

STUDENT DRUG TESTING PROGRAM EXTRACURRICULAR ACTIVITIES

The Jackson Public School District, Board of Trustees, in an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of this school district, has adopted the following policy for drug testing of students participating in extracurricular activities.

PURPOSE

AND

INTENT

Participation in school-sponsored extracurricular activities such as interscholastic athletics is a privilege. Illegal drug use of any kind is incompatible with participation in any extracurricular activities on behalf of the school district. Students who participate in extracurricular activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, students in extracurricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible example of conduct, which includes avoiding the use or possession of illegal drugs. This policy is intended to complement all other policies, rules and regulations of the Jackson Public School District regarding possession or use of illegal drugs.

This policy has been adopted to promote the safety, health and well-being of the students of the district. This policy is not intended to be disciplinary or punitive in nature. The sanctions of this policy relate solely to limiting the opportunity of any student found to be in violation of the policy to participate in any extracurricular activities. There will be no academic sanction for violation of this policy. This policy shall apply to all participant students in grades 7-12.

DEFINITIONS

1. Student athlete or athlete: a member of the middle school or high school district-sponsored interscholastic sports team. This includes athletes and cheerleaders.
2. Extracurricular: those activities that take place outside the regular course of study in school and participants are those students involves in those activities.
3. Drug use test: a scientifically substantiated method to test for the presence of illegal or performance-enhancing drug or metabolites in a person's urine.
4. Random tests: given weekly to participants from the whole group of students (pool).
5. Random selection basis: a mechanism for selecting students for drug testing that:

- a. results in an equal probability that any student from a group of students (pool) subject to the selection mechanism will be selected, and
 - b. does not give the school district discretion to waive the selection of any student athlete or extracurricular activities participant selected under the mechanism.
6. Follow up test: weekly, at random, or any time a student who has tested positive may be under suspicion of being under the influence.
7. Illegal drugs: any substance which an individual may not sell, possess, use, distribute, or purchase under either federal or state law. Illegal drugs include, but are not limited to, all controlled drugs as defined by federal and state law, all prescription drugs obtained without authorization, and all prescription and over-the-counter drugs being used for an abusive purpose.
8. Performance-enhancing drugs: include anabolic steroids and any other natural or synthetic substance use 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 which can be lawfully purchased in over-the-counter transactions.
9. Positive: when referring to a drug use test administered under this policy, means a toxicological test result which is considered to demonstrate the presence of an illegal or performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.
10. Reasonable suspicion: a suspicion based on specific personal observations concerning the appearance, speech, or behavior of a student athlete or extracurricular participant, and reasonable inferences based on experience drawn from those observations. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight, or other athletic abilities.
11. Self-referral: when a participant who believes s/he will test positive for illegal or performance-enhancing drugs, prior to submission for a drug use test under this policy, so notifies the principal, athletic director, coach, or sponsor of such belief.

SOURCE: Mississippi School Boards Association
DATE: December 20, 2016

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PROCEDURES

1. Physical Examination. A physical examination form signed by a parent/guardian is required before a student may participate on a school district athletic team. A urine screen to detect the presence of illegal or performance-enhancing drugs which could have a harmful effect on the prospective athlete's health and athletic performance will be included as part of that physical examination.
2. Consent Form. Student participants in extracurricular activities shall be provided with a copy of this policy and an "extracurricular activities student drug testing program consent form." The consent form shall provide a urine sample to be tested for illegal or performance-enhancing drugs
 - a. at the beginning of each school year or when the student enrolls in an extracurricular activity;
 - b. as chosen by the random selection basis;
 - c. at any time requested based on reasonable suspicion.

The consent form must be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before a participant student shall be eligible to practice in any extracurricular activity.

No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed consent form.

