

**EXTRACURRICULAR ACTIVITY/STUDENT DRIVER
DRUG TESTING PROGRAM
(Including Alcohol and PED's)**

ECBOE Policy 6.15 – Student Conduct

Adopted April 18, 2016

EXTRACURRICULAR ACTIVITY/STUDENT DRIVER DRUG TESTING POLICY

The Elmore County 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 Elmore County Board of Education Schools, proposes to adopt the following policy for drug testing students that drive or participate in extracurricular activities in grades 7 - 12.

PURPOSE STATEMENT

Although the Board of Education, administration, and staff desire that every student in Elmore County Public Schools refrain from possessing or using 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 is meant to govern only illegal drug use and performance-enhancing drug use by students that drive to school, take the Driver's Education elective course, or are involved in certain extracurricular activities in grades 7 - 12 in Elmore County. Violations of this policy will result in sanctions related specifically to the privilege of participation in extracurricular activities in Elmore County Public Schools. There will be no suspensions from school or academic sanctions imposed as a result of a violation of this policy. This policy supplements and complements all other policies, rules, and regulations of Elmore County Public Schools regarding the possession and use of illegal drugs.

Participation in school-sponsored extracurricular activities and driving on campus in grades 7 - 12 in Elmore County Public Schools is a privilege for students. Students who participate in extracurricular activities are respected by the student body. In addition, these students represent their school, community, and the entire school system and, therefore, carry a responsibility to themselves, fellow students, parents, and their school to set the highest possible examples of conduct, sportsmanship, and training. This includes avoiding the possession or use of illegal drugs.

POLICY OBJECTIVES

This policy has five specific purposes:

1. To create and maintain a safe, drug-free environment for all extracurricular activity students and student drivers that reduces the likelihood of incidents, injury, illness, and/or damage to students, the property of students, and the school board.

2. To educate students of the serious physical, mental and emotional harm caused by illegal drug use.
3. To encourage any extracurricular activity student with a dependence on, or addiction to, illegal drugs to seek help in overcoming the problem.
4. To ensure that students adhere to a training program that bars the intake of illegal and performance-enhancing drugs.
5. To protect the reputation of the school system and its students.

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 Elmore County Public Schools. For the safety, health, and well being of students in extracurricular activities, the Elmore County Board of Education has adopted this policy for use by all participants in interscholastic extracurricular activities in grades 7 – 12. It is the responsibility of the extracurricular activity student and parent to inform the coach or sponsor when they are legitimately taking medication that may affect their ability to practice or compete and/or could lead to a violation of this drug testing policy.

DEFINITIONS

“Extracurricular Activity” – a member of any middle school (7 – 8) or high school (9 -12) that participates in any Elmore County Public Schools sponsored extra-curricular organization or activity. This includes any student that represents any Elmore County Public School in grades 7 – 12 in any extracurricular activity in interscholastic competition, including, but not limited to, academic teams (Debate, Math, FFA, FCCLA, DECA, Robotics, etc.), band, dance, cheerleaders, majorettes, drama, choral, and all athletics.

“Parking Privileges” – The privilege of a student to drive a vehicle on school property and/or in any parking space on school property or otherwise park on the property owned or under the control of the Elmore County Board of Education.

“Prohibited Substances” – All drugs which the narcotic and drug abuse laws of the United States, local municipalities, and/or the State of Alabama classify as illegal. Prohibited substances include controlled or prescribed medications taken by a student, unless such medication has been prescribed for the specific student and is being taken in the dosages specified by the prescribing physician. Examples of prohibited substances include, but are not limited to, alcohol, amphetamines, anabolic steroids, benzodiazepines, methadone, opiates, phencyclidine, propoxyphene, barbiturates, cocaine, cannabinoids, marijuana, hallucinogenic drugs, etc.

“Trained Observer” – The drug testing agency will handle the administration and collection of the drug test. Students will enter the designated drug testing restroom in private. The drug testing agency employee will serve as the trained observer and will remain outside the closed door of the

restroom. The school drug program coordinator will also be present during the administration and collection of tests.

“Drug Program Coordinator” – An employee or employees of the Elmore County Board of Education appointed by the board to be responsible for the overall implementation of the Elmore County Extracurricular Activity Drug Testing Policy. This person will either be the school nurse, certified teacher/coach, administrator, or counselor.

