

**NAVAJO PUBLIC SCHOOLS
STUDENT DRUG TESTING PROGRAM
EXTRACURRICULAR ACTIVITIES**

The Navajo Board of Education, 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 the Navajo Public School District, has adopted the following policy for drug testing of students participating in extracurricular activities.

Purpose and Intent

It is the desire of the board of education, administration, and staff that every student in the Navajo Public School District refrain from using or possessing illegal drugs. The administration and board of education realize that their power to restrict the possession or use of illegal drugs is limited. The sanctions of this policy relate solely to limiting the opportunity of any student determined to be in violation of this policy to participate in extracurricular activities. This policy is intended to complement all other policies, rules, and regulations of the Navajo Public School District regarding possession or use of illegal drugs.

Participation in school-sponsored extracurricular activities such as interscholastic athletics at the Navajo Public School District is a privilege. 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 examples of conduct, which includes avoiding the use or possession of illegal drugs. Additionally, this school district is contracted to follow the rules and regulations of the OSSAA whose rules specifically state: A student under a discipline plan or whose conduct or character outside the school is such as to reflect discredit upon the school shall be ineligible until reinstated.

The purposes of this policy are to prevent illegal drug use, to educate students as to the serious physical/mental, *and* emotional harm caused by illegal drug use; to alert students with possible substance abuse problems to the potential harms of illegal drug use: To help students avoid drugs; to help students get off drugs; to prevent injury, illness, and harm as a result of illegal drug use and to strive within this school district for an environment free of illegal drug use and abuse. 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.

Illegal drug use of any kind is incompatible with participation in any extracurricular activities on behalf of the school district. For the safety, health, and well-being of the students of the district, this policy has been adopted for use by all participating students in grades 7-12.

Definitions

1. Student athlete or athlete means a member of the junior high or high school district-sponsored interscholastic sports team. This includes athletes and cheerleaders.
2. Extracurricular means those activities that take place outside the regular course of study in school, and participants are those students involved in those activities.
3. Drug use test means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drug or the metabolites thereof in a person's urine.

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4. Random tests are given to participants from the pool.
5. Random selection basis means a mechanism for selecting students for drug testing that:
 - A. Results in an equal probability that any student from a group of students 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 extra-curricular activities participant selected under the mechanism.
6. Follow up tests can be weekly, at random, or any time a student who has tested positive may be under suspicion of being under the influence. The student's family will be responsible for the cost of the follow up test.
7. Illegal drugs, means any substance that an individual may not sell, possess, use, distribute, or purchase under either federal or state law. Illegal drugs, include but is not limited to all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substance Act, all prescription drugs obtained without authorization, and all prescribed 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 used 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 that 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 a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.
10. Reasonable suspicion means a suspicion based on specific personal observations concerning the appearance, speech, or behavior of a student athlete or extra-curricular participant, and reasonable inferences drawn from those observations in the light of experience. 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-referrals, when a participant believes he/she will test positive for illegal or performance-enhancing drugs, prior to submission for a drug test under this policy, so notifies the principal, athletic director, coach, or sponsor of such belief.

Procedures

A physical examination 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.

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Student participants in extracurricular activities shall be provided with a copy of this policy and an extracurricular activities student drug testing program consent form that 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. The consent shall provide a urine sample (a) at the beginning of the school year or when the student enrolls in an extracurricular activity; (b) as chosen by the random selection basis; and (c) at anytime requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed consent form.

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 have to undergo a drug test before they will be eligible for participation.

Drug use testing for extracurricular participants will also be chosen on a selection basis from a list of all extracurricular participants in off-season or in-season activities. The school district will determine a 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 to the drug test required above, 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.

Any Drug use test required by the school district under the terms of 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.

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 a 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 or stalls. 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. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to ensure an accurate chain of custody. The monitor shall verify the normal warmth and appearance of the specimen. 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 a form on which the student may list any medications he/she 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 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 test. The medication list shall be submitted to the lab in a sealed and confidential envelope.

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 gas chromatography/mass spectrometry procedure is

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positive for the presence of an 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 months or to the end of the school year, whichever is shorter. 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 or designee 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 that performed the test in determining whether the positive test result was produced by other than consumption of an illegal drug or performance-enhancing drug. Under no circumstance will results from a drug 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 the superintendent's designee(s). Such appeal must be lodged within five 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 non-appealable.

