

**Prohibited Substance Screening Procedures for Students Who  
Participate in Extracurricular Activities**

A. General Policy

Practical experience and research have proven that even small quantities of narcotics, alcohol, or abused prescription drugs can impair judgment and reflexes which can create unsafe conditions for students. Even when not readily apparent, this impairment can have serious results for students engaged in activities. Drug-using extracurricular activity students are a threat to co-participants, other students, and themselves, and may make injurious errors. The use of drugs, alcohol, and any prohibited substances by a student is illegal. For these reasons, the Athens City Board of Education has adopted a policy that all extracurricular activity students must remain substance free. The drug and alcohol screening procedures provided for herein will deter the use of drugs, alcohol, and other prohibited substances by students engaged in extracurricular activities. Furthermore, these procedures are intended to: (i) create and maintain a safe, drug-free environment for all extracurricular activity students, (ii) to encourage any extracurricular activity students with a dependence on, or addiction to drugs to seek help in overcoming the problem, (iii) to reduce the likelihood of incidents of accidental personal injury and/or damage to students or property, (iv) to minimize the likelihood that school property will be used for illicit drug activities, (v) to protect the reputation of the school system and its students, and (vi) to deter drug use among students.

B. Definitions

The following definitions shall apply to this policy:

Breath Alcohol Technician: An individual who instructs and assists students in the alcohol testing process and operates an EBT. This individual shall be trained to proficiency in the operation of the EBT he or she is using in connection with the procedures discussed herein.

Chain of Custody: The procedure used to document the handling of the urine specimen from the time the student gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

Collection Site: A place selected by the Drug Testing Coordinator where students present themselves for the purpose of providing a urine specimen for a drug test or a breath sample for a breath alcohol test.

Collector: a person who instructs and assists students at a collection site, who receives and makes an initial inspection of the specimen provided by those students, and who initiates and completes the CCF.

Drug Testing Coordinator: An employee of the Athens City school system who is authorized by the Superintendent to (i) coordinate the implementation of this policy, (ii) function as the Athens City school system's primary liaison with the Medical Review Officer, the Drug Testing Agency, and the Breath Alcohol Technician, (iii) perform the duties of the Drug Testing Coordinator as set forth herein, and (iv) perform such other duties in connection with this policy as directed by the Superintendent.

Drug Testing Agency: Agency that has been contracted by the Board to collect samples, test, provide medical review office analysis and report to Drug Testing Coordinator in the implementation of this policy.

EBT (or evidential breath testing device): An EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" (CPL), and identified on the CPL as conforming with the model specifications available from the NHTSA, Office of Alcohol and State Programs.

Enzyme Immunoassay (EIA): A scientific method whereby an enzyme used to label the antigen added to the sample will react with a second substance, added to the sample, only if the enzyme-labeled antigen does not bind with an antibody. The enzymatic reaction breaks down specific cell walls, causing the sample to change from cloudy to clear. Enzyme activity is directly related to the amount of drug in the urine. The amount of enzymatic reaction can be measured by shining a beam of light through the specimen. A positive result occurs when the amount of light that passes through the sample is equal to or greater than the light passing through a prepared positive control.

GC/MS: Gas chromatography/mass spectrometry is an established technology that utilizes a combination of two different scientific techniques: chromatography procedures are used to separate the different components in a biologic specimen (in this case urine), and mass spectrometry is used to identify very specifically the components of the specimen.

Laboratory (Lab): Any U.S. laboratory certified by the Department of Health and Human Services and approved by the Substance Abuse and Medical Health Services Administration.

Medical Review Officer (MRO): A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by the drug testing program and evaluating medical explanations for certain drug test results.

Split Specimen: In drug testing, a part of the urine specimen that is sent to the laboratory and retained unopened, and which is used in the event that the student requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

- C. **Drug Use / Distribution / Impairment / Possession**  
All students who participate in any extracurricular activity are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, improperly used medications or any mind/mood altering or intoxicating substances present in their system while participating in any extracurricular activity or while under the care of this school system.
- D. **Alcohol Use / Possession / Impairment / Possession**  
All students who participate in any extracurricular activity are prohibited from possessing alcohol, drinking alcohol, or being impaired or intoxicated by alcohol while participating in any extracurricular activity or while under the care of this school system.
- E. **After School Hours Conduct**  
After school hours use of drugs, alcohol, or any other prohibited substances is illegal. Extracurricular activity students should realize that these regulations prohibit all illicit drug and alcohol use during and away from school activities.
- F. **Prescription Drugs**  
The Board prohibits the misuse of prescribed or over-the-counter medications and requires all students using prescribed drugs or over-the-counter medications to notify their coach/director if these drugs may affect their performance (i.e., causing drowsiness, etc.).
- G. **Procedure**
  - 1. **All Current Students Participating in Extracurricular Activities**
    - a. **Broad-Based Testing**  
All students who participate in an extra-curricular activity shall be subject to broad-based substance screening. From time to time, the Superintendent may direct that all students who participate in extra-curricular activities shall be tested for all or any of the substances set forth in Section G(2)(b). The Drug Testing Coordinator, in consultation with the Superintendent and the applicable principal, shall determine the time and location for the testing. The time and location of the testing may differ with respect to different types of extra-curricular activities. If a valid, executed consent/release form is not available, students are

required to sign a consent/release form before being submitted to screening.

