

EAST PALESTINE CITY SCHOOL DISTRICT DRUG AND ALCOHOL
TESTING POLICY FOR STUDENT ATHLETES

Statement of Purpose

The East Palestine City School District Board of Education believes that athletics can be an important aspect of a student's overall educational experience. The Board believes that the experiences gained while involved in athletics can have a lifelong impact. However, student participation in athletics is a privilege and not a right.

The Board is certainly aware of the pressures that the youth of today face, especially in the area of drugs, alcohol, and tobacco. It also realizes that due to the nature of athletic activities, the use of drugs, alcohol, and/or tobacco can lead to added risks including injury to themselves and others.

In an effort to make this experience as positive as possible, the Board has adopted a mandatory drug testing policy for all student athletes at East Palestine High School, effective July 1, 2005. The purpose of this program is to: (1) provide for the health and safety of all student athletes; (2) undermine the effects of peer pressure by providing a legitimate reason for student athletes to refuse to use alcohol, tobacco, and illegal drugs; and (3) encourage student athletes who use alcohol, tobacco, and/or illegal drugs to participate in a treatment program. This testing program is academically non-punitive. It is designed to create a safe and healthy environment for student athletes and assist them in getting help when needed.

The following terms, conditions, expectations, and consequences are in effect for student athletes and **will be enforced for twelve (12) months of the year** and may carry over to the next season of participation.

Procedures

• **Consent**

Each athlete shall be provided a copy of this policy, the Athletic Code of Conduct Informed Consent Agreement, the Student Consent to Perform Testing for Drugs & Alcohol, and the Parent/Guardian Consent to Perform Testing for Drugs and Alcohol. These documents shall be distributed by the Athletic Director or his/her designee. The season for cheerleaders shall be the same as the season for the sport for which they are cheering. Each athlete and his/her parent(s)/guardian(s) must read, sign, and date these documents as a condition of eligibility to participate in interscholastic athletic practices or competitions until all such documents are signed and submitted. The Athletic Director or his/her designee shall maintain these documents until the athlete's eligibility expires.

• **Testing Frequency**

Testing shall occur as often as directed by the Superintendent.

• **Confidentiality / Selection Guidelines:**

Because the selection and reporting process for athletes is confidential, the selection, collection, chain-of-custody documentation, and reporting of results must be done in private. The Superintendent will establish a master list of the athletes' names and unique code numbers, which no other person may access.

Selection of athletes shall be conducted by the Superintendent. The selection will be done in one of the following ways: (a) random selection based on the master list of identification numbers; (b) focused selection based on a particular group of athletes; (c) team selection. The athletes selected will be notified by the Superintendent or his/her designee and will be asked to immediately report to the designated collection site and provide a hair or urine sample for testing.

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The athletes will be asked to record prescription or over-the-counter medications the athlete has used in the prior five (5) days. Prescription or over-the-counter medications listed at the collection may help to explain a positive result.

Test results are to be kept in confidential files separate from an athlete's other records and released to school personnel only on a "need to know" basis.

• **Collection Site**

Collection sites will be chosen based on adequate bathroom facilities and the ability to limit access to all persons except authorized monitors and athletes during collection times. Facilities for female athletes should have private stalls with closures.

There should also be sufficient room to hold waiting athletes who must remain supervised at the collection site until collection is complete. Athletes are not free to come and go after entering the collection site.

• **Type of Test**

Collection – either a hair or urine sample will be obtained. The Superintendent or designee will determine the type of sample to be obtained.

Hair Sample

Upon reporting to the collection site, the athlete will select a sealed, sterile specimen container; verify the assigned identification number by signing the collection site master list; list medications taken.

A monitor will then remove a single strand of hair from the athlete's head by a means necessary to obtain a proper hair sample.

The hair sample will then be placed in the sealed specimen container.

The labeled samples will be maintained under strict security by the collection processors so as to maintain proper chain-of-custody and safeguard the rights of the athlete.

Urine Sample

Upon reporting to the collection site, the athlete will remove outer garments (coats, jackets, sweatshirts, etc.); select a sealed, sterile specimen container; and list medications taken.

One athlete will enter a secure bathroom facility accompanied by a monitor of the same sex, wash their hands, proceed to the urinal or toilet stall, and open the sealed specimen container.

Male athletes will remain fully clothed with their back to the monitor. The monitor will stand 6-10 feet behind the student and listen for normal sounds of urination.

Female athletes will be allowed to close the door to an enclosed bathroom stall. The monitor will stand and listen for normal sounds of urination.

