

## ATHLETIC AND EXTRACURRICULAR ACTIVITY DRUG SCREENING

The Evangeline Parish School Board acknowledges that student participation in extracurricular activities is a privilege afforded to eligible students on an equal opportunity basis and thus is voluntary and not required by Board policy or state and/or federal law.

Therefore, the Evangeline Parish School Board, in an effort to further protect the health and safety of student athletes, and those students participating in other extracurricular activities, and in an effort to preserve and maintain a positive learning environment, has adopted a policy for *Athletic and Extracurricular Activity Drug Screening*. The express purpose of this policy is (1) to help prevent students and athletes from using drugs, (2) to help protect their health and safety, (3) to provide drug users with an educational assistance program, and (4) to try to preserve and maintain a positive learning environment.

As a part of the drug screening policy, the School Board authorizes mandatory random drug testing through urinalysis, hair sample and/or any other method approved by the School Board, of students who participate in the schools' athletic programs as well as other extracurricular activities.

### ATHLETES TESTED

Before each sports season all athletes in that sport shall be tested. After this initial testing, any athlete who decides to participate in that sport who has not been tested shall not be allowed to participate (practice or play) until that student has been tested. The athlete may be tested at the next random testing cycle. If the athlete does not wish to wait for the next cycle, then the parent or guardian may have the athlete tested at their own expense by the same company that the Board contracts with.

If it is found that an athlete is practicing or playing before being tested then the head coach of that sport and the school athletic director must meet with the Superintendent and explain how this occurred. The Superintendent shall then determine appropriate action relative to the athlete's participation and employee discipline, if any.

Ten percent (10%) of all students participating in high school sports shall be tested at random on a monthly basis, with all names being placed back into the drawing each time. At least 3% of the 10% shall be tested for steroids.

### PROCEDURES

Prior to participating in any *Louisiana High School Athletic Association* (LHSAA) sanctioned sport, the student athlete and parent/guardian shall be required to sign the

*LHSAA Substance Abuse/Misuse Contract and Consent* form. These arrangements state that all student athletes shall be subject to random drug testing. These tests shall be strictly enforced and participation shall be mandatory, since the parents/guardians have freely chosen to allow their son(s)/daughter(s) to participate in athletic programs. No athlete shall be tested unless the parent(s)/guardian(s) and the athlete sign the *LHSAA Substance Abuse/Misuse Contract and Consent* form giving permission to have the tests performed. Refusal to allow these tests to be administered shall immediately serve notice that the student may not participate in any interscholastic athletics.

All student athletes/extracurricular participants shall be subject to random selection and testing throughout the school year. All confirming testing shall be referred through an approved NIDA laboratory as approved by the Board. Specimens shall be collected by designated personnel and sent to the testing laboratory. Specimens shall be tested for drug use only. The tests shall ascertain if there is present any controlled substance as may be specified by the Board or Superintendent.

All costs associated with the administration of the athletic drug testing program shall be the responsibility of the School Board. However, any evaluation or counseling services which may be mandated as a result of positive tests shall **not**, under any circumstances, be the responsibility of the Evangeline Parish School Board.

#### Collection of Samples

1. Athlete must complete a specimen control form prior to testing.
  - a. The athlete shall be assigned a testing number.
  - b. The athlete shall identify prescription medication he/she is taking prior to testing.
2. Sample Gathering Procedures:
  - a. The student shall enter the restroom or locker room accompanied by an adult monitor.
  - b. Athletes shall be fully dressed with back to the monitor.
  - c. Monitor shall listen for normal sounds of urination and observes student from the back.
  - d. After sample is produced, the monitor shall check the temperature and seal the vial.
  - e. Vial shall be tagged and shipped to the designated independent laboratory for testing.

## RESULTS OF TESTS

### Positive Tests

1. The testing company shall use only one-half of a sample for the initial test and freeze the remainder. If confirmation of a positive test occurs, the testing company shall automatically perform another test on the same sample to confirm results.
2. The principal shall set up a conference with the parents and with the student. The principal shall inform the athletic director and coach of the test results and the scheduled conference. They shall meet with the student to discuss the consequences and the plan of action to help the student live a healthy life-style.

