

## ***Extracurricular Activity Eligibility - Random Drug Testing***

### **Philosophy/Purpose**

The Board of Education believes that maintaining an environment that is safe, free from substance use/abuse and conducive to learning is an important goal for the district and the community. The Board of Education recognizes its responsibility to address drug and alcohol problems in the school.

The Board of Education believes that the use of prohibited substances- alcohol, tobacco, or illegal drugs- by students who participate in extracurricular activities presents a hazard to the health, safety, and welfare of students and those who interact with the student. The Board encourages students to participate in extracurricular activities, but believes the opportunity to try out for and participate in school sponsored activities is a privilege and not a right. To be eligible to try out for, or to participate in any extracurricular activities, students must agree to submit to testing for the use of prohibited substances, if randomly selected, in accordance with this policy.

This policy has been adopted by the Board of Education of River Bend Community Unit School District #2 and applies to all students who participate in extracurricular activities in grades 9-12. This policy is part of the Fulton High School Activities Behavior Code. This policy has been adopted after seeking the input of students, parents and concerned citizens of the District and is a response to their consensus that this policy is the most effective response to the growing problem of drug, alcohol, and tobacco use by students.

The District recognizes that there is a high incidence of alcohol and drug abuse by students nationwide. The District also recognizes that some FHS students participating in extracurricular activities have used alcohol and/or tobacco and have or will experiment with

illegal drugs, alcohol and/or tobacco during their high school years. Because participants in extracurricular activities are especially respected and looked up to by the student body, they are expected to be good examples of conduct, sportsmanship, and training. This includes abstaining from the use of drugs, alcohol, and tobacco. Moreover, participants in extracurricular activities who use drugs can be a danger to himself/herself or others, both in and out of the extracurricular activity.

In order to provide for the health and safety of the individual participant and other extracurricular participants, as well as provide a legitimate reason for the students to say "NO" to drug use, and to provide an opportunity for those taking drugs to receive help in locating programs which can provide assistance, the District is conducting a random drug testing program for extracurricular participants. The program is not academically punitive, nor does it fall within the disciplinary action of the current handbook except for the extra-curricular code. It is designed to prevent drug usage, to educate student extracurricular participants as to the serious physical, mental and emotional harm caused by drug use/abuse, to create and maintain a safe, drug free, environment for extra-curricular participants and to assist students in getting help when needed.

The purpose of this policy is to deter the use of prohibited substances, not to provide a means, which the district may use to punish a student other than by disqualification from participation in extracurricular activities. Accordingly, the results of any drug test administered under this policy shall be used only for determination of eligibility to try out for and participate in extracurricular activities and for no other disciplinary purpose.

**Definitions**

**A. Extracurricular Activities**

School sponsored activities outside the regular school day, conducted by and representing Fulton High School where participation is voluntary, no academic credit or grades are awarded, and/or are competitive in nature in grades 9-12, including but not limited to the following list of extracurricular activities:

**Interscholastic Athletics, Jazz Choir, Jazz Band, Scholastic Bowl Team, Thespians, Cheerleading, Speech, Student Council, Peer Resistance Team, Students Against Drugs and Alcohol and Class Officers.**

**B. Extracurricular Participant**

Any student who is trying out for or participating in any school sponsored extracurricular activity. Should any student be unsuccessful in trying out for a given activity and not choose to be involved in any other activity for the remainder of the school year, parents should send a letter so indicating and requesting the removal of the student's name from the random list.

**C. Alcohol**

Any liquor, wine, beer, or other drink containing alcohol.

**D. Illegal Drugs**

Any substance considered illegal or controlled by the Food and Drug Administration.

**E. Tobacco**

Any tobacco product including but not limited to cigarettes, cigars, smokeless tobacco, or pipe tobacco.

**F. Self-Referral**

Process of a student voluntarily coming forward, seeking help for a problem with an illegal drug, alcohol or tobacco. Self-referral is done before a violation of the FHS Activities Behavior Code has been verified by notifying staff or administration before his/her random number has been drawn.

**G. Testing Cycle**

Time period for random tests determined by the District and Testing Organization. Cycles may be weekly, monthly, quarterly, or by semester.

**H. Testing Organization**

Organization selected by the Board of Education to conduct the random drug-testing program and all required testing activities and/or tasks.

**Consent Form**

To try out for or to participate in any school sponsored extracurricular activities, the student must read the policy and sign a consent form by which the student agrees that as a condition of participation in extracurricular activities, he/she will consent to the random drug testing

program outlined in this procedure. This consent form must also be signed by the student's parent or guardian at the beginning of the school year or within the first ten (10) days of participation or membership. Once a properly signed consent form is submitted, the student is eligible for Random Drug Screening until the student submits a properly signed Withdrawal of Consent form OR the student leaves or graduates from Fulton High School.

### **Withdrawal of Consent**

Consent for participation may be withdrawn under the following conditions:

1. Student fails to make the team/activity under tryout procedures outlined.
2. The student will not be participating in any additional qualified extracurricular activities for the remainder of his/her school career or school year.
3. Parent must submit written request for withdrawal of consent indicating intention in #2 above.
4. Withdrawal of consent must be sent to the high school principal who will verify student no longer participating in any qualified extracurricular event.

