

Administrative Procedures

Mandatory Drug Testing Program For the Academy ISD Student-Athlete

Purpose:

The purpose of the Academy ISD mandatory drug testing program is to insure the health and safety of our student-athletes and to serve as a deterrent to the use of drugs by those athletes. It is recognized that drug abuse is a major health problem in adolescents across this country. By participating in the drug testing program, the student-athlete will be subjected to the risk of detection and its consequences to help offset the ordinary pressures concerning drug abuse. Implementing this program is intended to send a message to the students that we do care about them as individuals and what they do to their bodies. It is a clear indication that the Academy Independent School District will not tolerate drug abuse in its athletic program.

This policy requires that any student in grades 7-12 desiring to participate in the District's athletic program, consent to mandatory random drug testing as described below. This policy also allows any student not in athletics to participate in the drug testing program if parental consent is provided.

Process:

All student-athletes in grades 7-12 will be subjected to mandatory random drug testing throughout the school year and will be required to provide the District with written consent signed by both the student and a parent/guardian. The laboratory used by the District will be certified to administer drug testing by the Substance Abuse and Mental Health Services Administration (SAMHSA). The names of students to be tested

will be drawn randomly by the vendor for each testing occurrence. Under no circumstances will human interference will allowed to alter the randomized nature of student selection.

Through the use of the urine samples, the drug testing vendor will be able to detect the presence of drugs taken prior to the test. If an athlete has been taking medication, he/she will need to indicate the type of medication being taken. A “chain of custody” procedure will be used to monitor the identity and integrity of the sample throughout the collection, transportation, and testing process. The drug testing vendor will provide the personnel to conduct the collecting, transportation, and testing as well as randomly selecting the student-athlete participants to be tested.

The percentage of students to be tested will vary between 10-20% of the student testing population. Results from the testing laboratory are normally available within 48 hours from the time of specimen collection.

Definitions:

“Confirmation Test”

A drug test conducted to substantiate the results of a prior drug test on the same specimen. The confirmation test must use an alternative method of equal or greater sensitivity than that used in the previous drug test.

“Consent”

All students desiring to participate in the District’s interscholastic athletic program will be required to provide the Academy Independent School District with written consent

signed by both the student and parent. If the student-athlete or his/her parents/guardians refuse to consent to provide written consent to be tested, the student will be denied participation.

“District”

The Academy Independent School District, including an authorized representative acting on its behalf.

“Drug”

1. Drugs which an individual may not buy, possess, use, sell, or distribute under either federal or Texas law. Such drugs include but are not limited to: marijuana, cocaine, opiates, amphetamines, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, alcohol, and/or their metabolites;
2. performance-enhancing drugs;
3. all prescription drugs upon reasonable suspicion that they were obtained without authorization;
4. all prescription and over-the-counter drugs upon reasonable suspicion that they are being used in an abusive manner.

“Drug Test”

A chemical test administered for the purpose of determining the presence or absence of a drug or metabolite in a person’s urine.

“Medical Review Officer”

A Medical Review Officer (MRO) is a licensed physician who has additional training and certification in the area of drug testing. Specifically, they have detailed knowledge in how drug testing is done, how testing is affected by foods and medications, and the various methods used to adulterate specimens to give a false negative result. The medical review services of the drug testing vendor will be used.

“Prescription or Non-Prescription Medication”

A drug prescribed for use by a duly licensed physician, dentist, or other medical practitioner licensed to issue prescriptions or a drug that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

“Random Testing”

Between 10-20% of students involved in the athletic program will be selected for testing each testing period. The students selected for each testing occurrence will be determined by use of a computerized method that insures randomization. Participating students will be divided into 2 pools; one pool for students not yet tested (pool A) and another pool for students that have been tested at least once (pool B). Testing will be conducted up to 15 times per year. The superintendent or his designee will determine the percentage of students to be tested from each pool and the date of each testing occurrence.

“Specimen”

A product of human physiology chemically capable of revealing the presence of drugs in the human body. As referred to in this policy, the product will be urine, exhaled breath, or saliva.

“Student-Athlete”

A student enrolled in the Academy Independent School District who is participating in a program of extracurricular athletics. Drug testing is mandatory for all interscholastic student-athletes, whether the student-athlete is in the athletic period of his/her sport, in the off season program of his/her sport, or only coming before or after school to practice and/or participate during the sport’s season.

Urinalysis Drug Testing Procedures:

1. The collection of specimens shall be performed under reasonable and sanitary conditions. Individual dignity shall be preserved to the extent practicable.
2. All student-athletes chosen to be tested must report immediately to the test site upon notification. If the student is unable to produce a urine sample at that time, he/she will be given 2 hours and allowed to drink up to 40oz of liquid. If the student is again unable to produce a specimen, the parent may, at their own expense, take the student to a physician before the end of the business day. If the physician collects the required specimen in accordance with proper chain of custody procedures, the specimen will be accepted. If no specimen is produced, a written medical explanation from physician will be required. The

failure to produce a urine sample or a written medical explanation from a physician will be treated as a positive test result.

