

Salmon River Joint School District No. 243

STUDENTS

3401

Drug Testing of Activity Students

Philosophy

The administration, staff, many students and parents believe a mandatory drug testing program for all students in grades nine through twelve who participate in athletics is important for the following reasons:

1. Health and safety of the individual and others – anyone participating in athletics under the influence of an illegal drug is a potential danger to everyone.
2. Prevention – students will potentially be able to say no to drugs because they will have a legitimate reason, “I want to participate.”
3. Intervention – individuals desiring to participate in activities will be encouraged to seek help if there is a drug problem.

It is the hope of Salmon River Joint School District #243 that this policy will benefit all student athletes. This philosophy is an effort to address what we perceive to be a real problem in our society and in the schools. We believe this program will help create a drug free environment in Salmon River Joint School District #243.

Definitions

Athletic Season: Athletic seasons begin on the first day of practice allowed by the coach/advisor of that program and end on the last day of that program including travel from an activity to the school.

Student Athlete: Any student participating in an athletic activity program governed by the Idaho High School Activity Association.

Appropriate School Personnel: A coach, advisor or leader of student athletes. Notification of these individuals will be made for health and safety considerations if a student athlete in their program has a positive urine sample.

Drug: Controlled substances as defined by Idaho Code, Section 37-2701, except those possessed and/or used pursuant to a valid prescription.

Reasonable Suspicion: An act of judgment, which leads to a reasonable and prudent belief that, a student is in violation of use or being under the influence of drugs.

Policy Statement

Salmon River Joint School District #243 is conducting a mandatory drug-testing program for student athletes in grades nine through twelve. Its purpose is threefold:

1. to provide for the health and safety of all student athletes;
2. to undermine the effects of peer pressure by providing a legitimate reason for student athletes to refuse to use illegal drugs or misuse prescriptive drugs;
3. to encourage student athletes who use drugs to participate in receiving an assessment from a state certified substance abuse counselor, of which all costs will be the responsibility of the parent or legal guardian.

All student athletes who test positive will have the custodial parent or legal guardian notified so he/she can obtain an assessment from an approved counselor and follow the recommended program completely. All costs associated with the assessment and the recommended programs are the responsibility of the parent or legal guardian.

This policy is in effect from the first day of fall practice and ends after arriving home from the last event in the spring. Students are responsible to abide by the provisions of this policy from the first practice date, as established by the IHSAA or by the advisor if the activity is not governed by the IHSAA, to the end of the activity/event. Seasons and activities may overlap.

Procedures

Consent: Each student wishing to participate in any athletic program and the student's custodial parent or guardian shall indicate consent by completing and signing, under the seal of a Notary Public, Form 3401F, which shall then be valid for the remainder of the student's high school enrollment in Salmon River High School. No student athlete shall be allowed to participate in any athletic program without such consent.

Student Selection

At the option of Salmon River Joint School District #243, all students in athletics will be drug tested at the beginning of each sports season each year. In addition, random testing will be conducted during the athletic season. Selection for random testing will be by lottery drawing from a pool of all student athletes participating in activity programs in Salmon River Joint School District #243 at the time of the drawing. The superintendent or his/her designee will conduct lottery drawings. The building principal or his/her designee shall take all reasonable steps to assure the integrity, and random nature of the selection process including, but not necessarily limited to: assuring that the names of all participating student athletes are in the pool, assuring that the person drawing names has no way of knowingly choosing, or failing to choose, particular student athletes for the testing, assuring that the identity of student athletes drawn for testing is not known to those involved in the selection process and assuring direct observation of the selection process. Urine will be used for drug testing.

Sample Collection

Samples will be collected from the student athlete at the time and day specified by the principal or his/her designee. In the case of a student athlete's inability to provide a sample quickly, the student athlete will remain until a sample can be given. Discretion may be used on the part of the principal or his/her designee if unusual circumstances occur making it difficult to provide a sample. All student athletes providing urine samples will be given the option of doing so in any individual stall with the door closed. Student athletes should rinse off their hands with water prior to giving a urine sample. It is recommended to use the appropriate locker room as a test gathering site.

Prescription Medicine

Student athletes who are taking prescription medication may provide a copy of the prescription or a doctor's verification in a sealed envelope to school personnel at the time a urine sample is prepared for mailing to the testing lab. That envelope will be forwarded, unopened, to the testing lab with the sample and instructions for the lab to consider the student athlete's use of such medication to assure the accuracy of the result. Such information provided by the student athlete will not be disclosed to any school official, unless a parent so chooses. Student athletes who refuse to provide such verification and test positive will be subject to the actions specified below for the appropriate "positive test."

Scope of Tests

The testing lab will be instructed to test for drugs in the urine sample provided by the student athletes and for anything used to alter or falsify a urine sample.