*Should the student elect to resume participation in any qualified activity again in his/her school year, the student will be required to submit a new consent form signed by the parent/guardian.*

### **Noncompliance**

If the extracurricular participant, his/her parent or guardian refuse to sign the consent form, the student will not be permitted to be a member of the activity until such consent form is signed.

Also, if the extracurricular participant refuses to be tested or does not complete the test as

instructed, the extracurricular participant will be considered in violation of this policy.

**Confidentiality**

The results of any test administered under the terms of this policy shall be kept confidential and disclosed only to the extracurricular participant, his/her parent or guardian, and school officials designated by the Superintendent. The results of the testing shall not be used as a basis for any disciplinary action other than disqualification, as provided for in the FHS Activities Behavior Code. The test results will not be part of the extracurricular participant's permanent record, but will be kept in a secure file in the school office. The results for testing negative or positive will be kept until the student graduates. At that time all results/records of this policy related to individual students will be purged.

Under this drug testing program, no staff/coach, or sponsor shall divulge any information to anyone about a particular student or disposition of the student involved, other than by order of a court of competent jurisdiction.

**Random Selection of Extracurricular Participants for Testing**

At the beginning of each school year, each extracurricular participant shall be assigned a number by the Superintendent or his/her designee. The selection of numbers will be made by the Testing organization. The numbers will be computer generated and include an M or F, for male/female designation of students, to help with staffing needs from the testing organization. Students will be eligible for random testing throughout the school year. There will be student numbers selected for each random drug test, student numbers will be forwarded to the high

school Principal, and students tested in the order the numbers are selected.

### **Notification of Extracurricular Participation Selection/Absence**

The selected extracurricular participants will be notified to report to the principal's office on test day. The student will then be escorted to the test site. If the student is absent from school, the student will automatically be tested on the next testing date. If absent, the student will remain eligible for practice and competition, but will automatically be tested on the next date. After testing, an extracurricular participant's number will be returned to the testing population and subject to re-selection during the next testing cycle. Extracurricular participants will be subject to random testing throughout the school year.

### **Self-Referral**

Student self-referral is a process designed to allow a student to recognize a prohibited substance problem and bring it to the attention of staff or administration. Under the FHS Activities Behavior Code, a student receives no consequence for self-referring, but must satisfactorily complete, at their own cost, a school approved, substance assessment and/or counseling program.

Under the random drug testing policy self-referrals are still available. However once a student is selected by number/name for testing, a self-referral is no longer an option. Second or any subsequent self-referrals will be reviewed individually with regard to the basis for self-referral and FHS Activities Behavior Code. This review will be conducted by the FHS Activities Committee.

**Student Transfers**

A student transferring to Fulton High School will be provided a copy of this policy. Transfer students that are going to be involved in extracurricular activities will sign a consent form within the first ten (10) days of participation/membership for a specific activity. Transfer students must submit a signed consent form for random drug testing within the first ten (10) days of participation/membership in any activity covered by this policy.

***Program Details*****Testing Procedures**

1. Superintendent or designee shall assign a number to each extracurricular participant on a random basis and shall develop a master list of assigned numbers. The Testing Organization shall then from time to time throughout the school year, randomly select extracurricular participants for drug, alcohol and/or tobacco testing from the pool of numbers submitted by the Superintendent or designee. Testing may occur on any day, Monday through Friday. Each student participant may be tested at any time during the school year.
2. No student will be given advance notice or early warning of the testing.
3. Drug and/or tobacco testing may be performed by urinalysis. Upon being selected for a urinalysis test, the student shall provide a sample of "fresh" urine according to the quality control standards and policy of the collection facility conducting the urinalysis.

4. A member of the Testing Organization will accompany the student until he or she produces an adequate, verifiable urine specimen. The student will not be under direct visual observation while providing the sample. If the test administrator has left the school site, then transportation may be provided to an alternative site for testing. If unable to produce a specimen, the student will be given up to 40 ounces of fluid. If unable to produce a specimen, the student will be taken to the high school Principal's Office and told he/she is ineligible for participation in any extracurricular activity until a specimen can be produced. In addition, the parent(s)/guardian(s) will be telephoned and informed the student is unable to produce a sample for the testing procedure and he/she must be tested at a later date in order to be eligible.
5. All specimens registering below 90 F (32 C) or above 100 F (38 C) will be invalid. The head strip on each specimen bottle indicates the validity of the urine specimen by temperature. If a specimen is invalid, the student must provide another specimen.
6. A student will be ineligible for all extracurricular activities for one calendar year if he or she tampers or cheats during the collection. This will be reported to the parent/guardian.
7. Immediately after specimen is taken, the student may return to class with an admit slip or pass with the time he/she left the collection site.
8. Each specimen is given to the laboratory for testing, and may be tested for tobacco, or controlled substances (including all drugs listed as controlled substance under Illinois

law, or defined by the Food and Drug Administration).

