

Riverton Unified School District #404

Student Drug Testing Policy

The Riverton Unified School District #404 Board of Education, in an effort to protect the health and safety of its students involved in extracurricular and/or co-curricular activities from illegal and/or performance-enhancing drug use and abuse or injuries resulting from the use of drugs, and to set an example for all other students of Riverton Unified School District #404, proposes the following policy for drug testing and students participating in extracurricular and/or co-curricular activities.

I. Statement of Purpose and Intent

- A. Participation in school sponsored extracurricular and/or co-curricular activities at Riverton Unified School District #404 is a privilege. Students who participate in these activities are respected by the student body and are expected to set a high standard of personal conduct, sportsmanship and training. This includes avoiding the use or possession of illegal drugs and alcohol.
- B. It is the desire of the Board of Education, administration and staff that every student in Riverton Unified School District #404 refrain from using, possessing, or distributing illegal drugs and alcohol. The sanctions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in extracurricular and/or co-curricular activities. There will be no academic sanction for violations of the policy.
- C. The purpose of this policy is to prevent drug/alcohol use, educate students as to the serious physical, mental, and emotional harm caused by drug use, alert students with possible drug problems to the potential harms of use, prevent injury, illness and harm as a result of drug use and to maintain an educational environment free of drug use and abuse. The Riverton Unified School District has adopted this policy for use by all participating students in grades 7-12.

II. Definitions

- A. "Illegal / Illicit Drugs" means any substance which an individual may not sell, possess, use, distribute or purchase under either Federal or Kansas law. This includes, but is not limited to, all scheduled drugs as defined by Kansas law, all prescription drugs obtained without authorization and all prescribed and over-the-counter drugs being used for an abusive purpose as well as alcohol.

- B. "Performance Enhancing Drugs" includes anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed or athletic ability. The term Performance Enhancing Drugs does not include vitamins, nutritional supplements or proteins that can be purchased over-the-counter.
- C. "Drug Use Test" means a scientifically substantiated method to test for the presence of illegal or performance enhancing drugs, alcohol or the metabolites thereof.
- D. "Positive" a result to a drug use test that substantiates the presence of illegal or performance-enhancing drugs or metabolites thereof in a person's urine and/or saliva.
- E. "Extracurricular Activities" means those activities which take place outside the regular course of study in school. **These activities include, but are not limited to the following: school dances, athletic teams, cheerleading, Student Council, Fellowship of Christian Athletes, National Honor Society, Future Educators of America, etc.**
- F. "Co-Curricular activities" means those activities that students participate in outside of the classroom as a result of being enrolled in a school-offered class. **These activities include, but are not limited to the following: Future Farmers of America, FCCLA, Art Club, Science Club, Math Club, marching band, choir, debate, drama, etc.**
- G. "Reasonable Suspicion" means suspicion based on a specific personal observation concerning appearance, speech or behavior of a student or athlete.
- H. "Off-Season Athletes" refers to those athletes who participated the previous year or current year in any sport and all 7th graders who participate in any extracurricular activity.

III. Education

Each student shall be provided a consent form, a copy of which is attached to the policy, which shall be dated and signed by the student and by the custodial parent or guardian before such student shall be eligible to participate in any extracurricular and/or co-curricular activity. The consent shall be to provide a urine and/or saliva sample at any time requested to be tested for illegal drugs or performance-enhancing drugs. No student shall be allowed to practice or participate in an extracurricular and/or co-curricular

activity or athletic contest unless the student has returned the properly signed consent form. All properly signed consent forms will be maintained on file in the office.

A positive test result of any student's drug use test will be reported to the principal, the head coach, sponsor, the student and the student's parents or guardians.

IV. Procedure

- A. Each student (grades 7-12) in an extracurricular and/or co-curricular activity shall receive copies of the "Student Drug Testing Policy" and "Student Drug Testing Consent" form, which shall be read, signed and dated by the student and parent or guardian. No student shall be allowed to practice or participate in any extracurricular and/or co-curricular activity unless the student has returned the properly signed "Student Drug Testing Consent" form. Transfer students will be placed in the testing pool within one week after enrollment should they wish to be eligible for extracurricular and/or co-curricular activities. There will be two pools, one consisting of grades nine through twelve (9-12) and one consisting of grades seven through eight (7-8). All students wanting to participate in extracurricular and/or co-curricular activities must sign the "Student Drug Testing Consent" form and return to the high school or middle school within one (1) week of the beginning of each new school year. Failure to turn in the properly signed forms within the time limits set forth in this policy will keep a student from participating in extracurricular and/or co-curricular activities.
- B. Students will be required to provide a urine and/or saliva sample as follows:
 1. On a random selection basis from a list of all extracurricular and co-curricular activities, three to five (3-5) students will be drawn from each pool to provide a urine and/or saliva sample for testing on a weekly basis.
 2. On a random selection basis from a list of students only involved in school dances, three to five (3-5) students will be drawn from each pool to provide a urine and/or saliva sample for testing on a quarterly basis.
 3. Any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs.
 4. Selected students will be interviewed regarding any information on medication that would create a positive test prior to submitting a urine and/or saliva sample.
- C. Any drug use test required by the Riverton Unified School District #404 under the terms of this policy will be administered by or at the direction of a professional laboratory chosen by the Riverton Unified School District #404 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.
- D. All aspects of the drug use testing program, including the taking of the specimen, will be conducted so as to safeguard the personal and privacy rights of students 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/door. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall/door 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 principal who will determine if a new sample should be obtained. A collected specimen of 30 mL will be desired from each student. If a student cannot produce a specimen of 30 mL, the student's sample may be deemed insufficient and the student may be re-tested at the discretion of the principal.

