

St Tammany Parish School Board Substance Abuse Testing and Referral Program for High School Athletes

I. Policy for Random Substance Abuse Testing of St. Tammany Parish School Board High School Students Participating in Interscholastic Sports

All high school athletes, male and female, shall be subject to mandatory illegal substance testing by urinalysis, hair sample and/or any other method approved at the sole discretion of the St. Tammany Parish School Board ("The Board"). This policy calls for random selection and testing of all of the interscholastic athletes in St. Tammany Parish High Schools. The procedure for random illegal substance testing of athletes is accomplished in conjunction with an independent substance-testing Vendor selected by the St. Tammany Parish School Board. The School Principal and/or the Athletic Director of each high school, in conjunction with the Vendor, will determine the date and the individual athletes that will be tested on a given date.

The Vendor is provided by the School Principal and/or the Athletic Director of each high school a list of eligible in-season high school student athletes and in turn randomly selects all of the students for illegal substance testing at regular intervals. The Vendor will train or send qualified collectors to the school who will oversee the collection of all specimens as outlined in this document. The Vendor or St. Tammany Parish School Board will provide Medical Review Officer (MRO) services for interpretation and verification of results. Results are reported to the School Principal by the MRO. Specimens are collected as split specimens.

A. Statement of Need and Purpose

It is the policy of the St. Tammany Parish School Board to take all extra precautions to assure that all students will be afforded every reasonable safety measure while participating in high school athletics. Extra-curricular activity, through participation in athletics, is not a required part of the educational process, and thus is not mandated by The Board. Through participation in athletics, students using illegal substances pose a threat to their own health and safety, as well as to that of other students. The purpose of this program is (1) to provide for the health and safety of all High School Student Athletes; (2) to undermine the effects of peer pressure by providing a legitimate reason for Student Athletes to refuse to use illegal substances; and (3) to encourage High School Student Athletes who use illegal substances to participate in drug treatment programs. The program is non-punitive. It is designed to create a safe, drug free environment for high school student athletes and assist them in getting help when needed. For the purpose of this Policy, the term "Student Athletes" shall be as defined from time to time by The Board and/or the Louisiana High School Athletic Association.

B. Supporting Data

Random illegal substance testing of a public high school interscholastic athlete is legal as determined by the United States Supreme Court in the case of Vernonia School District 47J v. Acton, 115 S. Ct. 2386 (1995).

C. Definitions

Vendor-The entity selected by the St. Tammany Parish School Board, at its sole discretion, to carry out this policy and procedure to test high school athletes participating in interscholastic sports.

Athletic Director-The individual hired and/or appointed by the respective high schools and/or the St. Tammany Parish School Board to oversee all athletic programs of the respective high schools.

School Principal-The Principal of the high school at which the student athlete participates in interscholastic sports.

LHSAA- Louisiana High School Athletic Association.

Medical Review Officer (MRO)-A licensed physician trained and certified in the process and interpretation of illegal substance testing results.

Illegal Substance-A drug classified by the Drug Enforcement Administration (DEA) as being available only by prescription from a physician or classified as being controlled and having no therapeutic use.

Banned Substance-A substance defined by St. Tammany Parish School Board policy as being banned from use by students.

Student Athlete- A qualified student participating on a sanctioned athletic team as defined by the Louisiana High School Athletic Association.

Adulterant/Adulteration-Any attempt to alter the outcome of an illegal substance test by adding a substance to the sample, attempting to switch the sample, or otherwise interfere with the detection of illegal or banned substances in the sample.

Athletic Year-The athletic year begins the date of the first official physical examination, if any, for that sport, and continues for 365 days thereafter. Otherwise, the athletic year begins one (1) week prior to the first practice session for that sport, and continues for 365 days thereafter.

D. Procedures for Student Athletes

(1) Informed Consent for Testing

Student athletes and their parent(s)/guardian(s)/custodian(s) will complete and sign a Student Athlete Contract and Authorization/Consent form and a LHSAA Substance Abuse/Misuse Contract and Consent Form, as provided by the Board and the LHSAA. No student may participate in competition until these forms are properly executed and on file with the School Principal and/or the Athletic Director of the respective high school.

(2) Illegal Substance Testing Frequency

At the beginning of each sport season, as determined by the School Principal, the Athletic Director, and/or the Louisiana High School Athletic Association, or when a student moves in the St. Tammany Parish School Board district and joins a sport, all athletes wishing to participate in sports may be subject to testing for illegal or banned substances as specified in paragraph I. below. All eligible student athletes may be randomly tested on up to a weekly basis anytime during the athletic year. Any student who refuses to submit to drug testing will not be allowed to practice or participate in athletics at any high school under the control of the St. Tammany Parish School Board.

