

**SKIATOOK SCHOOL DISTRICT
STUDENT PARTICIPANT POLICY ON TESTING FOR ALCOHOL
AND ILLEGAL OR PERFORMANCE ENHANCING DRUGS**

The Board of Education, in an effort to protect the health and safety of its student participants from the possession or use of alcohol and illegal or performance enhancing drugs, thereby setting a positive example for all other students of the School District, adopts the following **“Student Participant Policy on Testing for Alcohol and Illegal or Performance Enhancing Drugs”**.

STATEMENT OF PURPOSE AND INTENT

It is the desire of the Board of Education, administration, and staff that every student in the School District refrains from using or possessing alcohol and illegal or performance enhancing drugs. Notwithstanding this desire, the administration and Board of Education realize that their power to restrict the possession or use of alcohol and illegal or performance enhancing drugs is limited. Therefore, except as provided below, 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 competitive extracurricular activities. This Policy is intended to supplement and complement all other policies, rules and regulations of the Skiatook School District regarding possession or use of alcohol and illegal or performance enhancing drugs.

Participation in school-sponsored competitive extracurricular activities, at the School district is a privilege, not a right. Students who participate in these activities are respected by the student body and are expected to conduct themselves as good examples of behavior, sportsmanship and training. Accordingly, student participants 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 alcohol and illegal or performance enhancing drugs.

The purpose of this Policy is to prevent alcohol and illegal or performance enhancing drug use, to educate student participants as to the serious physical, mental and emotional harm caused by alcohol and illegal or performance enhancing drug use, to alert student participants with possible substance abuse problems to the potential harms of use, to prevent injury, illness and harm as a result of alcohol and illegal or performance enhancing drug use, and to strive within the Skiatook School District for an extracurricular activity environment free of alcohol and illegal or performance enhancing drug possession and use. 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 participant found to be in violation of this Policy to participate in extracurricular activities. There will be no academic sanction solely for a violation of this Policy. Notwithstanding the foregoing, a student may be disciplined, including suspended out of school, if a violation of this Policy also results in a violation of the School District’s Student Behavior Policy.

DEFINITIONS

1. **“Student Participant”** means a 9th-12th grade member of any Skiatook School District sponsored interscholastic activities or athletic team, including, but not limited to, athletes, cheerleaders, FFA members, band members, and members of competitive vocal music, speech, and debate teams.
2. **“Coach” and “sponsor”** means any person hired by the School District to act as a sponsor or coach of an athletic or activity team of the School District.
3. **“Activity”** means any competitive interscholastic team, group or organization sponsored by the School District.
4. **“In-season”** means anytime during the day, night, weekends or holidays, including all time in and away from school during the entire school year for all student participants.
5. **“School District”** means Independent School District No. 7 of Tulsa County, Oklahoma, also known as the Skiatook School District.
6. **“Alcohol”** means ethyl alcohol or ethanol and any alcoholic beverage and includes “low-point beer” as defined by Oklahoma law.
7. **“Illegal drugs”** means any substance which an individual may not sell, possess, use, distribute or purchase under either federal or Oklahoma law. “Illegal drugs” includes, 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, paraphernalia to use such drugs, mood altering substances such as paint, glue, aerosol sprays and similar substances, and mate coca (also know as mate de coca and Eritroxilecea coca), whether ingested in the form of coca tea or otherwise and which can produce a positive result for cocaine in a drug test.
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 which can be lawfully purchased in over-the-counter transactions.
9. **“Drug or alcohol use test”** means a chemical test administered for the purpose of determining the presence or absence of alcohol or illegal or performance enhancing chemical substances or their metabolites in a student’s blood, bodily tissue, fluids products, urine, breath or hair.
10. **“Random selection basis”** means a mechanism for selecting student participants for drug and/or alcohol use testing that:
 - A: results in a equal probability that any student athlete from a group of student athletes subject to the selection mechanism will be selected, and
 - B: does not give the School District discretion to waive the selection of any student participant selected under the mechanism.
11. **“Positive”** when referring to an alcohol or drug use test administered under this Policy means a toxicological test result which is considered to demonstrate the presence of alcohol or an illegal or a performance enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug or alcohol use test.
12. **“Reasonable suspicion”** means a suspicion based on specific personal observations concerning the appearance, speech or behavior of a student 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.
13. **“Extracurricular”** means any School district sponsored team, club, organization or activity in which student participation is not required as a part of the School District curriculum and in which students represent the School District in competitions sanctioned by the Oklahoma Secondary Schools Activities Association or in other competitive interscholastic activities.