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b. Random Testing

The Drug Testing Coordinator may, from time to time and upon approval from the Superintendent, conduct the random, unannounced screening of students who participate in extracurricular activities. The Drug Testing Coordinator with the approval of the Superintendent shall determine the number of students participating and the substance(s) to be the subject of the testing. The Drug Testing Coordinator will provide the Drug Testing Agency with a list of all students participating in extracurricular activities, and the Drug Testing Agency will randomly select students from the list and advise the Drug Testing Coordinator in writing of the students selected. The Drug Testing Coordinator shall periodically provide the Drug Testing Agency with an updated list of students. The Drug Testing Coordinator shall notify each such student of the random testing, and each student shall be required to report to the Board designated collection site for testing immediately. Whenever possible, the student subjected to random testing shall be escorted to the collection site by the Drug Testing Coordinator or by a school employee or official that is the Drug Testing Coordinator's designee. If a valid, executed consent/release form is not available, students are required to sign a consent/release form before being submitted to screening.

c. Return to Participation Testing

Any student who violated this policy by (i) testing positive for drugs, alcohol, or other prohibited substances, (ii) by refusing to submit to a test as required herein, and/or (iii) by adulterating or substituting a testing specimen during a test as required herein, is subject to additional testing before the student can return to participate in an extracurricular activity. The substance screening must yield a negative result before the student will be allowed to return to participate in an extracurricular activity. Furthermore, students who have previously violated this policy as set forth above, and have returned to participate in an extracurricular activity may be subject to unannounced testing during twelve (12) month period after the students has returned to participate in the extracurricular activity, at the direction of the Drug Testing Coordinator. If a valid, executed consent/release form is not available, students are required to sign a consent/release form before being submitted to screening.

- d. Reasonable Suspicion Testing  
When the Drug Testing Coordinator and the applicable principal determine that there are circumstances which provide reasonable suspicion that a student who participates in an extra-curricular activity has used drugs, then the Drug Testing Coordinator and the applicable principal may require the student to submit to drug screening as described herein. The reasonable suspicion must be based on a specific, contemporaneous and articulable rationale, and may be derived from the student's behavior, appearance, or speech, among other things. If a valid, executed consent/release form is not available, students are required to sign a consent/release form before being submitted to screening.
- e. Policy Consent / Release Forms  
Any student who wishes to participate in an extra-curricular activity must fully complete the Policy Consent/Release Form that is provided by the Drug Testing Coordinator in connection with this policy, and submit said form to the Drug Testing Coordinator, or his or her designee. If a student does not fully complete and submit the Policy Consent/Release Form, then the student will not be allowed to participate in any extra-curricular activity.

2. Testing Procedures

- a. General Guidelines  
With respect to specimen collection procedures, laboratory procedures, testing procedures, and breath alcohol testing procedures, the School Board and its Lab shall rely, when practical, on the guidance of the federal Department of Transportation, Procedures For Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40.83, except where such regulations are in conflict with any provision of this policy.
- b. Substances Tested  
Students may be randomly tested for: alcohol, inhalants, amphetamines, cannabinoids, cocaine and opiates and other illegal substances under state or federal law, such as but not limited to steroids, barbiturates and benzodiazepines. Such tests will be coordinated with the Drug Testing Coordinator.
- c. Testing Procedure  
A breath testing device shall be used as the testing method for alcohol. A breath alcohol test shall be deemed to show a positive result where the student has an alcohol concentration of .04 or greater (representing grams of alcohol per 210 liters of breath). Otherwise, urinalysis shall be utilized as the testing method for the

prohibited substances described herein. All urine specimens shall be initially screened by enzyme immunoassay, and any positive urine specimens shall be confirmed by gas chromatography/mass spectrometry (GC/MS). Also, the right to utilize blood, hair, or saliva testing procedures is hereby reserved.

3. Collection Sites

The Drug Testing Coordinator and the applicable principal will designate collection sites where individuals may provide specimens and/or participate in breath alcohol testing. Whenever possible, collections and testing will be conducted on-site at the appropriate designated school.

