

DRUG TESTING FOR ATHLETES

The Governing Board is committed to maximizing the health and safety of district students and recognizes the district's role in helping to protect students from the dangers associated with illegal drug use and drug abuse. The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep district school free of alcohol and other drugs in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning. To support the district's substance abuse prevention efforts, the Board desires to establish a drug testing program in the district's high schools that will provide a deterrent from drug use and help refer drug users to appropriate counseling and rehabilitative services.

The Superintendent or designee shall establish a nonvoluntary, random drug testing program for all high student athletes to include the following components consistent with the definitions and criteria established by Administrative Regulation 5131.61.

The Superintendent or designee shall provide training to principals, coaches and staff advisors regarding the district's drug testing program.

Procedures will address how students will be selected, how often tests will be conducted, how samples will be collected and transported, and how results will be confirmed. Drug testing procedures shall ensure appropriate individual privacy while maintaining the viability of the process.

Students and parents/guardians shall receive a copy of the district's policy and procedures on drug testing. In addition, at the beginning of the school year and prior to the commencement of the drug testing program, the Superintendent or designee shall conduct an orientation session with students participating in athletics and their parents/guardians. This session shall explain the district's policy and outline the procedures for drug testing and the consequences if a positive result is obtained.

No disciplinary action (e.g. suspension) shall be taken against any student who tests positive, other than removing him/her from participation on the athletic team. Students who test positive shall be encouraged to participate in some assistance program and may be required to take subsequent drug tests.

Following a period of implementation and awareness of this program for high school athletes, the Board will review the program for effectiveness and determine the appropriateness of expanding coverage to additional students who participate in leadership and extracurricular activities.

Legal Reference:

EDUCATION CODE

44049 Known or suspected alcohol or controlled substance abuse by student

51262 Use of anabolic steroids; legislative finding and declaration

Adopted: November 7, 2007

ESPARTO UNIFIED SCHOOL DISTRICT

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The policy of the Board of Education for random drug testing of high school athletes shall become effective November 7, 2007 and shall be implemented as follows:

This program has been developed in consultation with drug prevention specialists, the laboratory contracted to conduct the tests and legal counsel. During implementation of this drug testing program, the Superintendent shall continue to invite feedback from students, staff, parents/guardians, community leaders and others regarding the effectiveness of specific procedures.

Although these regulations refer to drug testing, the Board Policy covers testing for alcohol and alcohol usage may be randomly tested at the discretion of the Superintendent or designee.

Definitions:

- Drug: Any substance considered illegal by California Statute or which is controlled by the Food and Drug Administration.
- Drug test: Any method (e.g. oral, urine analysis) that is scientifically reliable and ensures the greatest degree of privacy possible.
- Student Athlete: Any student participating in high school interscholastic athletic programs sponsored by Esparto High School.
- Sport Season: Fall, winter and spring seasons begin on the first (1st) day of practice allowed by the California Interscholastic Federation and end when the team has completed its season. This policy will be in effect twenty-four (24) hours a day, seven (7) days a week during an athlete's sport season.
- Calendar Year: A twelve (12) month period from the date of occurrence.

Dissemination of Information:

All high school students and parents/guardians shall receive a copy of the district's policy and procedures on drug testing. Other students and parents/guardians shall be informed of the policy.

Prior to the commencement of the drug testing program and thereafter at the beginning of each sports season the Superintendent or designee shall conduct an orientation session with student athletes and their parents/guardians. Students/parents shall be notified in advance of the meeting that attendance is mandatory and a copy of any prescription recently or currently being taken must be provided. At this session a district representative shall explain the district's policy, outline the procedures for drug testing, **provide documentation of the substances the testing covers and the positive test level for each substance**, and the consequences if a positive result is obtained.

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Mandatory Consent:

1. The drug testing consent form described in this regulation will be signed by the student and his/her parent/guardian prior to allowing the student to participate as a student athlete. No student athlete will be allowed to participate in any sport without such consent.

The consent form shall indicate any prescription medication the student has been or is presently taking. The student shall present either a written copy of the prescription or a physician's written verification of this fact with the consent form. It is important that this list be kept current by the parent/guardian through the sport season. At the time of testing, student athletes will be responsible to provide verification of any new prescription.

Testing Procedures:

Student athletes may be tested at any time during their sports season. Individual student athletes and/or teams may be tested an unlimited number of times.

