

SCOTT COUNTY - USD 466 SUBSTANCE ABUSE POLICY

STUDENT EXTRACURRICULAR ACTIVITIES DRUG/ALCOHOL TESTING AND POSSESSION POLICY

The Scott County USD 466 Board of Education, in an effort to protect the health and safety of its student athletes/scholars/participants, regardless of age, from illegal and/or performance-enhancing drug/alcohol use and abuse or injuries resulting from the use of drugs/alcohol, thereby setting an example for all other students of the Scott County USD 466 School District adopts the following policy for drug/alcohol testing of students.

1) STATEMENT OF PURPOSE AND INTENT

- A. It is the desire of the Board of Education, administration, and staff that every student in the Scott County USD 466 School District refrains from using, possessing, or distributing illegal drugs and alcohol. The sanctions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in extracurricular activities. This policy is intended to supplement and complement all other policies, rules, and regulations of the Scott County USD 466 School District regarding possession and/or use of illegal drugs and alcohol. It is the intent of this policy that it should allow for starting over each year except that if a student has been involved in selling, distributing or reached the violation in 5D.
- B. Participation in school sponsored extracurricular activities at the Scott County USD 466 School District is a privilege. Accordingly, students in extracurricular activities 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 drugs and alcohol.
- C. The purpose of this policy is to deter illegal drug use and to strive within the Scott County USD 466 School District for an environment free of illegal drug use and abuse. The sanctions of this policy relate solely to limiting the opportunity of any student found to be in violation of this policy to participate in extracurricular activities. There will be no academic sanction for violation of this policy, except to the extent that if a violation of this policy would also constitute violation of the District's discipline policy. If the discipline drug/alcohol policy is violated, the student will be subject to the penalties of the discipline policy.
- D. Illegal drug/alcohol use of any kind is incompatible with participation in extracurricular activities of the Scott County USD 466 School District. For the safety, health, and well being of the students of the Scott County USD 466 School District, the Scott County USD 466 School District has adopted this policy for use by all students participating in extracurricular activities in grades 7-12.

2) DEFINITIONS

- A. “Extracurricular activities” means those activities that take place outside the regular course of study in school and those students involved in those activities including all Scott County USD 466 School District sponsored activities, interscholastic sports teams, cheerleaders, dance teams and those activities that students participate in outside of the classroom as a result of being enrolled in a school-offered class
- B. “Drug Use Test” means a scientifically substantiated method to test for the presence of illegal drugs, performance-enhancing drugs, alcohol, or the metabolites thereof in a person’s bodily fluids.
- C. “Illegal Drugs” means any substance which an individual may not sell, possess, use, distribute, or purchase under either Federal or Kansas law. “Illegal Drugs” includes, but is not limited to, all scheduled drugs as defined by Kansas Law, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose, as well as alcohol and tobacco.
- D. “Performance-Enhancing Drugs” includes 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 that can be lawfully purchased in over-the-counter transactions.
- E. “Positive” when referring to a drug 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. “Positive” when referring to an alcohol test administered under this policy means a breath analyzer test result that is considered to demonstrate the presence of alcohol.
- F. “Reasonable Suspicion” means a suspicion based on specific personal observations concerning the appearance, speech, or behavior of a participating student, and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion could also include unusual increases in size, strength, weight, or other athletic abilities.
- G. “Possession” means use or consume, have in possession, buy, sell or give away any controlled substance defined by law as a drug, alcohol, and/or tobacco, including chewing tobacco, on school property or at a school supervised activity. It is not a violation for a student to be in possession of a controlled substance specifically prescribed for the student’s own use by his/her doctor.

H. The 'Program' refers to drugs, alcohol, and tobacco. The word program is interchangeable and the meaning is the same.

I. Good Standing: The student has conducted him/herself in a way that shows a positive change in the areas of attendance, conduct, discipline, citizenship and academic achievement.