PARTICIPATION AND PROCEDURES

1. Alcohol and illegal or performance enhancing drug possession or use is incompatible with participation in extracurricular activities on behalf of the School District. For the safety, health and well being of the student participants of the School District, the School District has adopted this Policy for use by all participating students at the 9th-12th grade level. Any student participant found to be in possession of, or having used alcohol or illegal or performance enhancing drugs, either by observation or drug or alcohol use test, will be considered to have violated this Policy.
2. Each student participant shall be provided with a copy of this Policy and the “Student Participant Alcohol and Illegal or Performance Enhancing Drugs Contract” (*the “Contract”*) which shall be read, signed and dated by the student participant, parent or custodial guardian and a coach/sponsor before such student participant shall be eligible to practice or participate in any extracurricular activity. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed Contract.
3. The Activities Director and applicable coach/sponsor shall be responsible for determining whether a violation of this Policy has occurred when an observation of possession or use of alcohol or illegal drug by a student participant has been reported. If a violation of the Policy is determined to have occurred, the activities director will contact the student sponsor, the head coach/sponsor, the applicable principal and the parent or custodial guardian of the student participant and schedule a conference. At the conference, the violation of the Policy will be described and the restrictions explained.
4. The contract for alcohol and illegal or performance enhancing drug and/or alcohol use testing shall be to provide a urine sample: a) as part of the annual physical and/or prior to the start of the season for the activity in which a student participates, b) as chosen by the random selection basis, and c) at any time a student participant is requested by the activities director or a coach/sponsor, based on reasonable suspicion, to be tested for alcohol and illegal or performance enhancing drugs.
5. All student participants shall be required to provide a urine sample for drug use testing for *illegal* drugs as part of their annual physical examination and/or prior to the start of the season for each sport in which a student participates. Student participants who have physical examinations performed by their personal physicians must nonetheless sign the Contract and comply with all Policy requirements.
6. Drug and/or alcohol use testing for student participants will also be chosen on a random selection basis weekly from a list of all “in-season” participants. The School District will determine a weekly number of student names to be drawn at random to provide a urine sample for drug and/or alcohol use testing for alcohol and/or illegal or performance enhancing drugs.
7. In addition to the drug and alcohol use tests required by paragraphs 4, 5 and 6, any student participant may be required to submit to a drug and/or alcohol use test for alcohol or illegal or performance enhancing drugs or the metabolites thereof at any time upon reasonable suspicion.
8. The school district will set a fee charge to be collected from each student when the contract is signed and returned to the coach/sponsor at the beginning of an activity season.

9. Any alcohol or 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 using 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.
10. All aspects of the alcohol or drug use testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of student participants to the 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 behind a closed stall. The activities director shall designate an adult person of the same sex as the student participant to be a monitor and to accompany the student participant to a restroom or other private facility. The monitor shall not observe the student participant 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 insure 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 activities director who will then determine if a new sample should be obtained. If a student participant is determined to have tampered with any specimen or otherwise engaged in any conduct which disrupts the testing process of any student participant, then the student participant will be deemed to have committed a second offense under this Policy and the sanctions for a second offense will be imposed. The monitor shall give each student participant a form on which the student participant may list any medications he/she has taken or any other legitimate reasons for having been in contact with illegal drugs or performance enhancing drugs in the preceding thirty (30) days. The medication list may be submitted to the lab in a sealed and confidential envelope.
11. If an 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 spectroscopy technique. A specimen shall not be reported positive unless the second test utilizing the gas chromatography/mass spectrometry procedure is positive for the presence of an illegal drug or performance enhancing drug or the metabolites thereof. If an initial alcohol use test is positive for the presence of alcohol, the initial test result will be subject to confirmation by a second test using any scientifically accepted method. The unused portion, if any, of a specimen that tested positive for alcohol or illegal or performance enhancing drugs shall be preserved by the laboratory for a period of six (6) months.
12. If the alcohol or drug use test for any student participant has a positive result, the laboratory will contact the activities director with the results. The activities director will contact the student participant, the head coach/sponsor, the applicable principal and the parent or custodial guardian of the student participant and schedule a conference. At the conference, the activities director will solicit any explanation for the positive result and ask for doctor prescriptions of any drugs that the student participant was taking that might have affected the outcome of the alcohol or drug use test. If the student participant and his/her parent or custodial guardian desires another test of the remaining portion if any, of the specimen, the activities director will