3. If at any time the collector has reason to believe that a student is tampering with or attempting to adulterate the sample, the collector shall inform the superintendent or his/her designee, who will determine if a new sample should be obtained. The questionable sample shall be properly identified as such and sent to the laboratory with the second sample.
4. All samples will be identified with the student's specific identification number, sealed, and submitted to the District's testing laboratory.
5. The student-athlete and his/her parents/guardians will have the opportunity to provide any information of currently or recently used prescription or non-prescription drugs or other relevant medical information. This information should be disclosed at the time the specimen is collected. The provision of this information shall not preclude the administration of the drug test, but shall be taken into account in interpreting test results.
6. Specimen collection, storage, and transportation to the testing site will be performed in a manner that will reasonably preclude specimen contamination, adulteration, or erroneous student-specimen identification.
7. Specimen testing for drugs shall conform to scientifically accepted analytical methods and procedures and shall be conducted by laboratories certified for drug testing by the Substance Abuse Mental Health Services Administration (SAMHSA).

8. A specimen for a drug test may be taken or collected by any of the following persons: A physician, a physician's assistant, a registered professional nurse, a licensed practical nurse, a nurse practitioner, or a laboratory technician.
9. In the case of a positive test result, the Medical Review Officer shall contact the superintendent's designee. The superintendent's designee will inform the student-athlete and the parent/guardian of the positive test result. Every attempt will be made to contact the student-athlete and his/her parents/guardians within twenty-four (24) hours of notification by the Medical Review Officer. The athlete is subject to the specified disciplinary actions from the date that he/she is first informed of the positive test results.
10. Every specimen that produces a positive confirmed test shall be preserved in a frozen state by the licensed laboratory that conducts the confirmation test for a period of one (1) year from the time the results of the positive confirmed test are mailed or otherwise delivered to the District. During this period, the student-athlete who has provided the specimen shall be permitted by the District to have a portion of the specimen retested. The cost of the re-test shall be at the student-athlete's expense. The laboratory conducting the re-testing will be chosen by the student's parents/guardians but must be certified for drug testing by the Substance Abuse Mental Health Services Administration (SAMHSA). The laboratory that has performed the test for the District shall be responsible for the transfer of the portion of the specimen to be re-tested and for the integrity of the chain of custody during such transfer. The results of the re-test will be forwarded to the Medical Review

Officer representing Academy ISD for evaluation. If a re-test yields a negative test result, the student-athlete will be reinstated to the Academy ISD athletics program after a confirmation by the Medical Review Officer.

11. A diluted drug test result will be referred to the Medical Review Officer for clarification. The result may be that the student will be re-tested at the request of the Medical Review Officer. An adulterated test sample will be considered as a positive result.
12. A refusal to provide a sample for testing will be treated as a positive test result.
13. Students designated for testing that are absent from school at the time the specimens are collected will be tested on the next random testing date. Truancy from school in order to avoid drug testing will be treated as a positive result.
14. The student-athlete's parents/guardians may request and receive from the District a copy of the test result report.
- 15.

Confidentiality:

Testing results shall be kept confidential and disclosed only to the student-athlete, his or her parents/guardians, and school officials designated by the Superintendent.

Confidentiality shall be maintained at all levels. Results shall not be placed in student records. No action shall be taken by the school against the student with a positive test result other than suspension from participating in interscholastic athletics. Students

shall not be restricted from participation in any other student activities or penalized in any other way.

Sanctions for Positive Testing:

1. First Positive Test

- a. The student-athlete and parents/guardians will participate in a mandatory conference with the District's athletic director and campus principal.
- b. The student-athlete will be suspended from participation in athletic activities for six weeks.
- c. The student-athlete must agree to mandatory testing during the next three random testing periods.

2. Second Positive Test

- a. The student-athlete will be suspended from participating in athletic activities for twelve weeks.
- b. The student-athlete must successfully complete, at the expense of the parents/guardians, a drug counseling program approved by the District.
- c. The District's athletic director may re-admit the student into the program after the student has successfully completed the 12 week suspension and drug counseling program.
- d. If the student is re-admitted, the student must agree to mandatory testing during the next six random testing periods. The cost of the

testing will be at the expense of the parents/guardians and must be pre-paid to the District before being re-admitted into the athletic program.

3. Third Positive Test

- a. The student-athlete will be suspended from participating in athletic activities for one calendar year.
- b. The student-athlete must successfully complete, at the expense of the parents/guardians, a drug counseling program approved by the District.
- c. The District's athletic director may re-admit the student into the program after the student has successfully completed the one year suspension and drug counseling program.
- d. If the student is re-admitted, the student must agree to mandatory testing during the next six random testing periods. The cost of the testing will be at the expense of the parents/guardians and must be pre-paid to the District before being re-admitted into the athletic program.

4. Fourth Positive Test

The student is permanently suspended from athletic participation.

Students desiring to appeal the consequences of a positive test shall follow the appeals procedures in board policy FNG (legal) and FNG (local).

Academy Independent School District
Student Drug Testing Program
Parental Notification and Consent Form

I acknowledge that my child participates in interscholastic athletic activities at Academy ISD and as such is required to participate in the student drug testing program.

I acknowledge that I have received a copy of the “Mandatory Drug Testing Program for the Academy ISD Student-Athlete”. I have read and understand the drug testing program as described in that document.

I acknowledge that the Medical Review Officer will contact the student’s parent or adult student through the Academy ISD contact person if a drug test is positive. The purpose of this contact with the Medical Review Officer is to determine if there is an acceptable reason for the positive test result, in which the case the test result will be considered negative.

I hereby consent and agree to the testing of my child as provided in the “Mandatory Drug Testing Program for the Academy ISD Student-Athlete.

Date: _____

Student Name: _____

Parent / Guardian: _____