3. Urine Sample. All extracurricular activities participants shall be required to provide a urine sample for drug use testing for illegal drugs and/or performance-enhancing drugs. Extracurricular participants who move into the district after the school year begins will be required to have a drug use test before being eligible for participation.
4. Weekly Selection. Drug use testing for extracurricular participants will also be chosen on a weekly selection basis from a list of all extracurricular participants in off-season or in-season activities. The school district will determine the weekly number of students' names to be drawn at random to provide a urine sample for drug use testing for illegal or performance-enhancing drugs.

In addition, any extracurricular participant may be required to submit to a drug use test for illegal drugs or performance-enhancing drugs or the metabolites thereof at any time

upon reasonable suspicion by the athletic director, principal, sponsor, or coach of the student.

5. Fees. The school district will determine the necessary fees to collect from students who are tested for drug use and when those fees are to be collected. The cost of subsequent tests will be borne by the school district or appropriate activity fund. The cost per test is subject to change and will be determined on an annual basis by the school board.
6. Drug Use Testing. Any drug use test required by the school district under this policy will be administered by or at the direction of a professional laboratory chosen by the school district that uses 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.
7. Testing Monitor. All aspects of the drug use testing program, including the taking of specimens, will be conducted 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 with an enclosed stall/s. The athletic director/sponsor shall designate a coach or other school employee of the same sex as the student to accompany the student to a restroom or other private facility.

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 athletic director/sponsor who will then determine if a new sample should be obtained.

The monitor shall give each student a form on which to list any medications s/he has taken or is taking or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding thirty (30) days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the 24 hours following any drug use test. The medication list shall be submitted to the lab in a sealed confidential envelope.

8. Test Results. If the initial drug use test is positive, the initial test result will be subject to confirmation by a second and different test of the same specimen. The second test will use the gas chromatography/mass spectrometry technique. A specimen shall not be reported positive unless the second test utilizing the chromatography/mass spectrometry procedure is positive for the presence of illegal drug or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of six (6) months or to the end of the school year, whichever occurs first. Student records will be retained until the end of the school year.

CONFIDENTIALITY

If the drug use test for any student has a positive result, the laboratory will contact the athletic

director or designee with the results. Procedures for maintaining confidentiality will be practiced. The athletic director will contact the principal, the student, the head coach/sponsor, and the parent or custodial guardian of the student and schedule a conference. At the conference, the student will be given the opportunity to submit additional information to the athletic director or to the lab. The school district will rely on the opinion of the laboratory which performed the drug use test in determining whether the positive test result was produced by other than consumption of an illegal drug or performance-enhancing drug.

Under no circumstances will results from a drug use test under this policy be turned over to any law enforcement officer or agency.

APPEAL

A student who has been determined by the athletic director or designee to be in violation of this policy shall have the right to appeal the decision to the superintendent or designee/s. Such appeal must be filed within five (5) business days of notice of the initial report of the offense as stated in this policy, during which time the student will remain eligible to participate in any extracurricular activities.

The superintendent or designee/s shall then determine whether the original finding was justified. There is no further appeal right from the superintendent's decision and the decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the superintendent, which shall be final and not subject to appeal.

CONSEQUENCES

1. First positive test. The student will be suspended from participation in all extracurricular activities for two weeks. The student and parent/guardian must attend counseling two times during the suspension period and one follow-up session. Counseling will consist of a session with the Jackson Public Schools counselor and a session with a counseling service provided by the school. Follow-up sessions may be with one or both counselors.
2. Second positive test. The student will be suspended from participation in any extracurricular activity for the remainder of the semester.
3. Third positive test. The student will be suspended from participation in any extracurricular activity for 180 days.
4. Self referral. A student who self-refers to the athletic director, principal, coach or sponsor before being notified to submit a drug use test will allowed to remain active in all extracurricular activities. However, the student will be considered to have committed his/her first offense under this policy, and will be required to retest as would a student who has tested positive.

5. Refusal to submit to a drug use test. If a participant student refuses to submit to a drug use test under this policy, such student shall not be eligible to participate in any extracurricular activity, including all meetings, practices, performances, and competition for 180 school days, upon completion of which, the participating student shall again be subject to this policy.

SOURCE: Mississippi School Board Association

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