If unable to provide a sample, the athlete must take the empty unsealed specimen container to the processor pending a later attempt. The athlete must remain in the holding area until able to produce a specimen.

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If a partial but insufficient sample is collected, the original container is held by the processor who checks the temperature. The student must remain in the holding area until able to produce an additional specimen in a second sample container. If the temperatures of both samples are in range, they may be combined in the presence of the athlete.

Because temperature of a sample may be used as criteria for suspected tampering and dilution, it is imperative that specimens are surrendered to the central processing area within four minutes of collection. If delayed for any reason, the athlete must verify the temperature on the indicator strip on the container with the monitor.

The labeled samples will be maintained under strict security to maintain proper chain-of-custody and safeguard the rights of the athlete.

• **Testing**

The samples will be sealed and may be tested for the presence of the following:

Anabolic Steroids, Alcohol, Amphetamines, Barbiturates, Benzodiazepines, Cannabinoids, Cocaine Metabolite, Ecstasy, LSD, Methadone, Methaqualone, Nicotine, Opiates, Phencyclidine, Propoxyphene.

If possible, specimens must be initially screened using an Immunoassay and/or Chromatographic method, with all presumptive positives then confirmed by Gas Chromatography (GC), or Gas Chromatography/Mass Spectroscopy (GC/MS) methods.

No positive results will be reported until screening results are confirmed.

• **Notification Chain for a Positive Result**

The following notification chain will be used when the Superintendent receives results of a positive test; The Superintendent will notify Safe and Drug Free Schools Coordinator, the Principal, Athletic Director and Head Coach of the program in which the athlete participates. The Safe and Drug Free Schools Coordinator will notify the athlete and his/her parent(s)/guardian(s) within twenty-four (24) hours.

• **Violation Criteria**

For the purposes of this policy, the following actions constitute a violation:

(1) Failure to report to collection site after notification; (2) Refusal to submit sample for testing; (3) Tampering with the sample for testing or attempting to subvert, the collection/identification process; (4) Adulteration of test sample; (5) Confirmed positive result for alcohol or illegal drugs; (6) Aiding and/ or abetting another athlete in violating this policy; (7) Refusal to sign or return forms by deadline; (8) Possession of alcohol, tobacco, or controlled substances/mood-altering chemicals; (9) Selling or attempting to sell alcohol or trafficking in controlled substances/mood-altering chemicals.

A positive drug and/or alcohol violation will result in additional testing either through an assessment program or through the District's drug testing program. The cost of this testing will be the responsibility of the athlete.

• **Due Process**

After notification of a positive test the athlete and his/her parent(s)/guardian(s) may, at their own expense, elect to have a portion of the original sample re-tested by an independent certified laboratory of their choice. The district will forward the sample in response to a written request.

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Each athlete who is in violation of this policy will be afforded due process. The athlete will have the right of appeal of consequences to the building principal. This must be done in writing within seventy-two (72) hours after notification. An appeal may be made to the Superintendent or his/her designee in writing within seventy-two (72) hours of the principal's decision. An appeal may be made to the Board of Education in writing within seventy-two (72) hours of the Superintendent's decision. All consequences will be enforced during the appeal period.

• **Consequences of Violation**

A. First Violation

1. Denial of the privilege to participate in ten percent (10%) of games, but student can still attend and participate in practices.
2. The athlete must participate in an assessment and follow-up program. This assessment must be conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency. The athlete must set an appointment within four (4) days of notification of the violation. The athlete must participate in the evaluation process to its completion and follow the counselor's recommendation. Verification of this evaluation must be received by the Athletic Director from the counselor, and the athlete must waive his/her rights of confidentiality so that a written report can be given to the Athletic Director. Any cost for the assessment and follow-up program will be the responsibility of the athlete. The Athletic Director will monitor the progress of the assessment program and report any failure to comply.

B. Second Violation

1. Thirty (30) day suspension from athletics, but student can still attend and participate in practices.
2. The athlete must participate in an assessment and follow-up program. This assessment must be conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency. The athlete must set an appointment within four (4) days of notification of the violation. The athlete must participate in the evaluation process to its completion and follow the counselor's recommendation. Verification of this evaluation must be received by the Athletic Director from the counselor, and the athlete must waive his/her rights of confidentiality so that a written report can be given to the Athletic Director. Any cost for the assessment and follow-up program will be the responsibility of the athlete. The Athletic Director will monitor the progress of the assessment program and report any failure to comply.