“Drug Testing Agent” – The drug testing agency will supply the drug testing agent. This person will have the responsibility to carry out the drug screening of the students.

PROCEDURES

General Testing Procedures – Although the Elmore County Board of Education desires that every student in all Elmore County Public Schools refrain from using or possessing illegal drugs or banned substances, officials realize that their power to restrict the possession or use of illegal drugs and banned substances is limited. Therefore, this policy governs performance-enhancing drugs, illegal drugs, and other banned substances by students participating in certain extracurricular activities. For the safety, health, and well-being of the student, the Elmore County Public School System has adopted this Extracurricular Activity Student Drug Testing Policy.

Use/Impairment – All extracurricular activity students and student drivers are prohibited from possessing, drinking, or being impaired or intoxicated by alcohol while at practice or participating in competitive events or while under the care of this school system.

Drug Use/Impairment – All extracurricular activity students and student drivers are prohibited from possessing, using, manufacturing, distributing, or having controlled substances, abuse prescription drugs, inhalants or any other mind altering or intoxicating substances while under the care of this school system.

Prescription Drugs – The proper use of medication prescribed by a physician is not prohibited; however, the Elmore County Public School System prohibits the misuse of prescribed (or over-the-counter) medications and requires all extracurricular activity students and student drivers using prescribed or over-the-counter medications to notify the coach, sponsor, or administration where these drugs may affect their performance, such as causing drowsiness.

After School Hours Conduct – After school hours use of alcohol, drugs, or any other prohibited substance including inhalants, is prohibited. Extracurricular activity students and student drivers should realize that these regulations prohibit all illicit drug use during and away from school activities.

Testing Procedures

Random Testing – Schools will conduct random unannounced screening of up to 20% of the total number of extracurricular activities students, up to 4 times per calendar year. The drug testing agency will be responsible for creating a random list for the Drug Program Coordinator.

The list of the extracurricular activity students and student drivers in the random pool will be updated at the start of each grading period and at the beginning of the summer break. Extracurricular activity students will be required to report to the school designated collection site for testing as soon as possible but in no case later than 4 hours following notification.

Return to Participation Testing – All extracurricular activity students who undergo a counseling or rehabilitation program or who are suspended from activities for abuse of substances covered under this policy will be placed on a regular drug screening schedule for the remainder of the student’s involvement in extracurricular competitive activities sponsored by the Elmore County Board of Education.

Reasonable Suspicion – All extracurricular activity students and student drivers will be required to submit to screening whenever a coach, sponsor, or school official observes circumstances which provide reasonable suspicion to believe an extracurricular activity student has used any of the substances listed as banned or prohibited or has otherwise violated the substance abuse rules. The determination by a coach, sponsor, or school official that reasonable suspicion exists must be based on specific observations concerning appearance, behavior, speech, or body odors of the extracurricular activity student.

Testing Procedure – Urinalysis will be utilized in random testing. However, the Elmore County Board of Education reserves the right to utilize blood, hair, breath, saliva, or urinalysis testing procedures.

Staff Training – All staff required to be involved in the random drug testing process will be required to participate in annual training provided by the drug testing agency.

Collection Sites – The individual schools will be responsible designating an appropriate collection site in an area where individuals may provide specimens.

Collection Procedures – The Elmore County Board of Education will develop and maintain a documented procedure for collecting, shipping (if necessary), and accessing urine specimens. The Board reserves the right to consult with appropriate medical organizations, law enforcement, and other “experts” in the field of drug testing to ensure validity and reliability in the Extracurricular Activity Student Drug Testing Program. The initial test to be used will be a Multiple Panel Urinalysis Drug Test that will provide immediate results. The Elmore County Board of Education reserves the right to obtain additional testing samples using urine or hair.

Evaluation and Return of Results to the School – Results of the drug tests will be available to school officials and the extracurricular activity student immediately when the Multiple Panel Urinalysis Drug Test is used. When the type of test dictates it, a drug testing lab will be utilized to obtain the results of the drug test. The laboratory will transmit by hand the results of all tests to the school’s Principal. The Principal will be responsible for reviewing the test results and communicating the results to the extracurricular activity student, their parents, and the coach or sponsor. In addition, on any positive test, the principal, athletic director, coach, and DPC will hold a conference with the student and parents to discuss the results, violation, and the impending consequences.

