SUGAR SALEM SCHOOL DISTRICT #322 POLICY

TITLE: Drug Testing of Students NUMBER: 3310

 NEW: November 2009

 REVISED:

Section I: Philosophy and Rationale for Drug Testing

 Sugar Salem School District #322, (hereafter referred to as the “District”) will provide a safe and secure environment and believes in cultivating high standards of ethical behavior to aid students in decision making-present and future- for their school, their family and community.

The purpose of a drug testing policy is

1. The health and safety of all students participating in extra-curricular activities;
2. The prevention of student involvement with drugs and alcohol;
3. Undermining the effects of peer pressure by providing specific reasons for students to refuse involvement with drugs or alcohol;
4. Possible intervention with and help for students involved with drugs and alcohol by encouraging those involved to seek treatment or rehabilitation.

Section 2: Definitions

For purposes of this policy, the following definitions are applicable:

**Drug**: Any controlled substance as defined by Idaho Code 37-2701, except those possessed and/or used pursuant to valid prescription.

**Extra-curricular Activity:** Any activity sponsored by the District and sanctioned by the Idaho High School Activities Association and/or any activity sponsored by the District that requires, as part of the participation, that students leave school grounds and act as representatives of the District in the course of the activity. The activities that will be subject to testing will be the following, all sports sanctioned by the IHSAA, baseball, softball, speech, drama, debate, drill team, and cheerleading.

**Student Participant:** Any student in grades seven through twelve participating in interscholastic athletic programs sponsored by the District and sanctioned by the Idaho High School Activities Association (IHSAA) and/or any student in grades seven through twelve whose participation in an extra-curricular activity or competition requires that student to leave school grounds and act as a representative of the District.

**Activity Season:** That period of time in a fall, winter, spring or year-round sport or activity from the first allowable day of practice or activity as determined by the IHSAA or the official school sponsor of the activity to the last day designated for that activity.

Section 3: Drug Testing Required of Students

**Consent:** Any student wishing to participate in any interscholastic or other extra-curricular program covered by this policy shall indicate consent to testing consistent with this policy by returning to the district a consent form signed by both the parent/guardian and the student prior to the start of the activity season under a deadline determined by the sponsor of the activity.

**Random Testing:** All students covered by this policy will be subject to random testing for the presence of illegal drugs. A random test is a test that is unscheduled and results in every student being subject to testing at any given time. The random selection method used by the District will be based on a percentage figure determined by the District. A third party will conduct the random selection process. A student may also be tested on reasonable suspicion.

**Reasonable suspicion:** A suspicion based on specific observations concerning appearance, speech or behavior of a student participant, and reasonable inferences drawn from those observations. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion.

Section 4: Drug/Alcohol Testing Procedures

**Specimen Collection Procedures:** When a student is notified that she/he is to submit to drug testing, he/she will be given instructions as to where to report for testing. A student must produce a specimen within two hours or the student will be treated as a refusal to submit to a drug test. All specimen collections will be conducted by personnel who have been properly trained.

**Adulteration or Submission of Concealed Specimen:** If, during the collection procedure, the collection monitor detects an effort by a student to adulterate or substitute a false specimen, a second specimen will be requested. If a second specimen is provided, it will be tested. If the request for a second specimen is refused, the collector will convey to the District the student’s refusal to submit a true specimen. Such conduct will result in the student being disciplined consistent with the provisions relating to the student testing positive. In the event a student submits a specimen that is later identified as a diluted specimen, the student will be requested to submit a second specimen.

**Scope of Tests:** The person collecting the specimen will test for illegal drugs. A student’s specimen will not be screened for the presence of any substances other than illegal drugs and/or alcohol, nor will the specimen be screened for the existence of any physical condition other than drug and/or alcohol intoxication. When a student is tested for the presence of alcohol, the testing level will be equivalent of 0.02 alcohol concentration (BAC). The District reserves the right to test a student for the presence of prescription medication when it has reason to believe the student may be abusing such medication.

**Access To Testing Results and the Requirement for Confidentiality:** The agency administering the drug testing program will be authorized to report results to the principal (or the superintendent in the event the principal is absent), who will communicate positive test results to a parent/guardian and coach/activity supervisor. All test results will be kept strictly confidential.

**Drug Testing Costs:** Unless otherwise stated in this policy, the District will be responsible for the cost of testing students as required by this policy.

Section 5: Disciplinary Response to a Positive Result

**Non-punitive Nature of Policy:** No student will be penalized academically for testing positive for illegal drugs. 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 drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process. In the event of service of such subpoena or legal process, the student and the student’s parent/guardian will be notified at least seventy-two hours before the District will respond to such requests.

**Determining a Positive Result:** Sufficient testing material will be collected from a student to allow the dividing of the specimen into two parts. One part of the specimen will be tested, the other sealed and stored. Should a positive result be obtained with the first part of the specimen, the second part of the specimen will be tested immediately as a fail-safe measure. A positive result will be determined only upon a positive testing of the second part as well.

**Disciplinary Response To An Initial Positive Result:** Upon determination of a positive test result, the student participant and the parent/guardian of the student will be notified.

**First Offense –** Suspension from participation for twenty (20) percent of the season. If twenty percent of the season is not remaining when the violation occurs, the suspension will continue into the next activity. The students may not participate in any performances or competitions during this period. (A student will be allowed to practice) The student will be tested monthly at the student’s expense for the remainder of the school year.

**Second Offense –** Suspension in all extra-curricular activities, including all performances, and competitions for the remainder of the school year.

A student who self-refers to the administration or coach before submitting to a drug use test will be allowed to remain active in all extra-curricular activities; such student will, however, be considered to have committed his/her first offense under this policy. A self-referral may only be used once during a student’s eligibility in high school.

**Arbitration of Results:** The agency conducting the testing will maintain the availability of qualified medical personnel to arbitrate any issues arising from a positive testing result, such as the use of a prescription medication prior to testing, the possibility of the existence of a false positive and so forth.