Student athletes will be selected randomly by entering team rosters into a computer program titled "Making the Grade" and the number of students to be tested on any team will be determined randomly.

Student athletes selected for testing will normally be notified privately by the **athletic director** at the beginning of after-school practice.

In the event a student athlete is selected for testing and is found to be legitimately absent from school on the day of testing, he/she will be tested on a day selected by the athletic director. A student athlete who has an unexcused absence on the day of testing or otherwise in any way avoids drug testing shall have the following consequences including a parent-administrator meeting:

(1) First absence will result in a one game suspension and mandatory testing at **intervals and duration to be determined by the athletic director**;

(2) Second absence will result result in a three game suspension and mandatory testing at **intervals and duration to be determined by the athletic director**;

A student who refuses to take a test upon selection shall be treated as if the test result was positive.

The District has contracted with a reputable medical laboratory licensed by the State of California to test samples.

Drug testing procedures shall ensure appropriate individual privacy while maintaining the viability of the process. When urinalysis testing is used, the person collective the specimen will be the same gender as the student and the specimen shall be collected in a private room behind a closed stall. Test specimens will be collected in private at a location established by the **athletic director**. Prior to testing, student athletes will remove coats, jackets, purses, backpacks or other item which could conceal sample-tampering apparatus. The **athletic director** will wait outside the restroom stall until a sample has been produced. Samples will be immediately sealed and labeled by the **athletic director** and shipped to the laboratory for testing. The District shall strictly follow all specimen collection procedures and chain of study protocol as prescribed by the contracted laboratory.

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The list of prescription medications being taken a student athlete will be provided to the laboratory. Any update from the list provided at the beginning of the season must be based upon a new prescription or written verification from a physician provided to the coach prior to testing.

Test results shall be disclosed only to school staff designated by the Superintendent or designee as responsible for program implementation. The athletic director, coach, principal, student athlete and his/her parents/guardians shall be notified after any positive test results are confirmed.

Consequences of Testing Positive:

A student athlete who tests positive for drugs based upon the contracted laboratory protocol or for alcohol will be provided written notice of dismissal from the team for the remainder of the sport season **and from all sports for the remainder of the school year.** A student athlete who tests positive after one-tenth of the regular season games for the team have been completed will be dismissed from the team for the remainder of the sports season, **from all teams for the remainder of the school year** and from the same team for the following season. **These penalties will be uniformly enforced except a student athlete who tests positive the first time and who at his/her own cost provides evidence of enrolling in and completing a substance abuse program at CommuniCare Health Center (John H. Jones Clinic), Woodland, or another licensed drug abuse program and obtains a doctor's clearance indicating he/she is drug or alcohol free and physically fit to participate in the particular sport will be reinstated to participate on other teams during the same school year and the same team for the next school year provided the student athlete submits to individual testing at intervals and for a duration determined by the athletic director. This exception will not apply to student athletes who test positive more than one time.**

No student athlete shall be penalized academically for testing positive. The result of drug tests will not be included in a student's educational records. The district shall not release test results to law enforcement authorities or juvenile authorities absent compulsion by a valid and binding subpoena or other legal process. In the event of service of any such subpoena or legal process, the student's custodial parent or legal guardian will be notified at least 72 hours before response is made by the District.

Reasonable Suspicion Testing:

Implementation of this program does not restrict the right of an administrator, coach or teacher to conduct testing or a search of a student based upon reasonable suspicion of being under the influence of drugs or alcohol.

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Waiver Form:

**ESPARTO UNIFIED SCHOOL DISTRICT
DRUG TESTING POLICY
GENERAL AUTHORIZATION FORM**

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules, and regulations, set forth by the Esparto Unified School District Board Policies and the sponsors for the activity in which I participate.

I also authorize the Esparto Unified School District to conduct an oral or urine test as deemed appropriate, to test for drugs and/ or alcohol use. I also authorize the exchange of information concerning the results of such a test between the Esparto Unified School District, my parents and / or guardians, and the contracted agency, Quest Diagnostics.

This shall be deemed consent pursuant to the Family Education Right Privacy Act for the release of the above information to the parties named above.

Print Name

Student Signature

Date

PLEASE INDICATE ANY PRESCRIPTION DRUGS YOUR CHILD IS CURRENTLY TAKING

1. _____

2. _____

3. _____

I have read and agree with the above terms of participation of my son/daughter.

Parent or Guardian Signature

Date