arrange for another test at the same laboratory or at another laboratory agreeable with the activities director. Any such re-test shall be at the expense of the student participant and his/her parent or custodial guardian.

13. If the student participant asserts that the positive test results are caused by other than consumption of alcohol or an illegal or performance enhancing drug by the student participant, then the student participant will be given an opportunity to present evidence of such to the activities director. The School District will rely on the opinion of the original laboratory which performed the test in determining whether the positive test result was produced by other than consumption of alcohol or an illegal or performance enhancing drug.
14. A student participant who has been determined by the activities director to be in violation of this Policy shall have the right to appeal the decision to the superintendent or his/her designee(s). Such appeal must be lodged within five (5) business days of notice of the initial report of the offense, during which time the student participant will remain ineligible to participate in any extracurricular activities. The superintendent or his/her designee(s) shall then determine whether the original finding was justified. There is no further appeal right from the superintendent's decision and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this Policy shall be the sole and exclusive judgment and discretion of the superintendent which shall be final and cannot be appealed.
15. Before a student participant who has tested positive in an alcohol or drug use test may rejoin his/her extracurricular activity after a first or second offense, such student participant may be required to undergo one or more additional alcohol or drug use tests to determine whether the student participant is no longer using alcohol or illegal or performance enhancing drugs. The School district will rely on the opinion of the laboratory which performed or analyzed the additional alcohol or drug use test in determining whether a positive result in the additional alcohol or drug use test was produced by alcohol or illegal or performance enhancing drugs used by the student participant before the offense or by more recent use.
16. All documents created pursuant to this Policy with regard to any student participant will be kept in a confidential folder and will never be made a part of the student's cumulative folder nor be considered a "disciplinary" record.

VIOLATION

1. Any student who is determined by observation or by alcohol or drug use tests to have violated this Policy shall be subject to the loss of the privilege to participate in extracurricular interscholastic activities and offered educational and support assistance to stop using.
2. **For the First Offense:** Suspension from participation in all scheduled extracurricular interscholastic activities (including all meetings, practices, performances and games/competitions) for 30 school days. The student participant will also have to provide a clean drug test before being allowed to return to participation. This drug test must be done through the school's provider and must be paid for by the student participant. Student will also be required to participate in 4 hours of substance abuse counseling by an approved provider. During the period of any suspension a student participant will report to study hall for his/her activity

hour. The student participant will also be required to miss a minimum of two games/competitions. If the student is not competing in an extracurricular activity during any suspension period due to injury, academic ineligibility or the games or competitions for that sport or activity are finished or have not begun for that school year and, therefore, does not miss a minimum of two games/competitions during the suspension period, then the student will be required to miss the next two games/competitions after he or she returns from the injury, becomes eligible or the games or competitions resume in the following school year or begin later in the same school year. These restrictions and requirements shall begin immediately following the determination of an observed violation or the reporting of the results of a positive alcohol or drug use test. Such suspension will extend into a succeeding season if necessary to fulfill the suspension.

