

RANDOM DRUG AND ALCOHOL TESTING OF STUDENT ATHLETES

Code **JJIE** Issued **4/13**

Purpose: To establish the basic structure for random drug and alcohol testing of student athletes.

The use of illegal drugs or alcohol by student athletes poses a significant threat to the health and safety of all students who participate in athletics.

Therefore, the board authorizes the administration to implement a program for random drug and alcohol testing of student athletes. The accompanying administrative rule covers the procedures for conducting these tests and the appropriate recourse for positive results. This testing program is consistent with the mission of the district, as stated below.

The mission of District Five Schools of Spartanburg County is to ensure that all students succeed in life choices and function as productive citizens by providing quality educational experiences in a safe, caring and nurturing environment.

Primary emphasis in administering the random drug and alcohol testing program should be directed toward deterrence rather than punishment of student athletes who test positive for illegal drugs or alcohol. Sanctions and corrective action should be designed accordingly. This policy is not intended to be disciplinary or punitive in nature. The district will not suspend or expel a student from the district's curricular program as a sole result of any positive test conducted under the district's random drug and alcohol testing program.

This policy applies to all district students who participate in any high school athletic programs, not required for graduation.

Adopted 6/28/10; Revised 4/22/13

Legal references:

A. United States Supreme Court Decisions:

1. *Vernonia Sch. Dist. 47J v. Acton*, 515 U.S. 646 (1995); *Bd. of Educ. of Indep. Sch. Dist. No. 92 of Pottawatomie County v. Earls*, 536 U.S. 822 (2002)

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Testing coordinator

The principal or an administrative designee will coordinate and supervise the testing program at both middle and high schools in the district.

Eligibility for testing

Students who participate in high school athletic programs not required for graduation are eligible for random drug testing.

A student will submit the consent to test form for each sport in which the student desires to participate. The student will submit the form to the testing coordinator seven days before the student participates in that sport. The consent to test form must be signed by the student and his/her parent/legal guardian. A student becomes eligible for testing upon submission of the consent to test form. A student who refuses to submit the consent to test form is ineligible to participate in that sport.

A student remains eligible for random drug and alcohol testing from the date the consent to test form is submitted throughout the season of that sport. A student may be randomly selected for drug and alcohol testing more than one time per season.

If a student eligible for random drug and alcohol testing withdraws from an athletic team, the student may submit an athletic team drop form to the testing coordinator. A submitted athletic team drop form signed by the student, parent/legal guardian, coach and principal effectively removes the student from the random testing pool for that sport.

Substances tested

In administering the random drug testing program, the district will test for the presence of certain substances that may include, but not be limited to, the following.

- alcohol
- marijuana (THC)
- opiates
- cocaine
- methamphetamines
- phencyclidine (PCP)
- MDMA (Ecstasy)

Selection of students for testing

Testing will occur only on student contact days during the academic year.

Selection of eligible students for testing will be conducted on a random basis, to be carried out as follows.

- The testing coordinator will compile a roster of ID numbers of students eligible for testing.

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- During each athletic season, the testing coordinator will randomly select ID numbers for the student athletes participating in a sport from a pool containing the ID numbers of all the student athletes participating in a sport.
- The district will make a reasonable effort to contact the parents/legal guardians of student athletes who have been selected for random testing.
- The students selected for testing will be escorted to the location designated as the testing site.
- The testing site will be at the school in an area that has a secured bathroom that will maximize the student's privacy.

Administering the test

All aspects of the random drug testing program, including the collection of specimens, will be conducted so as to safeguard the student's privacy rights to the maximum extent possible. All urine testing will be conducted in a closed-door restroom without direct observation by adult monitors.

The student will produce a urine specimen in a closed stall. An adult monitor of the same sex as the student will listen for the normal sounds of urination. A student who has trouble producing a specimen will remain in the collection area until he/she is able to do so.

Should a student refuse testing, the consequences will be the same as if the student tested positive.

Once the student produces the specimen, the student will give it to the adult monitor who will check it for temperature or tampering and transfer it to a vial. If a student attempts to tamper with the specimen collection process, the student's specimen will be deemed positive.

The adult monitor and student will complete a specimen control form that will guarantee the chain of custody. The testing coordinator will forward the specimen, marked with the student's ID number, to a licensed laboratory for testing.

Test results and notification

The student's test results will be treated as a confidential health record pursuant to both federal and state regulations. Any information obtained from the testing program that would identify a student as a drug or alcohol user may be disclosed only for those purposes and under those conditions permitted by federal regulations.

A student's test records will not be used to initiate or substantiate any investigation of the student or criminal charges against the student. Test results will not be turned over to any law enforcement authorities, except under circumstances in which the school district is legally compelled to disclose the test results.

A student's test results will be kept for no longer than one year post graduation in confidential files separate from the student's educational records.

The test results will be disclosed only to the student, the student's parent/legal guardian and personnel who have a need to be informed in order to execute the drug testing program. The district may disclose the test results to other individuals only with the written consent of the student and his/her parent/legal guardian.

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Consequences

First positive result

A student who tests positive for drugs or alcohol for the first time must attend a conference with the student's parent/legal guardian, principal, head coach and athletic director. At the conference, the student will be given the option of either of the following.

- participating in substance abuse services and counseling, including random urinalysis, for 12 weeks
- being suspended from athletics for 90 days

If a student tests positive during the 12 weeks, the consequences will be the same as a second offense.

Second positive result

A student who tests positive for drugs or alcohol for the second time must attend a conference with the student's parent/legal guardian, principal, head coach and athletic director. At the conference, the student will be declared ineligible from participating in athletics for 90 days.

To regain eligibility, the student must participate in substance abuse services and counseling, including random urinalysis, for 12 weeks.

Third or more positive result

A student who tests positive for drugs or alcohol for the third time or more must attend a conference with the student's parent/legal guardian, principal, head coach and athletic director. At the conference, the student is declared ineligible from participating in athletics for one calendar year. The student will not be eligible to participate until the beginning of a sports season following the one-year suspension.

To regain eligibility, the student must participate in substance abuse services and counseling, including random urinalysis, for 12 weeks.

Appeal procedure

A participating student and his/her parent/legal guardian may request a retest of the specimen at their own expense at a laboratory designated by the district. Appeals must be made in writing to the testing coordinator within 48 hours of receiving the test results.

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