- E. If the initial drug use test is positive, the initial test result will then be subject to confirmation by a second and different test of the same specimen. In order to keep the results of the initial testing confidential, the school district may also choose a certain number of samples for a confirmation test. The second test 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 metabolite thereof.
- F. If the student asserts that the positive test results are caused by other than consumption of an illegal drug or performance-enhancing drugs by the student, then the student will be given an opportunity to present evidence of such to the principal, head coach or sponsor. Riverton Unified School District #404 will rely on the opinion of the laboratory that performed the confirmation test in determining whether the positive test result was produced by other than the consumption of an illegal drug or performance-enhancing drug. The principal head coach and/or sponsor will make a decision within five (5) working days.
- G. The decision may be appealed in writing to the Riverton Unified School District #404 Superintendent within five (5) working days. The superintendent will make a written decision within five (5) working days.
- H. The decision of the superintendent may be appealed in writing to the Riverton Unified School District #404 Board of Education within five (5) working days. Policy of the Riverton Unified School District #404's rules and regulations will be followed in case of appeal.
- I. A student who tested positive may be required to undergo one or more additional drug use tests to determine whether the student is no longer using illegal drugs or

performance-enhancing drugs; before he or she may rejoin an extracurricular and/or co-curricular activity. Riverton Unified School District #404 will rely on the opinion of the laboratory that performed or analyzed the additional drug use test in determining whether a positive result in the additional drug test was produced by illegal or performance-enhancing drugs used by the student, which caused the first positive result, or by more recent use. Depending on the circumstances, the cost of the retest may be the obligation of the student or the parent or custodial guardian.

- J. All parents or guardians of students who tested negative in the initial screening will be contacted by personnel of the Riverton Unified School District #404 within five (5) days after testing.

V. Violations

Any student who tests positive in a drug/alcohol use test under this policy shall be subject to the following restrictions:

- A. For the **first offense**, the student shall be suspended from participation in all extracurricular and /or co-curricular activities including all performances and competitions, for a period of four (4) weeks (20 school days). During this time, it is recommended that the parent/guardian obtain a substance abuse evaluation and education/counseling for the student. If the student and/or parent/guardian can provide proof of enrollment and a minimum of five (5) hours attending a school approved substance abuse program, the suspension will be reduced to two (2) weeks (10 school days). Additionally, the student must voluntarily submit to a second drug test to be administered within two (2) weeks in accordance with the testing provisions of this policy. The student must attend and participate in all practices during his/her days of ineligibility.
- B. For the **second offense** that occurs during a student's middle and/or high school career, the student shall be suspended from participation in all extracurricular and/or co-curricular activities including all meetings, practices, performances, and competitions for nine weeks (45 school days) continuous from the date of the initial report of the second offense as stated in the this policy. As a result of a second offense, the student must voluntarily submit to random monthly testing for a period of thirty-six (36) weeks (180 school days) in order to maintain eligibility for all extracurricular and co-curricular activities.
- C. For the **third offense** that occurs during the student's middle and/or high school career, the student shall be suspended from participation in all extracurricular and/or co-curricular activities including all meetings, practices, performances and competitions for a period of eighteen (18) weeks (90 school days) from the date of the initial report of the third offense as stated in this policy.

- D. For the **fourth offense** that occurs during the student's middle and/or high school career, the student shall be suspended from participation in all extracurricular and/or co-curricular activities including all meetings, practices, performances and competitions for the remainder of the student's enrollment at Riverton Unified School District #404 from the date of the initial report of the fourth offense as stated in this policy.
- E. If a student tests positive and they are not involved in an extracurricular, co-curricular activity or interscholastic sport at that time, the violation will begin the first official day of activity according to the KSHSAA Handbook.
- F. **Self-Report:** A student who self-reports concerning a violation of the policy will be allowed to remain active in extracurricular activities; such student will however, be considered to have committed his first offense under this policy. Self-report may be used only once by a student. Students must self-report prior to the random drawing or they will be treated the same as any student who is selected for testing.

VI. Refusal to Submit to Drug Use Test

Any, extracurricular and/or co-curricular, participant who refuses to submit to a drug/alcohol test authorized under this policy, shall be considered "positive" for drugs and be subject to the appropriate suspension as stated in Section V of the Riverton Unified School District #404 "Student Drug Testing Policy."

Any student who has a positive initial test and refuses to complete the required paperwork for a confirmation test will be treated as a refusal to submit to testing.

VII. Transfer Students

As stated previously in this policy, any student (grades 7-12) transferring to Riverton USD #404 who wishes to participate in extracurricular and/or co-curricular activities must have a signed "Student Drug Testing Consent" form on file with the office prior to being eligible to participate. Additionally, any transfer student who has failed a drug screening in their previous school district enters Riverton USD # 404 with a similar record.

VIII. Disclaimer

The Riverton USD #404 Student Drug Testing Policy does not supercede the student handbooks of Riverton High School or Riverton Middle School with regard to students found to be in possession of, using, providing or under the influence of illegal substances or alcohol while on school property or at a school activity (home or away). Therefore, a student, who violates the policy as set forth in the handbook, should expect further consequences as deemed appropriate by the administration.