**Chain of Custody**

1. The testing organization will provide appropriately trained staff member(s), set up the collection environment, guarantee specimens, and supervise the chain-of-custody.
  
2. A District or testing organization staff member will escort students to the collection site. No student is allowed to go to his or her locker. The staff member should minimize classroom interruptions. Extra-curricular participants may be tested at any time at the discretion of the testing organization.
  
3. Before a student's urine is tested by the laboratory, he or she must sign any form that may be required by the testing laboratory. If a student chooses, he or she may notify the administrator that he/she is taking a prescription medication.
  
4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the student's possession until a seal is placed upon the bottle and the student signs that the specimen is sealed. The seal may be broken only by the lab testing the specimen.
  
5. If the seal is tampered with or broken after leaving the student's possession and prior to arriving at the lab, the specimen is invalid. The student will remain eligible for extracurricular activities subsequent to a retest.

6. The testing organization staff member obtaining the urine specimen will be a health care professional. Students will be instructed to remove all coats and wash their hands in the presence of the staff member before being tested. The restroom door will be closed while student provides a urine specimen. The health care professional will wait outside the restroom. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restroom will be shut off, and sealed with evidence tape. All garbage containers will be removed from the restroom.
7. After it is sealed, the specimen will be transported to the testing laboratory by testing organization personnel. The testing organization will report the results to the Building Principal or designee.

**Testing Results**

1. The Laboratory will notify the testing organization of a positive test that shows drug residues are in the student's system after using at least two different types of analyses. The Medical Review Officer (MRO) - a physician of the testing organization will notify the Principal/designee of the results of a possible positive drug screen. The student or his/her parent/guardian may submit any documented prescription or explanation of a positive test result to the MRO. The MRO will discuss any possible physical/medical history with the parent/guardian. If such a condition/history exists, within the physician's guidelines, he will deem the drug screen negative. When no condition/history exists in the physician's guidelines, he will deem the drug screen positive and will inform the parent/guardian of such. The results of the drug screen will then be given to the school district's designated confidential contact. The Building

Principal or designee will notify the student and his or her parent/guardian of confirmed test results and any effects on student's eligibility status.

The Principal/designee will make an attempt to contact the parent/guardian (minimum of three (3) documented attempts), one of which will be a certified letter, to notify them of a positive test result.

2. In addition, the student or parent/guardian may request that the urine specimen be tested again by a certified laboratory at the parent/guardian cost. This request should be made within twenty-four (24) hours of the notification of the first positive test results. The specimen will be sent, at parent's cost, to the appropriate certified lab for testing. The family cannot directly contact the testing laboratories, as this would break the confidentiality of the specimen being tested. The testing organization will bill the family for the cost of the split specimen analysis. Should the test be confirmed as positive, and there is not a satisfactory explanation for the positive results, the student will be considered to be in violation of the FHS Activities Behavior Code. If it is determined by the second testing facility that the first test was invalid, the parent will be reimbursed the cost of the retest. The student will remain eligible during the retesting/evaluation process.
  
3. If the test is verified "positive," the Building Principal or designee will meet with the student and his or her parent/guardian. The student and parent/guardian will be given the names of counseling and assistance agencies. The student may not participate in extracurricular activities until he/she has served the consequence outlined in the FHS

Activities Behavior Code.

4. In the case of verified "positive" test, coaches/sponsors will be informed of a violation of the FHS Activities Behavior Code and the duration of its effect.
5. Drug testing results sheets will be available to the Building Principal or designee. Names will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the Building Principal or designee has access.

**Financial Responsibility**

1. Under this policy, the School District will pay for initial drug tests and all "follow up" drug tests requested by the District.
2. A request for another test of a "positive" urine specimen is the financial responsibility of the student's parent/guardian.
3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student's parent/guardian.

**Other Rules**

Apart from this drug testing program; the Illinois High School Association as well as each activity's coaching staff or sponsor may have his or her own training rules and requirements. Coaches and sponsors have the necessary authority to enforce those rules. Any student

participant who violates a team or activity rule or requirement is subject to the consequences as defined in those rules and requirements.

**Testing Negative**

The parents or guardians of the extracurricular participant who tests negative will be notified by mail as soon as practical of the district's receipt of the information.

**Testing Positive**

If the test results are positive, the extracurricular participant will be considered in violation of the FHS Activities Behavior Code. The student and parents will be notified as soon as practical. The consequences of this violation are outlined in the FHS Activities Behavior Code.

**Enforcement**

The provisions of this policy are considered an addition to all other rules and regulations governing student conduct and discipline in extracurricular activities.

**Expenses**

Funding for this program will be by Board of Education action. Counseling for students that test positive is at the expense of the parents/guardian.

LEGAL REF.: 105 ILCS 5/24-24

Clements v Board of Education of Decatur

478 N.E.2d 1209 Il App. 4th Dist. (1985).

Todd V. Rush County Schools. 133 F.3d 984 7th Cir., (1998)

**ADOPTED:**