### 3. Penalties

#### A. First Offense:

1. The athlete shall be suspended from that sport for thirty (30) days. Within that thirty (30) day period the student shall:
  - (1) Produce a clear drug test. Such test shall be at the parent's/guardian's expense and must be arranged with the same drug testing company that is contracted with the Board. During this period, the athlete shall not be allowed to participate in any athletic related events.
  - (2) He/she must attend at least three (3) documented drug counseling sessions at the expense of the parent/guardian.
2. The athlete shall be tested every month in addition to the random testing.
3. Documentation of the test results and participation in counseling sessions must be provided to the school and shall be kept on file. If an athlete does not follow the prescribed procedure, then the athlete shall be suspended from all sports for a period of one (1) calendar year.

#### B. Second Offense:

After confirmation of a second positive drug screening, the student shall be prohibited from participation in any athletic activity for the remainder of his/her high school tenure.

## APPEAL

Any determination of a positive test and resulting penalty may be appealed by the student to the Superintendent or his/her designee. The student involved shall file the appeal with the Superintendent within five (5) days of the date of notification of test results. Upon a proper showing, the appeal process shall include a retest of the original sample performed by or for the Evangeline Parish School Board at the parent's expense.

## OTHER GUIDELINES

The Superintendent or his/her designee shall implement guidelines that ensure the fair enforcement of this policy and maintain strict confidentiality. The drug testing guidelines established herein are to be employed in conjunction with and in addition to other School Board policies which prescribe penalties for the possession of, use of, consumption of, being under the influence of, and/or distribution of illegal or prohibited substances on school grounds or at any school related functions.

## CONFIDENTIALITY

All drug tests shall be considered confidential information and handled accordingly. Information regarding a student's test shall be released only under the following conditions:

1. Information that a student involved in extracurricular activities tested positive on a drug test shall be immediately communicated by the testing laboratory to the Evangeline Parish Drug-Free Supervisor or Coordinator. The School Board administrator shall inform only the school principal and/or the sponsor of the extracurricular program. The principal shall notify the parents of the positive tests results, and/or;
2. Information that must be released due to a subpoena or judicial order.

## PARENTAL RELEASE

The parent(s) or guardians) and the student shall release the Evangeline Parish School Board, its members (both individually and in their official capacity), the Evangeline Parish School District, as well as any employee, teacher, principal or other school administrator or personnel from any liability in connection with this policy, the administration of the testing procedures and/or test results, any warranties addressing the accuracy of said tests and any and all medical or laboratory procedures employed by the referring laboratory. It is expressly understood that the Evangeline Parish School Board assumes no responsibility for the diagnosis or treatment of any disease or condition that may become known as a result of any laboratory test(s) conducted in the implementation of this drug testing program.

ADDITIONAL NOTES

1. It is imperative to note that these procedures are only to be used for the appearance of a non-apparent controlled substance. Consequently, if a student athlete or extracurricular activity participant is apprehended by anyone as a result of being in illegal possession of alcohol and/or a controlled substance, or banned substances, the regular school and School Board disciplinary policies shall apply.

Additionally, students involved in extracurricular activities shall also be subject to reasonable suspicion drug testing when two (2) or more Board employees believe, due to contemporaneous physical, behavioral, or performance indicators, that the student may be using drugs or is otherwise in violation of School Board policies. Immediate notification of the principal shall be made.

2. The athlete/extracurricular participant shall not have a right to a hearing since athletics and extracurricular activities are not an integral part of the school and School Board curriculum.
3. If a student is/has been taking medication, he/she shall indicate this prior to the administration of the test and shall identify the prescribing physician and medications.
4. The principal of each school shall be required to have a properly signed consent form on file for every student that shall participate in any athletic or extracurricular program or activity for inclusion in the drug-testing program.

Ref: La. Rev. Stat. Ann. §§17:81, 40:961, 49:1111 et seq.; Veronia School District 47J vs. Action, 115 S.Ct. 2386 (1995); Official Handbook, Louisiana High School Athletic Association.