

# **Boaz City Board of Education**

## **Competitive Extracurricular Substance Abuse Program**

### **Procedures**

#### Introduction

The Boaz City Board of Education recognizes the value of, and supports student participation in competitive extracurricular activities. An integral part of sanctioning these programs is an expectation that participating students refrain from the use of controlled substances. This expectation is related to the whole health of the child, and therefore is not limited to time or the particular environment in which the student exists. A realization that the indulgence in controlled substances during non-school hours can have a direct effect upon the total health of the student necessitates that the student refrain from any and all possession, use, or distribution regardless of time or place.

Participation in competitive extracurricular activities is a privilege, rather than a right. Students are reasonably expected to totally refrain from illegal possession, use or distribution of Prohibited Substances, as defined herein. (See *Board of Education of Independent School District No. 91 of Pottawatomie County, et al v. Earls, et al*, 536 U.S. 822, 122 S. Ct. 2559, 153 L.Ed.2d 735 (2002)). Therefore, under this procedure, adopted pursuant to authorization by Boaz City Board of Education policies, any student wishing to participate in Competitive Extracurricular Activities, as defined herein, as well as the student's parent or guardian, must read and sign an agreement to adhere to the Boaz City Schools Competitive Extracurricular Substance Abuse Program.

## Objectives

- A. To promote the total health and safety of students.
- B. To create and maintain a safe and drug-free environment for all students participating in extracurricular activities.
- C. To encourage any student suffering from dependence upon a controlled substance to refrain from such activities and seek help, if necessary, to do so.
- D. To mitigate the effects of peer pressure to engage in harmful activities.
- E. To reduce the likelihood of accidental injury to students and others.

## Definitions

*Competitive Extracurricular Activities:* Any middle or high school sanctioned or sponsored extracurricular activity involving competition, comparison, or judging of the individuals or groups with other individuals or groups. These include, but are not limited to, football, basketball, volleyball, track, band, academic teams, choir, scholar bowl, debate teams, or drama teams. All periods of preparation, practice, travel, as well as participation in competitive or exhibition games, meets or events, and all other time while the student is under the supervision of Boaz City Schools in connection with same, are included within this definition.

*Drug Testing Agency:* Hereinafter referred to as DTA, the Marshall County Court Referral Services, Incorporated shall be utilized as the official drug testing agency for Boaz City Schools.

*Prohibited Substances:* Alcohol, amphetamines, anabolic steroids, benzodiazepines, methadone, opiates, phencyclidine, propoxyphene, barbiturates, cocaine, cannabinoids, marijuana, hallucinogenic drugs, and all drugs which the narcotic and drug abuse laws of the United States, local municipalities, and/or the State of Alabama classify as illegal. Prohibited substances also include controlled or prescribed medications taken by a

student, unless such medication has been prescribed for the specific student and is being taken in the dosages specified by the prescribing physician.

### General Provisions

*Drug Use/Distribution/Impairment/Possession:* All students are prohibited from using, possessing, distributing, manufacturing, or having prohibited substances, abusing prescription drugs or any other mind-altering or intoxicating substances, or having any prohibited substance in their system while engaged in Competitive Extracurricular Activities.

*Alcohol Use/Possession/Impairment:* All students are prohibited from possessing, drinking, or being impaired or intoxicated by alcohol while engaged in Competitive Extracurricular Activities.

*After School Hours Conduct:* After school hours use of illegal drugs, alcohol, or any other prohibited substances which cause or result in a positive screen conducted under the procedures set out herein will result in the consequences as outlined in this document. Students participating in competitive extracurricular activities should realize that these regulations include tests for substance abuse that may have occurred both during and away from school activities.

*Prescription Drugs:* A student may submit confidential information to the DTA detailing any prescription medication for which the student has a valid prescription. Students taking over-the-counter medications also have a right to provide this information in the same manner. Provided that the student holds a valid and current prescription and the drugs have been taken in the dosages prescribed, a positive test for the prescribed drugs will not be viewed as a positive test under this screening program.