Request for Retest – Only the parents and/or legal guardians may request to have an extracurricular activity student retested. The retest must be done at the parents' cost at an approved medical facility with results hand delivered directly to the school office for the Principal. The retest must be done within no less than 48 hours of the notification of the original positive test.

Release of Test Results – All information, interviews, reports, statements, and test results, written or otherwise, received by the Board through its drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form. However, all extracurricular activity students and student drivers will be required to execute a consent/release form permitting the Board to release test results and related information to the school officials who have a need to know. Parents or guardians will be informed of confirmed positive test results by the Principal, Drug Program Coordinator, or other school designee.

VIOLATIONS/CONSEQUENCES

Alcohol/Drugs – The following shall be the consequences for students in grades 7 through 12 for students that test positive for drug use:

1st Offense:

- a. Student shall be suspended from competition in any extracurricular competitive activity for a minimum of 20% of the entire regular season beginning with the next regularly-scheduled consecutive competitions beginning no earlier than the opening event for that activity. Ex. A football player would miss the next 2 games (including playoff games) following a positive drug test. If the student is not currently participating in a competitive activity, then the suspension will start with the next activity that the student participates in. The student may not be reinstated to the activity until he/she tests negative for any prohibited substance.
- b. Parent/guardian notification.
- c. Loss of driving privileges for 4 weeks pending completion of education program and acceptable negative test.
- d. Student must complete a school-based alcohol/drug education program.
- e. Student will be subject to future testing by being placed on a regular drug screening schedule for the remainder of the student's involvement in the extracurricular competitive programs sponsored by the schools of Elmore County.

**Further disciplinary actions may be implemented by the coach or sponsor.*

2nd Offense:

- a. Student shall be suspended from competition in any extracurricular competitive activity for a minimum of 40% of the entire regular season beginning with next the regularly-scheduled competitions beginning no earlier than the opening event for that activity. Ex. A football player would miss the

next 4 games (including playoff games) following a positive drug test. If the student is not currently participating in a competitive activity, then the suspension will start with the next activity that the student participates in. The student may not be reinstated to the activity until he/she tests negative for any prohibited substance.

- b. Parent /guardian notification.
- c. Loss of driving privileges for 9 weeks pending completion of education program and acceptable negative test.
- d. Mandatory attendance in an alcohol/drug education and counseling program as designated by the school for both the student and the parent/guardian. The parent will be responsible for payment of the program and shall have the agency furnish an appropriate report to the Drug Program Coordinator.
- e. Student will be subject to future testing by being placed on a regular drug screening schedule for the remainder of the student's involvement in the extracurricular competitive programs sponsored by the schools of Elmore County.

**Further disciplinary actions may be implemented by the coach or sponsor.*

3rd Offense:

- a. Student shall be suspended from participating in any extracurricular activity competitive activity for a minimum of one calendar year. The student may not be reinstated to the competitive group until he/she tests negative for any prohibited substance.
- b. Parent/guardian notification.
- c. Loss of driving privileges for 9 weeks pending completion of education program and acceptable negative test.
- d. Mandatory attendance in an alcohol/drug education and counseling program as designated by the school for both the student and the parent/guardian. The parent will be responsible for payment of the program and shall have the agency furnish an appropriate report to the Drug Program Coordinator.
- e. Placement on a regular drug screening schedule for the remainder of the student's involvement in the extracurricular competitive programs sponsored by the schools of Elmore County.

**Further disciplinary actions may be implemented by the coach or sponsor.*

4th Offense:

- a. The student will be suspended from participating in any extracurricular competitive activity and will lose all driving privileges for the remainder of their time in the Elmore County Public School System.
- b. Parent/Guardian notification

**Further disciplinary actions may be implemented by the coach or sponsor.*

***Driver's Education students that lose driving privileges will not be able to perform the road test until driving privileges are reinstated.**

LEGAL REFERENCE

Consistent with the United Supreme Court Ruling, *Board of Education of Independent School District No. 92 of Pottawatomie County et al v. Earls et al.*, 536 US 822 (2002), it is the policy of the Elmore County Board of Education to direct the Superintendent and other appropriate school personnel to develop, implement, and conduct a program of school based random drug testing of pupils in athletics, extracurricular activities, school clubs with competitive components, and students who drive an automobile to school.