3) PROCEDURE

A. Each student in extracurricular activities shall receive copies of the "Student Extracurricular Activities Drug/Alcohol Testing Policy" and "Student Extracurricular and/or Activities Drug/Alcohol Testing Consent Form" which shall be read, signed and dated by the student, parent and/or guardian. Students must turn in the "Student Extracurricular Activities Testing Consent Form" to the school officials prior to the start of activities or the first day of school attendance, before the student will be allowed to begin or continue to practice, or participate in any extracurricular activity. Any student who does not turn in the required forms by the above date will not be eligible to participate in any extracurricular activities during the remainder of the school year. Transfer students will be given one week of their enrollment date in Scott County USD 466 Schools to sign and complete the form but may not participate in any activity until it is completed.

B. Students will be required to provide urine samples as follows:

1. All students with signed consent forms are placed in the random selection pool. These students will be subject to the random selection process under the administration and supervision of the approved drug testing company.

C. Any drug use test required by the Scott County USD 466 School District under the terms of the policy will be administered by or at the direction of a professional laboratory chosen by the Scott County USD 466 School District using scientifically validated toxicological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control, and scientific testing.

D. Students attending school-sponsored extracurricular activities may be randomly required to submit to an alcohol breath analyzer test to determine the presence of alcohol.

E. 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 students 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 student will empty their pockets and remove their coat and other excess clothing prior to entering

the restroom or other private facility. The Scott County USD 466 Board of Education shall designate a drug laboratory employee to accompany the student to a restroom or other private facility. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to ensure an accurate chain of custody. 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 who will then determine if another sample should be obtained.

- F. If the initial drug use urine test is positive, the initial test result will then be subject to confirmation by a second and different test of the same specimen. In order to keep the results of the initial testing confidential, the school district may also choose a certain number of samples for a confirmation test. The second test will use 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 drug or the metabolites thereof.
- G. If the test for any student has a positive result, the laboratory will contact the parents or guardians and solicit any information on medication that would create a positive test. A medical review officer will confirm the positive result and contact the testing coordinator and principal with the results. The Principal will contact the Superintendent, Athletic Director, Activities Director, the student; the head coach/head sponsor, and the parent or guardian of the student and schedule a conference. At the conference, the principal will solicit any explanation of the positive result. Once a positive result is determined, the student will become ineligible to compete in extracurricular activities as provided further in this Policy.
- H. If the student asserts that the positive test results are caused by other than consumption of an illegal drug, performance-enhancing drug, or alcohol by the student, then the student will be given an opportunity to present evidence of such to the Principal, Testing Coordinator, the Athletic Director, the Activities Director, and the head coach/sponsor. The Scott County USD 466 School District will rely on the opinion of the laboratory that performed the confirmation test in determining whether the positive test result was produced by other than consumption of an illegal drug, performance-enhancing drug, or alcohol. The Principal, Testing Coordinator, Athletic Director, Activities Director, and head coach/sponsor will make a decision within five (5) working days.
- I. This decision may be appealed in writing to the Scott County USD 466 School District's Superintendent within five (5) working days. The Superintendent will make a written decision within five (5) working days.

- J. The decision of the Superintendent may be appealed in writing to the Scott County USD 466 Board of Education within five (5) working days. The Scott County USD 466 School District's rules and regulations will be followed in case of appeal.
- K. A student who has tested positive for illegal drugs or performance-enhancing drugs will be required to undergo one or more additional urine drug use tests, at the next scheduled random testing date, to determine whether the student is no longer using illegal drugs or performance-enhancing drugs before he or she may rejoin an activity. The Scott County USD 466 School District will rely on the opinion of the laboratory that performed or analyzed the additional drug use test in determining whether a positive result in the additional drug test was produced by illegal or performance-enhancing drugs used by the student that caused the first positive result or by more recent use.
- L. All parents or guardians of students who tested negative for illegal drugs or performance-enhancing drugs in the initial screening of the student will be contacted by personnel of the Scott County USD 466 School District within five (5) working days after testing.
- M. Confirmation of possession shall be made by
 - 1. A student, parent, or legal guardian admitting to the student's violation after or during a conference with the administration.
 - 2. A USD 466 faculty member eye-witnessing the violation.
 - 3. A law enforcement agent witnessing the violation.
- N. All 18 years old students are not subject to the nicotine part of the drug test.

