse education/counseling from a qualified drug treatment program or counseling entity. The cost of such counseling will be the responsibility of the student and his/her parent/guardian. 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 once they return to participation in extra-curricular activities. The time and date will be unknown to the student and determined by the principal/athletic director or designee. These restrictions and requirements shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test.

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

Suspension from participation in all extra-curricular activities involving interscholastic competition covered under this policy for twenty-one (21) calendar days, and successful completion of four (4) hours of substance abuse education/counseling from a qualified drug treatment program or counseling entity. 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 once they return to participation in extra-curricular activities. The time and date will be unknown to the student and determined by the principal/athletic director or designee. These restrictions and requirements shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test.

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

Complete suspension from participation in all extra-curricular activities involving interscholastic competition, practices, performances, and competition for the remainder of the school year, or ninety school days whichever is the longer.

VI. Refusal to Submit to Drug Use Test

An Activity Student who refuses to submit to a drug test authorized under this policy in accordance with the terms of this policy shall not be eligible to participate in any performances, scrimmages, and competitions covered under this policy for the remainder of the school year, or ninety school days whichever is the longer. Additionally, such student shall not be considered for any interscholastic activity honors or awards given by the school.

VII. Self-Referral

An Activity Student who on his or her own volition informs (self-refers) the athletic director, principal, or coach/sponsor of usage before being notified to submit to a random drug use test will be allowed to remain active in all activities covered under this policy. Such student will, however, for all other purposes 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. An Activity Student may self-refer only once during his or her enrollment at Deer Creek Public Schools.

VIII. Voluntary Participation

If a student is not a member of an extracurricular activity involving interscholastic competition but the parent/guardian wants him/her to be subject to the random drug testing provisions of this policy, the parent/guardian may do so by contacting the building principal and completing a “voluntary participation” form.

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Deer Creek Public Schools is committed to cooperating with parents/guardians in an effort to help students avoid illegal drug use. The Deer Creek 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.

**Deer Creek Public School District
Student Drug Testing Consent Form**

Statement of Purpose and Intent

Participation in school sponsored extra-curricular activities at the Deer Creek 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 and performance-enhancing drugs.

Drug use of any kind is incompatible with participation in extra-curricular activities on behalf of the Deer Creek Public School District. For the safety, health, and well being of the student of the Deer Creek Public School District, the Deer Creek Public School District has adopted the attached Activity Student Drug Testing Policy and the Student Drug Testing Consent for use by all Activity Students.

Participation in Extra-Curricular Activities Involving Interscholastic Competition

Each Activity Student shall be provided with a copy of the Activity 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 extra-curricular activities involving interscholastic competition. The consent shall be to provide a urine 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. 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	MI
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I understand after having read the "Activity Student Drug Testing Policy" and "Student Drug Testing Consent," that, out of care for my safety and health, the Deer Creek Public School District enforces the rules applying to the consumption or possession of illegal and performance-enhancing drugs. As a member of a Deer Creek extra-curricular interscholastic activity, I realize that the personal decision that 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 reflects 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 at 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. I hereby voluntarily agree to be subject to the terms of the Activity Student Drug Testing Policy. I accept the method of obtaining urine specimens, testing and analysis of such specimens, and all other aspects of this policy. I further agree and consent to the disclosure of the sampling, testing and results provided in the policy.

Signature of Student	Date
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We have read and understood the Deer Creek Public School District "Activity Student Drug Testing Policy" and "Student Drug Testing Consent Form." We desire that the student named above participate in the extra-curricular interscholastic programs of the Deer Creek Public School District and we hereby voluntarily agree to be subject to its terms. We accept the method of obtaining urine specimens, testing and analysis of such specimens, and all other aspects of the policy. We further agree and consent to the disclosure of the sampling, testing and results as provided in this policy.

Signature of Parent or Custodial Guardian	Date
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Signature of Coach/Sponsor	Team
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