## Substance Screening

The Boaz City Board of Education reserves the right to require students participating in any Competitive Extracurricular Activities submit to three possible levels of, or bases for Prohibited Substance screening. The student may first be subject to pre-participation screening as a condition for initial participation in a Competitive Extracurricular Activity. Students may also be screened during the season of practice for or participation in any Competitive Extracurricular Activity at any time or in any frequency deemed reasonable by the school administration. This screening may occur as a result of a reasonable suspicion of violation of Board Policy or this Program, or based on random selection for screening pursuant to these procedures. A third screening may be required as a condition to allowing the student to return to Competitive Extracurricular Activities.

A student who has a confirmed positive test for controlled substances will be subject to discipline, including but not limited to suspension from Competitive Extracurricular Activities. Refusal to cooperate with a request for substance screening will result in disciplinary action, up to and including immediate suspension from Competitive Extracurricular Activities. No student testing positive, refusing to cooperate with a request for a drug screen, or in other way found to be in violation of this Program will be penalized academically. This Program, however, shall not preclude possible disciplinary action for violation of board policies and/or school rules pertaining to the use, possession, distribution, or manufacturing of controlled substances at or away from school, school board property, or at school sponsored events.

## Screening Procedures

Principals will identify the Competitive Extracurricular Activities in their respective schools, and provide a numbered master list of participants to the office of the Superintendent. The Superintendent, or his designee, will provide a numbered list to the DTA, identifying each student only by reference to the student's assigned number and the student's initials. Names of students will not be provided to the DTA. Upon request by the principal, the DTA will utilize a legally defensible method of random selection resulting in the production of a list of student to be tested (again identified only by assigned number and initials). The students will be notified by the school and required to report to the designated collection sites for substance screening as soon as possible following the notification. The fact that a student is selected for one random substance screening does not eliminate that student from the master list used in the next random substance screening process.

The DTA will follow professional guidelines in the screening process to insure the adherence to all legal statutes related to individual rights of privacy. A developed and documented procedure for collecting, shipping and accessing specimens will be followed, to include a tamper-proof sealing system complete with identifying numbers, labels, and sealed shipping containers. Standard custody and control forms will be used for all student screenings. All positive screenings will be re-tested using gas chromatography procedures for validity. Drug testing procedures shall include confirmatory testing at a state licensed or federally certified laboratory using spectrometry (as applicable when a screening-test result is positive). A certified Medical Review Officer (MRO) may review and rule on all confirmed-positive drug test results. The review by a Medical Review Officer will be at the parent/guardian expense.

### Return of Results

The DTA will transmit, in writing, the results of the test to the principal of the school. Upon confirmation of a positive test, the principal shall notify the student and student's parents or legal guardians of the outcome. The opportunity for discussion of test results will be offered, including but not limited to discussion regarding whether or not the student was taking a prescribed controlled substance. Unreasonable delay by the student and/or the student's parents with regard to this meeting may be viewed as a waiver of this privilege. This conference may also be used to discuss the disciplinary action to be taken by the school, based on the guidelines included within this Program. The principal shall also notify the parents or guardian in writing of the discipline or sanctions to be administered as a result of the positive test.

All information, interviews, reports, statements, memoranda, and test results, either written or otherwise, received by the board of education through the screening process are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except as follows:

- (a) As directed by the specific, written consent of the parent / guardian and/or student (if legally of age to give consent) authorizing release of the information to an identified person.
- (b) To the finder of fact in any lawsuit, grievance, or other proceeding initiated by or on behalf of the student.
- (c) As ordered by a court of competent jurisdiction or other educational or governmental agency with authority to compel production of the information, or to school officials, on a need to know basis, for disciplinary, special education or other proceedings related to the student.

### Consequences

#### First Violation

A student who tests positive, refuses to participate in the required screening, or compromises / circumvents the drug testing procedure in any way, will be suspended from Competitive Extracurricular Activities for a cumulative 25% of scheduled competitive contests. If the time of the positive test results precludes the possibility of the student missing a total 25% in one season, the remaining balance of the required 25% suspension will be served during the next sequential Competitive Extracurricular Activity in which the student would otherwise participate, regardless of the activity or academic year. As a part of the requirement for re-entry into Competitive Extracurricular Activities, the student will be required to attend all practices, contests, and other normal team activities during the time of suspension.