C. Third Violation

1. Denial of participation in athletics for one (1) calendar year.
2. The athlete must participate in an assessment and follow-up program. This assessment must be conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency. The athlete must set an appointment within four (4) days of notification of the violation. The athlete must participate in the evaluation process to its completion and follow the counselor's recommendation. Verification of this evaluation must be received by the Athletic Director from the counselor, and the athlete must waive his/her rights of confidentiality so that a written report can be given to the Athletic Director. Any cost for the assessment and follow-up program will be the responsibility of the athlete. The Athletic Director will monitor the progress of the assessment program and report any failure to comply.

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- D. Fourth Violation
1. Denial of participation in athletics for the remainder of student's attendance in East Palestine.
 2. The athlete must participate in an assessment and follow-up program. This assessment must be conducted by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency. The athlete must set an appointment within four (4) days of notification of the violation. The athlete must participate in the evaluation process to its completion and follow the counselor's recommendation. Verification of this evaluation must be received by the Athletic Director from the counselor, and the athlete must waive his/her rights of confidentiality so that a written report can be given to the Athletic Director. Any cost for the assessment and follow-up program will be the responsibility of the athlete. The Athletic Director will monitor the progress of the assessment program and report any failure to comply.
- E. Athletes who in any way aid or abet another athlete in violating this policy will be disciplined as if they were the primary offender.
- F. An adulterated test sample will be treated the same as a positive test result.
- G. Consequences for a second, third, fourth or fifth violation are not based on whether the banned substance detected is the same as that identified in the previous test(s).
- H. No athlete will be penalized academically for violating this policy. Moreover, information regarding test results will not be disclosed to criminal or juvenile authorities absent legal compulsion by a valid and binding subpoena or other legal process, which the District will not solicit. In the event of service of any such subpoena or legal process, the athlete and his/her parent(s)/guardian(s) will be notified at least forty-eight (48) hours before a response is made by the District, to the extent legally permitted.
- I. Failure to complete the assessment following any of the violations shall result in denial of participation in the covered activities until the completion of the assessment.
- J. A positive drug and/or alcohol violation will result in additional testing either through an assessment program or through the District's drug testing program. The cost of this testing will be the responsibility of the athlete.

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Definitions:

Adulteration - Any attempt to alter the outcome of a test by adding a substance to the sample, attempting to switch the sample, or otherwise interfere with the detection of illicit or banned substances in the hair or urine, or purposely over-hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

Alcohol – Intoxicating liquor, alcohol, wine, beer, mixed beverages, malt liquor, and malt beverages as defined in Ohio Revised Code 4301.01. The term “alcoholic beverages” also means any liquid or substance, such as “near beer,” intended for use as a beverage, used as a beverage, or capable of being used as a beverage, which contains alcohol in any proportion or percentage. The term “alcoholic beverage” does not include a substance used for medical purposes in accordance with directions for use provided in a prescription or by the manufacturer and in accordance with school district policy and rules related to the use of prescriptions so long as the substance is authorized by a medical prescription from a licensed physician and kept in the original container, which container shall state the student’s name and directions for use.

Assessment and Follow-up Program – A program operated by a certified chemical dependency counselor, an agency certified by the Ohio Department of Alcohol and Drug Addiction Services, or a licensed physician trained in chemical dependency.

Athlete - Any student participating in an interscholastic athletic program and/or contests under the control and jurisdiction of the District and the Ohio High School Athletic Association. Athlete includes cheerleaders for the athletic teams.

Chain of Custody – The methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to the final disposition for all such materials or substances and providing for accountability at each state of handling, testing, and storing specimens and reporting test results.

Confirmation Test, Confirmed Test, or Confirmed Drug Test – A second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

Focused Selection – A mechanism for selecting athletes for drug/alcohol testing in which each athlete of a particular group of a team shall be selected for testing when selections are made. Examples may include males, females, freshmen, sophomores, juniors, and/or seniors.

Illegal Drugs or Drugs – Any substance, as included in schedules I through V of 21 USC 802(6), which an individual may not sell, offer to sell, exchange, give, possess, use, distribute, or purchase under State or Federal law. This definition also includes all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used in any way other than for medical purposes in accordance with the directions for use provided in the prescription or by the manufacturer. This definition includes nicotine.

Positive – The presence of alcohol, nicotine, or illegal drugs.

Random Selection – A mechanism for selecting athletes for drug/alcohol testing in which each athlete shall have an equal chance of being selected for testing when selections are made.

Specimen – Any hair or urine sample provided by athletes for testing pursuant to this policy.