3. **For the Second Offense (during the athlete's high school career):** Complete suspension from participation in all extracurricular interscholastic activities including all meetings, practices, performances and competition for eighteen (18) continuous and successive school weeks from the date of the determination of a violation or the reporting of the results of a positive alcohol or drug use test under this Policy. Such suspension will extend into a succeeding school year if necessary to fulfill the suspension. **Offenses shall accumulate from school year to school year;**
4. **For the Third Offense (during the athlete's high school career):** Complete suspension from participation in all extracurricular interscholastic activities including all meetings, practices, performances and competition for one (1) calendar year and from the date of the determination of a violation or the reporting of the results of a positive alcohol or drug use test under this Policy. **Offenses shall accumulate from school year to school year;**
5. **Self-Referral:** As an option to the consequences for a first offense only, a student participant may self-refer to the activities director or a coach/sponsor before being called upon or to submit to an alcohol or drug use test. **A student participant who self-refers will be suspended from participation in all scheduled extracurricular interscholastic activities (including all meetings, practices, performances and games/competitions) for 30 school days. However, the student may cut the suspension to 15 days by committing to 4 hours of substance abuse counseling provided by an outside agency that includes participation by the parent or legal guardian.** Documentation of successful completion of this commitment must be provided to the activities director by the student participant or parent. A student participant who self-refers will, however, be considered to have committed his/her first offense under this Policy. A self-referral may be used only once in a student's time in the School District.
6. **REFUSAL TO SUBMIT TO ALCOHOL OR DRUG USE TEST:** If, after signing the Contract, a student participant refuses to submit to an alcohol or drug use test authorized under this Policy, such student participant shall not be eligible to participate in any extracurricular interscholastic activities including all meetings, practice, performances and competition for eighteen (18) continuous and successive school weeks. Such suspension will extend into a succeeding school year if necessary to fulfill the suspension.

**Skiatook School District Student
Extracurricular Activities Participant Alcohol and Illegal
or Performance Enhancing Drugs Contract**

Statement of Purpose and Intent:

Participation in school sponsored extracurricular activities at the Skiatook School District is a privilege and not a right. Such privilege is governed by the attached Skiatook School District Student Participation Policy on Testing for Alcohol and Illegal or Performance Enhancing Drugs (the "Policy"). Alcohol and illegal or performance enhancing drug use of any kind is incompatible with participation in extracurricular activities on behalf of the Skiatook School District. Students who participate in activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship and training. Accordingly, student extracurricular activities participants 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 alcohol or illegal or performance enhancing drugs.

Participation in Extracurricular Activities:

For the safety, health and well-being of the students of the Skiatook School District, the Skiatook School District has adopted the attached Policy and this Student Extracurricular Activities Participant Alcohol and Illegal or Performance Enhancing Drugs Contract (the "Contract") which shall be read, signed and dated by the student, parent or custodial guardian and sponsor or coach before such student shall be eligible to practice or participate in any extracurricular activity. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed Contract.

S A M P L E

Student's Last Name First Name Middle Initial Date

I understand after having read the Policy and this Contract that, out of care for my safety and health, the Skiatook School District enforces the rules applying to the consumption or possession of alcohol and illegal or performance enhancing drugs. As a student extracurricular activities participant, I realize that the personal decision that I make daily in regard to the consumption or possession of alcohol and 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 any organization with which I am associated. If I choose to violate the Policy regarding the use or possession of alcohol and illegal or performance enhancing drugs any time during the school year, I understand upon determination of that violation I will be subject to the restrictions of my participation as outlined in the Policy.

S A M P L E

Signature of Student Date

We have read and understand the Policy and this Contract. We desire that the student named above participate in the extracurricular activities of the Skiatook School District and we hereby agree to abide by all provisions of the Skiatook School District's Policy. We accept and consent to the method of obtaining urine samples, testing and analyses of such specimens, and all other aspects of the program. We agree to cooperate in furnishing urine specimens that may be required from time to time. We further agree and consent to the disclosure of the sampling, testing and results as provided for in this program. This consent is given pursuant to all State and Federal Privacy Statutes and is a waiver of rights to non-disclosure of such test records and results only to the extent of the disclosures authorized in the program.

S A M P L E

Signature of Parent or Custodial Guardian Date

(If the student athlete is 18 years or older, he/she must also sign at this line in addition to the line above.)