4. Collection Procedures

The Athens City Board of Education, Drug Testing Agency, and the Laboratory will maintain a documented procedure (i) for collecting, shipping, and accessing urine specimens, and (ii) for collecting and accessing breath samples for alcohol testing. This procedure shall conform to 49 CFR §§ 40.1 through 40.83, where such regulations are applicable and analogous to student testing, except where such regulations are in conflict with any provision of this policy. With respect to testing based on a urine specimen, the Drug Testing Agency and the Laboratory will utilize a standard Urine Custody and Control Form for all student testing. A tamper-proof sealing system, identifying numbers, labels and sealed shipping containers will be used for specimen transportation. Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain a proper collection procedure that is reasonable. With respect to breath alcohol testing, the Drug Testing Agency shall utilize a standard Breath Alcohol Testing Form for all student alcohol testing. All alcohol testing will be performed by a certified Breath Alcohol Technician.

3. Evaluations and Return of Results to School Officials

(a) Urinalysis

- (1) The Laboratory will transmit by fax, mail or computer, but not orally, the results of all tests to the MRO. The MRO will be responsible for reviewing the test results of students, and for confirming that the individuals testing positive have used drugs in violation of this policy, adulterated the specimen, or substituted the specimen in violation of this policy. The MRO review shall include review of the chain of custody to ensure that it is complete and sufficient on its face. Prior to making such determination, the MRO shall contact the student and the student's parent or guardian (as indicated on the consent/release form) on a confidential basis to give such

persons an opportunity to discuss the result. The MRO shall make such attempts to contact the student and the student's parent or guardian as are reasonable, but if these reasonable attempts are unsuccessful, then the MRO is not required to make such contact. The duty of the MRO with respect to a negative result is purely administrative, such that the MRO will report the result to school officials as discussed below (unless there is an indication of an adulterated or substituted specimen).

- (2) Upon reaching a determination regarding a student's test results, the MRO shall promptly advise the Drug Testing Coordinator. In doing so, the MRO shall provide the Drug Testing Coordinator with a writing containing: (i) the name of the student, (ii) the type of test (i.e., random, reasonable suspicion, etc.), (iii) the date and location of the test collection, (iv) the identities of the persons or entities performing the collection, analysis of the specimens and serving as MRO, (v) whether the student and parents (or guardian) were contacted, (vi) the verified results of the test, either positive or negative, and if positive, the identity of the controlled substance(s) for which the test was verified positive, (vii) whether the test result shows an adulterated specimen or substituted specimen, and (viii) if a retest was conducted, the verified results of the retest. The Drug Testing Coordinator will promptly advise the applicable principal concerning this information.
  - (3) In the event of a positive test result, an adulterated specimen, or a substituted specimen, the Drug Testing Coordinator and the applicable principal shall notify the students and parents (or guardian) of the test results, and schedule a conference between the student and parents (or legal guardians) to discuss the test result, any information offered by the student responding to the test result, and appropriate consequences.
- (b) Breath Alcohol Testing
- (1) The Breath Alcohol Technician shall promptly transmit all breath alcohol testing results to the Drug Testing Coordinator. The transmission shall be in writing, and shall be accompanied by a copy of the breath alcohol testing form completed by the Breath Alcohol Technician with respect to each student. The Drug Testing Coordinator will promptly advise the applicable principal concerning this information.

- (2) In the event of a student's positive breath alcohol testing result, or a result which indicates that a student refused to complete the breath test, the Drug Testing Coordinator and the applicable principal shall notify the student and parent(s) (or guardian) of the results, and schedule a conference between the student and parent(s) (or legal guardians) to discuss the test results, any information offered by the student responding to the test result, and appropriate consequences.

4. Request for Retest

With respect to urinalysis, where a split specimen has been collected, a student may request a retest of the split specimen within 72 hours of notification of the test result from the MRO. Where a single specimen is submitted for testing, the student may request a retest of the original sample with 72 hours after notification of the test result. Requests must be submitted to the MRO. The student will be required to pay the associated costs of retest in advance but will be reimbursed if the result of the retest is negative. If a retest is requested, the MRO shall initiate the retest, and shall notify the Drug Testing Coordinator that (i) a retest has been initiated, and (ii) the name of the student requesting the retest. Upon receiving the results of the retest, the MRO shall proceed with the deliberation and notification procedures as set forth in Section (3), above.

5. Release of Test Results

All information, interview, reports, statement, memoranda and test results, written or otherwise, received by school officials through its drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form. The Drug Testing Coordinator shall retain individual test results for five (5) years.