LIST OF ACTIVITIES

Extracurricular activities are defined as any school-sanctioned or sponsored activity outside the regular classroom. These may include but are not limited to:

- Band
- Band Auxiliaries
- Baseball
- Basketball
- Bass Fishing Team
- Builder's Club
- Chess Team
- Cheerleading
- Choir
- Chorus
- Cross-Country
- Dance
- DECA (Distributive Education)
- Drama
- Elmore County Technical Center
Simulated Workplace
- FCA (Fellowship of Christian
Athletes)
- FCCLA (Family, Careers, and
Community Leaders of America)
- FBLA (Future Business Leaders of
America)
- FFA (Future Farmers of America)
- FHA (Future Homemakers of
America)
- FTA (Future Teachers of America)
- First Priority
- Football
- Foreign Language Club
- Golf
- HOSA
- Honor Society
- Key Club
- Mu Alpha Theta
- Newspaper/Journalism Club
- Outdoor Club
- Robotics
- Scholar Bowl
- Science Club
- Skills USA

- Soccer
- Softball
- Student Council/Government
- Tennis
- Track
- Volleyball
- Yearbook

NOTICE REQUIREMENTS

The basic provisions of this policy and/or any modifications of this policy shall be made available to students by school officials in a timely manner. In addition, certified employees shall, prior to beginning of each respective activity discuss with student participants and parents the specific provisions of this policy. The discussion shall include but not be limited to the following topics: purpose of the policy, random sampling procedures, sample collections procedures, sample collections procedures, reporting procedures and confidentiality requirement.

EDUCATION RECORDS

Participation in and subsequent findings related to participation in the Extracurricular Activity Student Drug Testing Policy will not become a part of any student's school record or transcript. No student testing positive or refusing to cooperate with the testing will be penalized academically.

COSTS

All costs associated with the initial screening and any other costs associated with implementation of this program unless specifically outlined herein, shall be borne by the Elmore County Board of Education.

ADDITIONAL REQUIREMENTS

In addition to the policies and procedures outlined herein, local school principals may designate such other and different requirements for the privilege of participating in extracurricular activities including but not limited to academic standards, attendance standards, and other reasonable limitations. Such additional requirements shall not, however, in any way expand, change or alter the provisions of these procedures as they relate to a student's use of, or being under the influence of, a prohibited substance.

**Elmore County Board of Education
Drug Testing Policy
Policy Consent/Release Form**

I have read the Elmore County Drug Testing Policy and agree to abide by the Board's illegal alcohol, drugs, and performance enhancing policy rules. I agree to submit to drug and/or alcohol tests as a condition for my initial or continued participation in extracurricular activities. I authorize any laboratory or medical provider to release test results to Elmore County Board of Education and the school's Drug Program Coordinator. I authorize the Drug Program Coordinator to release the final test results to the appropriate school officials.

I understand that my refusal to submit to testing for the use of prohibited substances will prohibit me from my initial and continued participation in the competitive extracurricular programs offered by the Elmore County Board of Education and will render me ineligible for parking privileges. Any student who is in the pool for random testing and refuses a test will be viewed as testing positive.

This document will remain in effect and serve as my continued consent and release while I am a student in the Elmore County Schools, unless and until revoked by me in writing.

Student Name _____ Date

Student Signature _____ Date

Parent/Guardian Signature _____ Date

Witness _____ Date

**Elmore County Board of Education
Drug Testing Policy
Student Consent Form**

I, _____, do hereby give my consent to the School Board to collect a urine, breath, hair, and/or blood sample from me on this date, and I further give my consent to the School Board to forward the sample(s) to the testing laboratory to have the appropriate tests performed on my sample to check for the presence of alcohol and/or illegal drugs. I further give the laboratory my permission to release the results of the tests to the School Board, if appropriate. I understand that the refusal to submit to a testing or a positive test result will affect my participation in extracurricular activities in the Elmore County School System and result in disciplinary action according to the Elmore County School Board's Drug Testing Policy.

Student Signature

Date

Coach, Sponsor, or Administrator

Date

NOTE: This form is to be signed on the day a drug test is administered.