(3) Sample Collection

Samples will be collected as determined by the Vendor. Any eligible student athlete selected randomly for illegal substance testing who is not in school on the day of the testing will be tested at the next available testing time. Likewise, any student unable to produce an adequate specimen during the collection period will be subject to re-testing at the next selected testing date. Students not able to provide an adequate specimen at the next testing time will be viewed as refusing to test. Arrangements may be made for special collections at a Vendor collection site with prior approval of the School Principal and/or Athletic Director of each school.

E. Confidentiality of Results

All illegal substance tests are considered confidential information and will be handled accordingly. Those persons having results reported to them, as set forth in this Policy, must sign a Confidentiality Statement.

F. Vendor Requirements

The Vendor must be able to provide services in accordance with this Policy, should utilize testing methods which are generally accepted in the scientific community as being reliable, and should have experience in toxicology testing as well as chain-of-custody procedures. The Vendor must be able to test for drug classes or substances as specified by The Board and/or the LHSAA. The vendor must report, in a confidential manner, in writing, drug screens as negative or positive, and must report all positive findings in a confidential manner to the School Principal and/or the Athletic Director of the student athlete's high school and to the Superintendent or his designee.

The Vendor, testing laboratory or MRO may not release any statistics on the rate of positive drug tests to any person, organization, news publication or media without expressed written consent of the St. Tammany Parish School Board. However, the Vendor shall provide the St. Tammany Parish School Superintendent and the School Principal and/or the Athletic Director of each high school with a quarterly report showing number of tests performed, rate of positive and negative tests, and what substance(s) were found in the positive specimens.

G. Procedures in the Event of a Positive Result

(1) Whenever a student athlete's test result indicates the presence of illegal drugs or banned substances, or the MRO rules the specimen adulterated, the following will occur:

- (a) The School Principal, or designee, within 24 hours, will notify the parent(s)/guardian(s)/custodian(s) first, then the student. A written notification from the School Principal, or designee, will be sent to the parent(s)/guardian(s)/custodian(s) by U.S. certified mail and regular first class mail. The School Principal will keep all test results for a period of four years.
- (b) The student will be notified and may be required to submit to additional tests for illegal substances, for up to three (3) months, which may be at the expense of the parent, guardian or custodian.
- (c) If the parent(s)/guardian(s)/custodian(s) or students wish to contest the results of the illegal substance test, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory approved by the St. Tammany Parish School Board for testing. This is to be done at the expense of the parent(s)/guardian(s)/custodian(s) or student. Such a request must be made to the School Principal in writing within five working days from first notification of positive test results either to the parent(s)/custodian(s) or student.
- (d) The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illegal or banned substances or the natural decline of levels of the illegal or banned substance from the body. If the MRO feels the quantitative levels determined to be above established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

(2) **First Positive Result**

For the first positive result, the student athlete will be given the option of:

- (a) Within five working days from the first notification of a positive result having an appointment with a Certified Chemical Dependency Counselor or at an agency certified by the State of Louisiana Department of Health and Human Resources for a chemical dependency assessment or with someone approved by the St. Tammany Parish School Board Superintendent, and then follow the recommendations of the counselor. (If treatment is recommended, it must be with a Certified Chemical Dependency Counselor or someone approved by the St. Tammany Parish School Board Superintendent). The student may also be required to submit to weekly, monthly, or any other additional illegal substance tests, for up to three (3) months. The parent(s)/guardian(s)/ custodian(s) is/are responsible for all expenses generated by the foregoing; or
- (b) Denial of participation in interscholastic athletics for the remainder of the current season and the next athletic season.

(3) **Second Positive Result**

For the second positive result within any two consecutive calendar years, the student athlete will be permanently denied the privilege of participation in athletics in St. Tammany Parish School Board schools.

H. Non-Punitive Nature of Policy

No student athlete will be penalized academically for testing positive for illegal or banned substances. The results of illegal substance tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of the tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the St. Tammany Parish School Board will not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent, legal guardian, or custodian will be notified within 72 hours of receipt of such a subpoena by the St. Tammany Parish School Board, to the extent permitted by such subpoena or legal process.

I. Illegal or Banned Substances

For the purpose of this Policy, the drug classes, substances or their metabolites as listed in Title 40, Chapter 4, Part X of the Louisiana Revised Statutes as amended, marijuana, cocaine, opiate, phencyclidine, amphetamines, and any drug classes and substances set forth by The Board as banned substances are considered illegal or banned for purposes of St. Tammany Parish School Board Illegal Substance Testing and Referral Program for Athletes policy.

J. Application

For a St. Tammany Parish high school student to be able to participate in organized high school athletics governed by the LHSAA, he/she must agree to all policies and procedures stated above.

END OF POLICY

I. Procedures for Random Illegal Substance Testing of St. Tammany Parish School Board High School Students Participating in Interscholastic Sports

A. List of Eligible Student Athletes

The School Principal or Athletic Director of each high school shall prepare a list of eligible student athletes participating in sports. This list will be forwarded to the Vendor for the random selection of high school student athletes who will submit specimens for testing.

B. Random Selection of Student Athletes for Testing

The Vendor will use a system to assure that students are selected in random fashion.

C. Scheduling of Drug Testing

Drug testing will be unannounced. The day and date are selected by the School Principal and/or the Athletic Director of each high school, and confirmed with the Vendor. Random testing may be done as frequently as weekly.

D. Team Testing

At the beginning of each season, all eligible athletes may be subject to illegal substance testing. The Head Coach is responsible for seeing that all student athletes and their parent(s)/guardian(s)/custodian(s) properly sign the St. Tammany Parish School Board Student Athlete Contract and the Authorization/Consent Form and the LHSAA Substance Abuse/Misuse Contract and Consent Form prior to testing. Any student moving into the St. Tammany Parish School Board District may be tested at the time they sign up to participate in an Interscholastic High School sport.

E. Athletic Year

The athletic year begins the date of the first official physical examination, if any, for that sport, and continues for 365 days thereafter. Otherwise, the athletic year begins one (1) week prior to the first practice session for that sport, and continues for 365 days thereafter.

F. Collection Process

The collection process will be in accordance with those rules and regulations set forth by the Vendor, with the approval of and as revised by the Superintendent, School Principal, and/or the St. Tammany Parish School Board. The Vendor is responsible for seeing that specimens are delivered to and/or picked up by the testing laboratory and any Chain of Custody form properly annotated.

G. Procedures in the Event of a Positive Result

- (1) Whenever a student athlete's test result indicates the presence of illegal or banned substances, or the MRO rules the specimen adulterated, the following will occur:
 - (a) The School Principal, or designee, within 24 hours, will notify the parent(s)/guardian(s)/custodian(s) first, then the student. A written notification from the School Principal, or designee, will be sent to the parent(s)/guardian(s)/custodian(s) by U.S. certified and first class mail. The School Principal will keep all test results for a period of four years.

- (b) The student will be notified and may be required to submit to weekly, monthly, or any other additional illegal substance tests, for up to three (3) months.
- (c) If the parent(s)/guardian(s)/custodian(s) or student wishes to contest the test results, the Vendor will arrange for the split portion of the specimen to be submitted to another laboratory approved by the St. Tammany Parish School Board for testing. This is to be done at parent(s)/guardian(s)/custodian(s) or student expense. Such a request must be made to the School Principal in writing within five working days from first notification of positive test results either to the parent(s)/guardian(s)/custodian(s) or student and all costs of these additional procedures are to be borne by the parent(s), guardian(s), custodian(s) or student.
- (d) The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illegal or banned substances or the natural decline of levels of the illegal or banned substance from the body. If the MRO feels the quantitative levels determined to be above established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

(2) First Positive Result

For the first positive result, the student athlete will be given the option of:

- (a) Within five working days after the mailing of the written notification provided for in G (1) (a) above having an appointment with a Certified Chemical Dependency Counselor or at an agency certified by the State of Louisiana Department of Health and Human Resources for a chemical dependency assessment or with someone approved by the St. Tammany Parish School Board Superintendent, and then follow the recommendations of the counselor. (If treatment is recommended, it must be with a Certified Chemical Dependency Counselor or someone approved by the St. Tammany Parish School Board Superintendent). The student may also be required to submit to weekly, monthly, or any other additional illegal substance tests, for up to three (3) months. The parent(s)/guardian(s)/ custodian(s) is/are responsible for all expenses generated by the foregoing; or
- (b) Denial of participation in interscholastic athletics for the remainder of the current season and the next athletic season.

(3) Second Positive Result

For the second positive result within any two consecutive calendar years, the student athlete will be permanently denied the privilege of participation in athletics in St. Tammany Parish School Board schools.

NOTE: 1) IT IS IMPERATIVE TO NOTE THAT THESE PROCEDURES ARE ONLY TO BE USED FOR THE APPEARANCE OF A NON-APPARENT CONTROLLED SUBSTANCE. CONSEQUENTLY, IF A STUDENT ATHLETE IS APPREHENDED BY ANYONE AS A RESULT OF BEING IN ILLEGAL POSSESSION OF ALCOHOL AND/OR A CONTROLLED SUBSTANCE, OR BANNED SUBSTANCES, THE REGULAR SCHOOL AND ST. TAMMANY PARISH SCHOOL BOARD DISCIPLINARY POLICIES WILL APPLY.

NOTE: 2) SINCE INTERSCHOLASTIC ATHLETIC PARTICIPATION IS NOT AN INTEGRAL PART OF A FREE AND APPROPRIATE PUBLIC EDUCATION, THE REPORTING BY THE VENDOR OF A POSITIVE RESULT MAY RESULT IN THE DENIAL OF CONTINUED PARTICIPATION IN THE RESPECTIVE SPORTS EXCEPT THAT THE PARENT(S), GUARDIAN(S), CUSTODIAN(S) MAY APPEAL THE DENIAL IN THE SAME MANNER AS PROVIDED FOR EXPULSIONS AT LA R. S. 17:416 AS AMENDED.