6. Violations

A student violates this policy when he or she (i) tests positive for alcohol, drugs or other prohibited substances, (ii) refuses to submit to a test as required herein, after having executed the required consent/release form, and/or (iii) adulterates or substitutes the testing specimen. The following penalties which will be cumulative from Grade 7 through Grade 12 shall be administered for violations of this policy:

a. First Violation

Upon the first violation of this policy, the student shall be suspended from participation in any extracurricular activity for forty school days. The student cannot be allowed to participate in any extracurricular activity (for example, reinstated to a team) until he/she tests negative for that prohibited substance as a result of Return to Participation Testing. If the violation relates to the consumption or use of a prohibited substance, at the discretion of the Drug Testing Coordinator, the student may be directed to undergo appropriate counseling. This service shall be provided by a counseling service chosen and furnished by the school system at the direction of the Drug Testing Coordinator. However, the parent(s) and/or guardian(s) may elect to utilize a certified rehabilitation or counseling agency of their own choice, provided that (i) the agency is pre-approved by the school attendance officer and Drug Testing Coordinator, (ii) the agency's services are fully paid for by the parent(s) and/or guardian(s), and (iii) the parent and/or guardian shall have the agency/resource furnish appropriate reports to the Drug Testing Coordinator.

b. Second Violation

Upon the second violation of this policy, the student will be suspended from participating in an extracurricular activity for the remainder of the school year in which the second violation occurs. However, the duration of the suspension shall be for a minimum of eighty school days and shall carryover to the ensuing school year if necessary, and thereby, preclude such student from participating in any other extracurricular activity during the eight-week minimum suspension period. Before he/she can be allowed to participate in any extracurricular activity (for example, reinstated to a team) (i) he/she must test negative for prohibited substance as a result of an approved test if the violation relates to the consumption or use of a prohibited substance and the substance is capable of being detected by a test (Return to Participation Testing), and (ii) if the violation relates to the consumption or use of a prohibited substance, he/she shall have undergone mandatory counseling as may be reasonably necessitated by the circumstances at the discretion of the drug testing coordinator. This service shall be provided by counseling service chosen and furnished by the school system at the direction of the Drug Testing Coordinator. However, the parent(s) and/or guardian(s) may elect to utilize a certified rehabilitation or counseling agency of their own choice, provided that (i) the agency is pre-approved by the school attendance officer and Drug Testing

Coordinator, and (ii) the agency's services are fully paid for by the parent(s) and/or guardian(s), and (iii) the parent and/or guardian shall have the agency/resource furnish appropriate reports to the Drug Testing Coordinator.

c. Third Violation

When a student violates the policy three or more times, the student will be suspended from participating in any extracurricular activity for a period extending for a full calendar year. Before he/she can be allowed to participate in any extracurricular activity (for example, reinstated to a team) (i) he/she must test negative for all prohibited substances as a result of an approved test, if the violation relates to the consumption or use of a prohibited substance and the substance is capable of being detected by a test (Return to Participation Testing), and (ii) if the violation relates to the consumption or use of a prohibited substance, he/she shall have undergone mandatory counseling as may be reasonably necessitated by the circumstances at the discretion of the drug testing coordinator. This service shall be provided by a counseling service chosen and furnished by the school system at the direction of the Drug Testing Coordinator. However, the parent(s) and/or guardian(s) may elect to utilize a certified rehabilitation or counseling agency of their own choice, provided that (i) the agency is pre-approved by the school attendance officer and Drug Testing Coordinator, and (ii) the agency's services are fully paid for by the parent(s) and/or guardian(s), and (iii) the parent and/or guardian shall have the agency/resource furnish appropriate reports to the Drug Testing Coordinator.

d. Notice Requirements

The basic provisions of this policy and/or any modifications of this policy and/or any modifications of this policy shall be made available to students by school officials in a timely manner. In addition, certified employees shall, prior to beginning of each respective activity (i.e., football practice, marching band practice, etc.), discuss with student participants and parents the specific provisions of this policy. The discussion shall include but not be limited to the following topics: purposes of the policy, random sampling procedures, sample collection procedure, reporting procedures and confidentiality requirements.

7. Testing Pool

The Drug Testing Coordinator shall maintain a database, or testing pool, of students subject to testing as set forth herein. This testing pool shall be utilized to identify students subject to testing as specified herein. The testing pool shall be updated each year to reflect (i) new students participating in extra-curricular activities and (ii) students graduating or transferring from school. Otherwise, a student's name shall automatically be re-entered into the testing pool each year unless the student, with the consent of his or her parent or guardian, makes a written request to remove the student from the testing pool and to revoke the "Policy Consent/Release Form" discussed herein. If a student requests to remove his or her name from the testing pool, as described herein, then the student may not participate in extracurricular activities. A written request to remove a student from the testing pool and to revoke the consent form, submitted with knowledge of substance or alcohol screening to be performed within seven (7) days of the request, shall be treated as the student's refusal to submit to a test as required herein.

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