#### Second Violation

A student who tests positive in a second screening at any point during grades 6-12 in Boaz City Schools will be banned from participation in any/all Competitive Extracurricular Activities for one calendar year from the date the principal receives the positive results.

#### Requirements for Return to Participation

A student may return to full and active participation in competitive extracurricular activities after a first or second violation by adherence to the following requirements:

- (a) A clear drug screen, completed within a two-week period prior to the return to participation, must be presented to the principal. The parent or guardian will assume all costs related to the test. The DTA must be approved by the principal before the student submits to the screen.

- (b) The student must have completed all sanctions applied by the school, to include adherence to any required attendance at practices, contests, etc.
- (c) The student, accompanied by a parent or guardian, must attend a seminar conducted by the DTA or other agency acceptable to the Principal. Any acceptable seminar must be designed to inform both the student and parent of the immediate and long-term effects of the usage of the drug indicated on the student's positive test.

#### Notes of Clarification

1. This procedure shall not preclude possible disciplinary action for violations of board policy and school rules pertaining to the use, possession, distribution, manufacturing of alcohol and other drugs at/or away from school, school board property, or at school sponsored events. If a student athlete is charged with violation of such policies and rules, disciplinary consequences will be determined through normal school procedures associated with violations of said policies and rules. The consequences outlined in this document will be secondary to consequences resulting from violations of other policies.
2. Boaz City Schools has a separate policy regarding drug testing for students who drive to school. If a student is a driver **and** a participant in Competitive Extracurricular Activities, **the consequences of both policies shall apply.**
3. All student drug-testing records shall be kept strictly confidential in accordance with written school policy and the Family Education Rights and Privacy Act (FERPA).



**Boaz City School System**  
**Student Consent/Release Form**

I have read and understand the Boaz City Schools Competitive Extracurricular Substance Abuse Program procedures and penalties and agree to abide by these rules regarding the possession and use of prohibited substances. I agree to submit to Prohibited Substance screenings as outlined in the Boaz City Schools Competitive Extracurricular Substance Abuse Program procedures as a condition for my initial or continued participation in Competitive Extracurricular Activities. I specifically consent to allow urine, breath, saliva, and/or hair samples to be taken in accordance with the Drug Testing Agency procedures to determine the existence of Prohibited Substances. I authorize any laboratory or medical provider to release test results to the Boaz City Board of Education, principal of my school, and to local school officials who have a need to know.

I expressly authorize the Boaz City Board of Education to release any test-related information, including positive results (a) as directed by my specific, written consent authorizing release of the information to an identified person, (b) to the finder of fact in any lawsuit, grievance, or other proceeding initiated by or on behalf of myself, and/or (c) as ordered by a court of competent jurisdiction or other educational or governmental agency with authority to compel production of the information, or to school officials, on a need to know basis, for disciplinary, special education or other proceedings related to me or my attendance in Boaz City Schools.

I understand that the refusal to submit to testing for the use of prohibited substances will preclude my initial and continued participation in the Competitive Extracurricular Activities offered by the Boaz City Board of Education.

I understand that it is a privilege, not a right, to participate in Competitive Extracurricular Activities offered by the Boaz City Board of Education, and that I must comply with the Competitive Extracurricular Substance Abuse Policy in order to be given the privilege to participate in these events.

If I choose not to participate in Competitive Extracurricular Activities in the Boaz City School System, then my parent/guardian must contact the drug testing coordinator and make a formal request (in writing) to have me removed from the testing pool. If I am removed from Competitive Extracurricular Activities by a coach or sponsor for any reason, I will continue to be included in the testing pool. This will allow me to be eligible if I participate in the next seasonal sport.

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Student

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Date

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Parent or Guardian

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Date