4. REFUSAL TO SUBMIT TO DRUG USE TEST

- A. If an extracurricular participant refuses to submit to a drug/alcohol use test authorized under this policy, such student shall be subject to the appropriate suspension as stated in sections 5A, 5B, 5C, and 5D.
- B. Any student who has a positive initial test and refuses to submit the required retest will be treated as a refusal to submit to testing. See 3K.

5. VIOLATIONS

Any student who has a confirmed positive in a drug/alcohol use test or possession under this policy shall be subject to the following restrictions and will be re-tested.

- A. Selling or distributing
Any student who is caught selling, distributing or providing in any way illegal drugs will be dismissed immediately from all present activities with no possible recourse for reinstatement to any and all school-sponsored activities. Students may appeal this penalty to the administrative and faculty committee for review.

B. First offense of Improper Use

1. The student shall be suspended from participation in all extracurricular activities including all performances and competitions, starting with the earliest possible day as determined by school officials for a minimum of seven (7) school calendar days (excluding vacations) and a maximum of the remainder of the school year.
2. A student may be reinstated following the minimum time after written proof is secured that the student has made an appointment or has had a mental health evaluation by a counselor with expertise in substance abuse counseling and evaluation.

C. Second Offense of Improper Use

1. The student shall be suspended from participation in all extracurricular activities including all performances and competitions, for the remainder of the current school or activity year.
2. If, and only if, the student and/or parent/guardian can provide proof of **COMPLETION** of a comprehensive substance abuse program (separate and different from any program enrolled in or completed regarding first offense and subsequently approvable by the school officials), the student may request in writing to be considered to participate in upcoming (not current) extracurricular activities at the final discretion of a committee which will include the head coach/sponsor of the activity, principal, activities director, counselor, and another district administrator.

D. Third Offense and Subsequent Offenses of Improper Use

1. The student shall be suspended from participation in all extracurricular activities including all meetings, practices, performances, and competitions for one (1) full calendar year from the date of the initial report of the third offense as stated in this policy.
2. The student may, if in good standing, request an appeal hearing for conditional or full reinstatement.

6. ADMINISTRATIVE NOTE:

Concerns not addressed by this policy but acted upon by the administration due to the perceived need, will be subject to final review of the Board of Education.

--Revised 7/18/2005

Committee Revised and Recommended 9.5.07 & 10.4.07

--Approved by BOE 10/17/07 & 7.28.08

The following is a list of activities that are affected by violating/not agreeing to the district's drug and alcohol policy; as they apply to your building.

Athletic participation

Including, but not limited to: Football, Volleyball, Cross Country, Tennis, Golf, Basketball, Wrestling, Baseball, Softball, Track, and Powerlifting.

Activities participation

Including, but not limited to: Cheerleading, Dance Team, FFA, Forensics, Student Council, Scholars Bowl, Musical, All School Play, and CLASS Leadership.

Dances

Including, but not limited to: Christmas Prom, Winter Sports Festival, Jr./Sr. Prom, and any other school sponsored dances.

Performances/Competitions in Band/Music/ Art etc.

Including, but not limited to: Regional/District/State Festivals, Solo/Small Ensemble/Large Group Contests. **Exceptions will be made for events that are tied to a student's grade.**

Participation in Homecoming Pep Rally and Parade

Attendants for Homecoming/Winter Sports Royalty

Ivy Holders

Prom Servers

FFA State and National Conventions

FFA Ski Trip

Field Trips not tied to a grade in a class

Senior Awards Night