Student – Any student enrolled in the East Palestine High School.

Team Selection – A mechanism for selecting athletes for drug/alcohol testing in which each athlete of a particular team shall be selected for testing when selections are made.

Tobacco – All types of tobacco products, including smokeless.

EAST PALESTINE CITY SCHOOL DISTRICT
ATHLETIC CODE OF CONDUCT INFORMED CONSENT AGREEMENT
(Please Print)

Student Name: _____ Grade: _____

As a Student:

- I understand and agree that participation in athletic activities is a privilege that may be withdrawn for violation of the Athletic Code of Conduct and/or the Drug and Alcohol Testing Policy for Student Athletes.
- I have read the Athletic Code of Conduct and the Drug and Alcohol Testing Policy for Student Athletes, and thoroughly understand the consequences that I will face if I do not honor my commitment to said Code and Policy.
- I understand and realize that there is risk of injury in participating in athletic activities.
- I understand that I must show proof of insurance coverage or purchase student accident insurance before participating in any athletic practices or contests.
- I understand that when I participate in any athletic program I may be subject to an initial and subsequent drug/alcohol testing, and that if I refuse I will not be allowed to practice or participate in any athletic activities.
- I understand this to be binding while I am a student at the East Palestine High School

X _____
Student Signature and Date

As a Parent/Guardian:

- I have read the Athletic Code of Conduct and the Drug and Alcohol Testing Policy for Student Athletes and understand the responsibilities of my son/daughter/ward as a participant in athletic activities of the East Palestine High School
- I pledge to promote healthy lifestyles for all student athletes of East Palestine High School.
- I understand and realize that there is an assumed risk of injury involved for my son/daughter/ward as a participant in athletic activities.
- I understand that my son/daughter/ward, when participating in any athletic program, may be subject to an initial and subsequent drug/alcohol testing, and that if they refuse they will not be allowed to practice or participate in any athletic activities.
- I understand this to be binding while my son/daughter/ward is a student at East Palestine High School.

X _____
Parent/Guardian Signature and Date

PLEASE BE SURE ALL SIGNATURES ARE COMPLETED ON BOTH SIDES OF THIS FORM

**PARENT/GUARDIAN CONSENT TO PERFORM
TESTING FOR DRUGS AND ALCOHOL**

I hereby consent to have my son/daughter/ward undergo testing for the presence of drugs, alcohol, and nicotine in accordance with the East Palestine Drug and alcohol Testing Policy for Student Athletes.

I understand that any hair or urine samples taken for such testing may be sent to a certified medical laboratory for actual testing.

I hereby give my consent to the medical laboratory selected by the East Palestine City School District Board of Education, its doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected medical laboratory, to perform testing on the hair or urine of my son/daughter/ward for the detection of drugs, alcohol, and nicotine.

I further give my permission to the medical laboratory selected by the East Palestine City School District Board of Education, its doctors, employees, or agents to release all results of these tests to the designated District employees or their designees. I understand that these results will also be made available to me.

I hereby release, waive, and discharge the East Palestine City School District Board of Education, its individual members, employees, agents, and anyone acting on its behalf, from any and all liability claims or causes of action arising from or related to the hair or urinalysis testing and/or the release of related information.

X _____
Parent/Guardian Signature and Date

X _____
Parent/Guardian Signature and Date

STUDENT CONSENT TO PERFORM TESTING FOR DRUGS AND ALCOHOL

I hereby consent to have my hair or urine collected and tested for the presence of drugs, alcohol, and nicotine in accordance with the East Palestine Drug and Alcohol Testing Policy for Student Athletes.

I understand that any hair or urine samples taken for such testing may be sent to a certified medical laboratory for actual testing.

I hereby give my consent to the medical laboratory selected by the East Palestine City School District Board of Education, its doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected medical laboratory, to perform testing on my hair or urine for the detection of drugs, alcohol, and nicotine.

I further give my permission to the medical laboratory selected by the East Palestine City School District Board of Education, its doctors, employees, or agents to release all results of these tests to the designated District employees and their designees. I authorize the release of the results of such testing to my parent(s)/guardian(s).

I hereby release, waive, and discharge the East Palestine City School District Board of Education, its individual members, employees, agents, and anyone acting on its behalf, from any and all liability claims or causes of action arising from or related to the hair or urinalysis testing and/or the release of related information.

X _____
Student Athlete Signature and Date

PLEASE BE SURE ALL SIGNATURES ARE COMPLETED ON BOTH SIDES OF THIS FORM