

8. STUDENTS

8.38 DRUG AND ALCOHOL TESTING OF STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES

PURPOSE AND OBJECTIVES:

The district finds that a drug and alcohol testing program for all students in grades nine (9) through twelve (12) who participate in extracurricular activities at the secondary level is advisable for the following reasons:

1. Health and safety of the individual and others: Any student participation in an activity under the influence of an illegal drug or alcohol may create a risk of death or serious bodily injury, not only to the student, but to other participants and spectators.
2. Prevention: Students will have an additional reason (i.e., participation in student activity programs) to avoid the use of drugs and alcohol.
3. Intervention: Identifies individuals participating in activities who have a problem with alcohol or drugs and encourages early intervention. A school may choose to participate in this program based upon input by administrators, coaches, community councils, and others involved in student activity programs.

DEFINITIONS:

- Alcohol: Any beverage as defined under Utah Code 34382.
- Non Punitive: Test results will not be disclosed to law enforcement or juvenile authorities without a valid and binding subpoena.
- Drug: Any controlled substance as defined in Utah Code 34382, except those possessed and/or used pursuant to a valid prescription.
- UHSAA: The Utah High School Activities Association.
- Extracurricular: All activities sponsored by the UHSAA and school organizations involving adjudication or competition or representation of the school in the community as determined at the school level.
- Activity Season: The period beginning on the first day of practice allowed by the UHSAA for any sport and ending the last day of competition for that sport season; For an organization (cheerleading, band, etc.), the time they are enrolled or participating.
- Random Test: Participating students may be subject to a weekly random drawing for drug testing.

Prohibited Substances: Any item listed under scope of tests or any potentially harmful substance which may endanger a student's health or education (**See Board Policy 8.39- POSSESSION, USE OR DISTRIBUTION OF ILLEGAL DRUGS, ILLEGAL DRUG PARAPHERNALIA, ALCOHOL, AND TOBACCO PRODUCTS or OTHER SUBSTANCES that are POTENTIALLY HARMFUL to a STUDENT'S HEALTH or EDUCATION**).

1. CONSENT FORM

Before any student participates in any UHSAA extracurricular or school program, the student and the student's custodial parent or lawful guardian shall sign and return a written consent form for random drug testing. Students are ineligible to compete/perform until this form has been completed.

8. STUDENTS

8.38 DRUG AND ALCOHOL TESTING OF STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES**2. RANDOM STUDENT SELECTION**

- A. Random drug testing will be conducted during the season on a weekly basis or any other frequency determined by the school (not to exceed 6 times a month). If the participant has already been initially tested as a result of his/her participation in a prior activity, he/she will continue to have his/her name in the pool consisting of all students participating in programs at the time of the drawing.
- B. Selection for testing will be by lottery drawing. Reasonable steps will be taken to assure the integrity, confidentiality and random nature of the selection process.
- C. Names will be drawn for testing by number with at least two employees or designees observing the selection process and coordinating the testing process.

3. PROCEDURE FOR RANDOM DRAWING

- A. Each participant will be assigned a number at the beginning of the testing.
- B. These numbers and the identity of the student to whom such a number is assigned will be known only to the school's designees. The numbers will be in a secure place accessible only to authorized personnel.

4. BREATHALYZER AND URINE SAMPLING PROCEDURE

- A. On the day the student numbers are drawn for testing, those students selected will be notified and must immediately report to the designated place to do the Breathalyzer test and to produce a urine sample.
- B. Breathalyzer tests and urine samples will be collected at an appropriate school site and on the same day the student is selected for testing. If the student is absent on that day, the testing will take place on the next testing day. If a student is unable to produce the urine sample, he/she will remain under supervision until a sample can be provided.

5. PRESCRIPTION MEDICATION

Students selected for random drug testing may, prior to the test, disclose any prescription medications they are currently taking. The school's designee has the right to confirm the authenticity of the medications with parents.

6. SCOPE OF TESTS

- Alcohol
- Amphetamines
- Opiates (Oxycontin)
- Barbiturates
- Marijuana (level 20, 50, and 100)
- Benzodiazepines
- PCP
- Cocaine
- Propoxyphene
- Creatinine level
- Methadone
- Salvia

8. STUDENTS**8.38 DRUG AND ALCOHOL TESTING OF STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES****7. ACCESS TO RESULTS**

The testing agency will be authorized to report results only to the school designee(s). Test results shall be destroyed at the end of each year, unless conditions for future participation that were mandated following a positive test have not been met.

8. PROCEDURES FOR A POSITIVE RESULT

If a student tests positive for a prohibited substance, the parent will be notified. A student or parent may contest the results of the random test and request a second reading. Students will remain under the supervision of the test administrator until the second reading is completed. If a parent cannot be contacted, a second reading will be conducted.

9. CONSEQUENCES OF POSITIVE RESULT

A. **First Offense:** Suspension from two consecutive games, meets, matches, competitions or performances at the same level of play (UHSAA guidelines). If a student has violated his/her group's disclosure or constitution, consequences will be enforced according to that document.

1. A student shall be reinstated (unless otherwise stated in a disclosure or constitution) after he/she has successfully completed a drug and alcohol screening by a licensed substance abuse intervention or treatment agency (Weber Human Services) and has provided a negative sample at the school. The parent may choose to go to their own provider at their own expense.
2. If the student chooses not to complete the screening and the additional test, he/she will not be allowed to participate for the remainder of that activity season or any future sport or activity until he/she has successfully met the criteria stated in #1.

B. **Second Offense:** If a second offense should occur during the school year, the student will be suspended for the remainder of that particular activity season. If that student wants to participate in another activity during his/her high school career, he/she must successfully complete a drug and alcohol screening through a licensed substance abuse intervention or treatment program where a prescribed follow up (counseling, etc.) is required and provide a negative sample. This assessment and testing will be paid for by the student or parent.

C. **Third Offense:** If a third offense should occur during the school year, the student will be suspended from participation in all extracurricular activities (as previously defined) for the remainder of the school year. In order to participate in any extracurricular activities during his/her school career, the student must successfully complete a drug and alcohol screening through a licensed substance abuse intervention or treatment program where a prescribed follow up (counseling, etc.) is required and provide a negative sample. This assessment and testing will be paid for by the student or parent.

D. **Refusal to be Tested:** If a student refuses to be tested, he/she will be treated as if he/she tested positive on a first, second or third offense.

10. NON PUNITIVE NATURE OF POLICY

No student shall be penalized academically for testing positive for use of illegal drugs or alcohol, nor shall any student be denied the right to participate in or otherwise be denied any benefits, services, or programs of the school, other than participation in the activity programs as outlined above. The results of the drug test pursuant to this policy will not be documented in any student's academic records. Information regarding the results of the drug tests shall be kept confidential among the building principal, designees, any employee

8. STUDENTS

8.38 DRUG AND ALCOHOL TESTING OF STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES

with a need to know, the student's parent or legal guardian, and the student. In particular, test results will not be disclosed to law enforcement or juvenile authorities without a valid and binding subpoena or other process issued by a court of competent jurisdiction.

11. VOLUNTARY TESTING PROGRAM

The Ogden School District is committed to helping students who are encountering drug or alcohol problems. The district recognizes that a student with a substance abuse problem is not able to work to his/her full potential. To assist in the ultimate goal of drug free schools and drug free students, the district will provide a referral for voluntary drug testing/screening to any student whose parent requests that the testing be done.

Approved by the Board of Education, March 24, 2010. Revision approved by the Board of Education, September 16, 2010.