Limited Access to Results

The testing lab will be authorized to report results only to the building principal or superintendent. Positive test results will be shared with the parent/guardian and appropriate school personnel.

Procedures in the Event of a Positive Result

Whenever a student athlete's test results indicate the presence of illegal drugs ("positive test"), the following will occur:

1. The appropriate school personnel will be notified of the positive test so he/she can monitor the health and safety of the participating student athlete that has tested positive. The appropriate school personnel may keep a student athlete from participating for safety reasons until a urine sample is negative.
2. A custodial parent or legal guardian will be given an opportunity to provide proof of any prescriptive medication being taken by the student athlete not previously disclosed; i.e., prescription bottle.

3. Results of the testing lab will be given to the athlete, custodial parent or legal guardian and the appropriate school personnel by the building administrator or his/her designee.

Consequences for Positive Results

Consequences for positive drug tests are outlined in Salmon River Joint School District #243 Board Policy 3381 Extra-Curricular Activity Code.

In the case of a positive test result, the student athlete must drug test at intervals decided by the building administrator or his/her designee and the student athlete must abide by the appropriate consequences. All costs associated with the drug assessment and any follow-up program are the responsibility of the parent/guardian.

Nature of Policy

The results of drug tests pursuant to this policy will not be documented in any student athlete's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process. Salmon River Joint School District #243 shall not solicit any such process as a result of mandatory drug testing. In the event of service of any such subpoena or legal process, the student and/or the student's custodial parent or legal guardian will be notified before response is made by Salmon River Joint School District #243. A record of a positive result(s) will be kept through the student athlete's senior year.

Voluntary Testing Program

Salmon River Joint School District #243 is truly concerned and committed to helping students who are encountering substance abuse problems. We realize that a student with a drug dependency or use problem is not able to work to his/her potential and stands a greater chance of coming into contact with law enforcement due to increased criminal activity. To assist in the ultimate goal of drug free schools and drug free students, we will provide drug testing to any student whose custodial parent or legal guardian requests the testing be done. The nature of the testing is a urine sample mailed to a testing lab. The testing is provided at cost to parents and the results rest with the custodial parent or guardian and student. There is no legal criminal action taken, and no disciplinary action from Salmon River Joint School District #243 will result from the testing. There will not be a record kept. This service is offered solely for the information of the custodial parent or legal guardian, and it is ultimately his/her decision what to do with the information.

The principal and athletic director will stay current on the use and interpretation of positive results and refer to testing laboratory for information concerning that interpretation.

Guidelines and Procedures for Testing

At the beginning of a student athlete's first athletic activity each school year in Salmon River High School, each student who wishes to participate in said athletics will submit a signed and notarized consent form from his/her parent(s) or legal guardian allowing testing to be done. This

only needs to be done once during a student athlete's enrollment in Salmon River High School, unless the policy amendments are made. All student athletes will submit to a test between the first meeting date and the first date of competition each year. Salmon River High School will conduct tests on urine specimens and/or saliva samples, to test for drugs and alcohol use. Samples will be tested for but are not limited to: amphetamines, methamphetamines, cocaine, opiates, and THC.

From the date of the first test until the date of the final completion for said activity, 6% of the total participants in the athletic activity will be tested each week. In the event there are fewer than ten (10) participants in an athletic activity, a minimum of one (1) will be tested each week. Random drawings will select those to be tested.

To assure the anonymity of the student athlete tested from the person randomly selecting, only numbers will be used. The superintendent or his/her designee will conduct lottery number drawings for random drug testing. Only the building principal or his/her designee will know these numbers and corresponding names. The building principal or his/her designee will keep the number lists in a secure place where access is limited only to them. All lists will be destroyed at the end of each school year.

After numbers are drawn for a particular week, the student athletes tested will have their number returned to the pool of numbers; this will assure randomness of draw. It is possible that a student athlete could be randomly drawn several times during the season, or likewise, not drawn at all.

Falsification of a Urine Sample

A pure urine sample is required from the student athlete upon request. Any attempt to falsify, dilute or otherwise contaminate a urine sample will result in removal from all athletics sponsored by Salmon River Joint School District #243 as specified by the second positive result penalty. If a student athlete has adulterated a urine sample and has already had a second positive test, the appropriate discipline would fall under the third positive test penalty, and so on.

Legal Reference: Vernonia School District 47J v. Acton, 515 U.S. 646 (1995)
Todd v. Rush County, 139 F.3d 571 (7th Cir.), cert. Denied, 119 S.Ct. 68
(1998)

Cross Reference: 3381 Extra-Curricular Activity Code
3401F Drug Testing and Activity Consent Form
3401F2 Drug Testing and Activity Consent Form 2

Policy History:

Adopted on: April 20, 2009

Revised on: