



## HENRY CLAY HIGH SCHOOL

### Drug/Alcohol Testing Policy

Updated (June 15, 2015)

### HENRY CLAY STUDENT ATHLETE SUBSTANCE TESTING POLICY

#### STATEMENT OF PURPOSE

The purpose of this policy is to provide our students, through education and random drug testing, with the tools to resist the pressure to engage in these dangerous and illegal activities.

#### DEFINITIONS

**Drug Testing:** The process of collecting and testing, using accepted industry standards, urine samples from student athletes who participate in athletic programs of Henry Clay High School.

**Drugs tested:** The collected urine specimens shall be tested for the following drugs: THC (marijuana), opiates, PCP, Amphetamines, methamphetamines cocaine, and such other abused, illegal, or banned substances, including alcohol and steroids, as shall be determined by the Council. Upon recommendation of the Drug Testing Committee, the SBDM Council shall consider amending the policy to include these new substances. (A student taking prescription drugs which tests positive will have an opportunity to disclose this fact confidentially to the Medical Review Officer.)

**Student Athlete:** Any student participating in a KHSAA sanctioned programs-sponsored by the Fayette County School District.

**Sport Season:** Fall, Winter, and Spring seasons begin on the first day of practice allowed by the Kentucky High

School Athletic Association and end the last game of the season.

**Random Testing:** A member of the Administration and Athletic Director will generate a random selection of athletes to be tested for each testing period, up to and including 100% of our athletes, using accepted random selection processes.

## **POLICY STATEMENT**

Henry Clay High School is conducting a mandatory drug testing program for student athletes. Its purpose is threefold: (1) to provide for the health and safety of all Student Athletes; (2) to mitigate the effects of peer pressure by providing a legitimate reason for Student Athletes to refuse to use illegal drugs or to abuse alcohol; and (3) to encourage Student Athletes who use drugs or alcohol to participate in drug or alcohol treatment programs.

## **PROCEDURES FOR STUDENT ATHLETES**

**Consent:** Each student wishing to participate in any KHSAA sanctioned program and the student's custodial parent or guardian shall consent in writing to drug and alcohol testing pursuant to the School's drug testing program. Written consent shall be in the form attached to this policy as Appendix A. No student shall be allowed to participate in any KHSAA sanctioned program without such consent. The test for alcohol will require the student to submit to a Breathalyzer test and the student athlete and his/her family agree that the student will submit to such a test under the terms of this agreement. In the event that a student refuses to be tested the student shall be excluded from participation on all athletic teams for the remainder of the school year.

**Student Selection:** All student athletes will participate in the mandatory testing during their current athletic season. In addition, random testing may be conducted periodically during the Athletic Season.

## **SCOPE OF TESTS**

If a lab urine test is required, the testing lab will be instructed to test for one or more drugs. Urine samples will be screened for the presence of drugs identified in the definition section of this policy.

## **LIMITED ACCESS TO RESULTS**

The testing lab will be authorized to report results only to the Principal or to such person as the Principal may designate. Results of tests will be sent to the Medical Review Officer from the Drug Testing Lab. Upon notification of a confirmed positive test, the Medical Review Officer shall notify the Athletic Director or Principal.

## **FIRST POSITIVE RESULT**

### ***Option 1:***

#### **The student must adhere to the following:**

1. A meeting will be scheduled including a member of the Administration, the Athletic Director, the Head Coach and the guardian of the student (under the age of 18) who tested positive to determine the application of the appropriate consequences outlined below. The student may not participate in any athletic practice or contest until the initial meeting.
2. Participation in, and successful completion of, an approved drug/alcohol evaluation. The facility selected to evaluate the student will be at the family's choice from a list of approved programs. Documentation must be provided to the Athletic Director.
3. Suspended for 20% of the season (regular and/or post-season contests) allowed by the KHSAA (20% of the total regular season, not the remaining number of games if a violation is in the middle or end of the season). If necessary, the suspension shall carry over to the athlete's subsequent participation on another athletic team and/or the following season.
4. Before reinstatement to full participation on the team (after serving the 20% suspension), the Student will submit a new drug/alcohol test (at guardian's expense) following the same procedures utilized for random testing. The test must produce a negative result or a progressively lower level of the illegal drug.

5. While suspended, the student athlete is expected to participate in all team activities except the contest (game warm-up and game participation). A student athlete serving a suspension for one sport may try out for a second sport, but must fulfill the unexpired portion of the previous suspension.

**Option 2:** Suspension from participation in KHSAA sanctioned programs for the remainder of the current season and the next athletic season.

## **SECOND POSITIVE RESULT DURING STUDENT'S INTERSCHOLASTIC ELIGIBILITY**

### **The student must adhere to the following:**

1. A meeting will be scheduled including a member of the Administration, the Athletic Director, the Head Coach and the guardian of the student (under the age of 18) who tested positive to determine the application of the appropriate consequences outlined below. The student may not participate in any athletic practice or contest until the initial meeting.
2. Participation in, and successful completion of, an approved drug/alcohol evaluation. The facility selected to evaluate the student will be at the family's choice from a list of approved programs (suggest the evaluation be with the original approved program that evaluated the student for the first positive result). Documentation must be provided to the Athletic Director.
3. The student athlete shall be suspended for 50% of the regular season contests allowed by the KHSAA (50% of the total regular season, not the remaining number of games if a violation is in the middle or end of the season). If necessary the suspension shall carry over to the athlete's subsequent participation on another Athletic Team and/or the following season.
4. Before reinstatement to the full participation on the team (after serving the 50% suspension and the consequences imposed from the code of conduct), the Student will submit a new drug/alcohol test (at guardian's expense) following the same procedures utilized for random testing. The test must produce a negative result or a progressively lower level of the illegal drug.
5. While suspended, the student athlete is expected to participate in all team activities except the contest (game warm-up and game participation). A student athlete serving a suspension for one sport may try out for a second sport and must fulfill the unexpired portion of the previous suspension.

## **THIRD POSITIVE RESULT**

The Student Athlete shall be excluded from participation on any Athletic Team at Henry Clay High School for the remainder of the student's interscholastic eligibility.

\*\*\*Coaches may assign further suspension consistent with each teams' expectations.

## **APPEALS PROCESS**

All violations may be appealed to the Drug Advisory Committee. This committee will be made up of one administrator, one counselor, one teacher, and the Athletic Director. The Athletic Director at Henry Clay High School will be the Chair of the Drug Advisory Committee. The Principal, or his/her designee, will determine the membership of the committee on an annual basis. The family has five calendar days from the date of parent meeting to make an appeal in writing to the Athletic Director. The written appeal should include the following: reason for appeal and desired outcome. The Appeals Committee shall meet within one week of the written appeal. The committee has the authority to uphold current decision or modify consequences based on individual circumstances.

## **SELF-REFERRAL (CANNOT BE A SELF-REFERRAL ON MANDATORY TEST DAY NOR ON RANDOM TEST DAY)**

1. An Administrator/Parent conference will be required when a student initiates a self-referral. 2. After a self-referral, a student athlete will be ineligible to participate in their sport until he/she has

## **NON-PUNITIVE NATURE OF POLICY**

No Student Athlete shall be penalized academically, nor face any consequences from the Student Code of Conduct for testing positive for illegal drugs. The results of drug tests pursuant to this policy will not be documented in any student's academic records.

## **WHAT CONSTITUTES A SUBSTANCE USE VIOLATION**

The following is a list of verifiable substance use violations by student athletes:

1. Any coach personally observes a substance use violation.
2. Any administrator or staff personally observes a substance use violation.
3. A police report to the school outlining a substance use violation.
4. A personal confession by a student athlete of substance use abuse.
5. A violation reported by a parent or guardian of a student athlete.
6. A positive urinalysis or positive Breathalyzer.
7. A refusal to take either urine screening test or lab urine test or Breathalyzer.

*\*\*\* No substance abuse violations will be based on hearsay evidence alone.*

## **APPENDIX A**

The testing program shall be conducted as follows:

1. Prior to attending tryouts for an KHSAA sanctioned program, the student participant and a parent or legal guardian of the student participant must read this Policy and must **ACKNOWLEDGE, IN WRITING, THAT THEY HAVE READ THE POLICY AND PROCEDURES, UNDERSTAND THE POLICY AND PROCEDURES, AND AGREE TO BE BOUND BY THE TERMS AND CONDITIONS CONTAINED IN THE POLICY AND PROCEDURES.** The student participant and a parent or legal guardian of the student participant must also sign the "Student and Parent or Guardian Consent to Perform Urinalysis for Drug Testing" Form before the student will be permitted to try out for any Athletic Team.
2. Immediately prior to giving a urine specimen, each student participant shall complete a "Consent to Test and Chain of Custody Form". The Forms shall identify the student participant only by a confidential number and shall be placed in a sealed package, which shall be forwarded to the testing laboratory along with the urine specimen in the event of an "apparent positive" test result. A positive test result shall require disclosure of any prescription drug for which the student tests positive to the Medical Review Officer.
3. The collection of urine specimens and the scientific analysis of the collected specimens shall be conducted by individuals trained and certified by a professional testing laboratory.
4. Collection procedures for urine specimens shall be developed, maintained and administered by the testing personnel (an individual trained and certified by a professional testing laboratory or a representative of the testing laboratory) in such a way as to minimize any intrusion or embarrassment for each student, ensure the proper identification of students and the student's specimen, minimize the likelihood of the adulteration of a urine specimen and maintain complete confidentiality of test results. To that end, the procedures must require:
  - a. The presence of a coach of the students' Athletic Team, and administration, or designee. immediately prior to the collection process to ensure proper student identification;
  - b. The testing personnel shall provide each student present for the collection process a receptacle for the collection of urine. The student shall be permitted absolute privacy during the collection process;
  - c. Immediately prior to entering the private bathroom facility utilized for the collection process, the

student shall be required to leave all personal belongings (including jackets, purses, book bags, pocket contents, etc.) in the custody of the Henry Clay representatives present for student identification;

- d. Prior to entering the private bathroom facility utilized for the collection process, the testing personnel shall treat water in the private bathroom facility with a coloring substance (frequently referred to by testing laboratories as “blueing the water”) to prevent a student from attempting to dilute or otherwise adulterate the urine specimen;
  - e. Within four (4) minutes following the collection of the urine specimen, the testing personnel shall utilize a temperature strip to test the temperature of the urine specimen. Urine specimens testing below a temperature of 90 degrees Fahrenheit shall be discarded and the student shall be required to produce another urine specimen. A student producing a urine specimen testing above a temperature of 100 degrees Fahrenheit shall be subject to having the student’s body temperature taken (orally only) by testing personnel. If the differential between the student’s body temperature and the temperature of the urine specimen is not within an acceptable range (as outlined in this section) the student will be required to produce another urine specimen.
5. The collection of urine specimens for the initial test and the random testing shall be conducted on the Henry Clay premises, or offsite testing facility provided by the drug testing company.
  6. All scientific analysis of the collected specimens shall be conducted by the Testing Laboratory or an individual trained and certified by a professional testing laboratory. Each specimen shall initially be tested using a “Rapid Screen Test Kit”. Initial apparent positive results will be shipped via overnight mail to a certified Testing Laboratory and must be confirmed by gas chromatography/mass spectrometry (“GC/MS”). If the initial presumptive positive result is not confirmed by the CC/MS technique, the test shall be deemed to be negative. Only after the CC/MS confirmation shall a test result be reported as positive by the Medical Review Officer.
  7. When there is an initial apparent positive result on the Rapid Screen Test, which is then confirmed by the Testing Laboratory or by the individual indicated in No. 6 above, written confirmation of the positive test result shall then be forwarded by the Testing Laboratory to Medical Review Officer. The Medical Review Officer shall verify and confirm the results and provide the results (negative and positive) to the student and the parent(s) or legal guardian(s) of the student participants tested. A positive test may be defended by the disclosure to the Medical Review Officer of any prescription drugs currently taken for which the student tests positive. If the Medical Review Officer determines there is a reasonable medical explanation for the positive test result, then the school shall be sent a negative test result for the student. Failure of a student and his parent or guardian to cooperate with the Medical Review Officer shall result in a violation of the policy. As soon as practical after the informing the parents, the Medical Review Officer shall notify the Principal, and, or Athletic Director, who shall notify the Head Coach.
  8. The test results forwarded to the Principal, and, or Athletic Director shall indicate that the test results were confirmed by GC/MS and shall indicate the name of the individual for whom the test results are being reported; the type of test indicated on the custody and control form; the date and location of the test collection; the identity of the persons or entities performing the collection and analysis of the specimens and reporting the test results; and the verified results of the controlled substance test, and if positive, the identity of the controlled substance(s) for which the test was verified positive. Test results shall be forwarded to the Principal, and, or Athletic Director in a manner to ensure that the Principal cannot determine that any test was a presumptive, positive test unable to be confirmed by GC/MS.
  9. Any refusal by a student participant to be tested shall result in the immediate suspension of the student from all Athletic Teams for the remainder of the respective athletic season. The student’s parents or legal guardians shall be notified by the Principal of the refusal and suspension.
  10. If a student is 18 years of age or will turn 18 years of age during the sports season, the student must agree to release all test results to the student’s parents or legal guardians.

11. When the student's athletic eligibility has ended under KHSAA rules, all records in regard to this Policy concerning each student participant shall be destroyed, and at no time shall these results or records be placed in the student participant's academic file or be voluntarily turned over to any law enforcement agency, or used for any purpose other than those stated herein. For students who transfer from Henry Clay or otherwise do not fulfill the requirements for graduation, the records of that student shall be destroyed one (1) year after the student turns 18 years old.

# HENRY CLAY HIGH SCHOOL SUBSTANCE USE AND DRUG TESTING POLICY STUDENT, PARENT/GUARDIAN CONSENT TO PERFORM URINALYSIS FOR DRUG TESTING

**I have read and understand the contents of The Henry Clay High School Substance Use and Drug Testing Policy. I understand that by signing this document, I am obligated to pay \$25.00 for the test, as well as abide by the terms and conditions of the Henry Clay High School Substance Use and Drug Testing Policy. I further understand that compliance with this policy is a precondition of participation in athletics at Henry Clay High School.**

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Student's Printed Name

(X) Student's Signature

Date

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Parent or Guardian's Printed Name

(X) Parent or Guardian's Signature

Date

## POLICY EVALUATION

We will evaluate the effectiveness of this policy through our School Improvement Planning Process

Date Adopted: 9/30/14

Date Reviewed or Revised: 08/26/14 Council Chairperson's Initials: GEQ

Date Reviewed or Revised: 09/30/14 Council Chairperson's Initials: GEQ

Date Reviewed or Revised: 05/12/15 Council Chairperson's Initials: GEQ

Date Reviewed or Revised: 06/15/15 Council Chairperson's Initials: GEQ