Consequences

1. First positive test. The student will be suspended from participation in all extracurricular activities, all meetings, practices, and competitions 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 sessions with the site Principal or Principal's designee.
2. Second positive retest. The student will be suspended from participation in any extracurricular activity, all meetings, practices, and competitions for the remainder of the semester or not less than 45 school days.
3. Third and subsequent retest. The student will be suspended from participation in any extracurricular activity, all meetings, practices, and competitions for the current semester and the ensuing semester.
4. Self-referral. A student who self-refers to the athletic director, principal, coach, or sponsor before being notified to submit to a drug test will be 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. To be eligible for self-referral, an activity student must not have previously tested positive or previously self-referred for any illegal or performance-enhancing drug pursuant to this policy.

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

The cost per test is subject to change and will be determined by the board of education on an annual basis.

**EXTRACURRICULAR ACTIVITIES
STUDENT DRUG TESTING CONSENT FORM**

Statement of Purpose and Intent

Participation in school-sponsored extracurricular activities at Navajo Public Schools is a privilege. Activity students carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal and/or performance-enhancing drugs.

Illegal and/or performance-enhancing drug use of any kind is incompatible with participation in extracurricular activities on behalf of Navajo Public Schools. For the safety, health, and well-being of the student of the Navajo Public School District, the district has adopted the student drug testing program for extracurricular activities policy and this consent form for use by all participating students at the junior high school and the high school levels.

Participation in Extracurricular Activities

The coach/sponsor/administrator shall provide each activity student and the parent or custodial guardian of such student with a copy of the policy and the consent form, which shall be read, signed, and dated annually, before the student shall be eligible to practice or participate in any extracurricular activity. Upon reaching the age of 18 years, the activity student shall be required to sign a new consent form in order to participate in any extracurricular activity. This consent shall be to provide a urine sample: (a) when chosen by the random selection basis, (b) at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any activity governed by the policy unless the student has returned the properly signed consent form.

Student's Last Name _____ First Name _____ MI _____

After having read the "Student Drug Testing Program," policy and this consent form, I understand that, out of care for my safety and health, the Navajo Public School District enforces the rules applying to the consumption or possession of illegal and performance-enhancing drugs. As a participant in an extracurricular activity, I realize that the personal decisions I make daily in regard to the consumption or possession of illegal or performance-enhancing drugs may affect my health and well being as well as the possible endangerment of those around me and reflect upon an organization with which I am associated. If I choose to violate school policy regarding the use or possession of illegal or performance-enhancing drugs any time while I am involved in in-season or off-season activities, I understand that upon determination of the violation, I will be subject to the restrictions on my participation as outlined in the policy.

Signature of Student _____ Date _____

We have read and understand the Navajo Public Schools' "Student Drug Testing Program" policy and this consent form. We desire that the student named above participate in the extracurricular activities of the Navajo Public School District and we hereby voluntarily agree to be subject to its terms. We accept the method of obtaining urine samples, testing and analysis of such specimens, and all other aspects of the program. We further agree and consent to the disclosure of the sampling, testing, and results as provided in this program.

Signature of Parent or Custodial Guardian _____ Date _____

Signature of Coach/Sponsor/Administrator _____ Date _____

STUDENT'S PRESCRIPTION DRUG LIST

Listed below are the prescription drugs and dosages my son/daughter is taking at this time. I understand that, depending on the type of medication and the circumstances, its use may be verified and discussed with the doctor who prescribed it. I give permission to the doctor(s) who have prescribed medication for the treatment of my son/daughter's medical condition(s) to verify the circumstance and discuss any effects that the medication(s) may have on my son/daughter's lab test results or school performance.

Drug Name _____ Dosage _____

Drug Name _____ Dosage _____

_____ My son/daughter takes the prescription drugs and dosage on a permanent basis.

Parent/Guardian's Signature: _____ Date _____

*Student's Signature: _____ Date _____

*By my signature above, I have confirmed and acknowledged that the above listed medications are the only medications currently being used by me for any medical condition(s).

Note: Any change in the type of prescription medication must be noted and the changes given to the Athletic Director and/or JH/HS Principal in writing immediately.

**CONSENT FORM
(18 year olds and older)**

I have received, read and understand the Navajo High School District Policy on Student Drug Testing. I understand that being 18 years of age does not exclude me from any responsibility included in the Navajo High School district Policy on Student Drug Testing. I consent to all terms of the policy and accept the method of obtaining a urine sample, testing, and analysis of such urine specimens, and all other aspects of the program. I agree to full disclosure of testing results to my parents or custodial guardians specified in this policy. I willfully agree to all requirements established in this policy for participation in extracurricular activities at Navajo Public Schools

Student Signature _____ Date _____

Parent or Custodial Parent Signature _____ Date _____