

**BOARD OF TRUSTEES
CHURCHILL COUNTY SCHOOL DISTRICT**

**BANNED AND ILLICIT SUBSTANCE TESTING OF STUDENTS
PARTICIPATING IN ATHLETICS OR EXTRA-CURRICULAR ACTIVITIES**

PURPOSE

Churchill County School District administrative staff has the responsibility to keep all students safe from the abuse of banned and illicit substances, a behavior that destroys bodies and minds, impedes academic and athletic performance, and creates barriers to success and happiness. In accepting and undertaking this responsibility, CCSD has implemented a comprehensive educational and administrative program to inform students about the mental and physical consequences of drug abuse and to discourage and prevent students from abusing substances. As part of this program, the Churchill County Middle and High School has implemented random banned and illicit substance testing of students in grades 6-12 participating in athletics or extra-curricular activities as a condition to earning the privilege of participating in these programs. This random banned and illicit substance testing program is not intended to punish student participants, but to generally deter young people away from a destructive behavior and to identify students in need of drug, alcohol, or tobacco treatment. The random substance testing of CCSD student athletes and extra-curricular students is an important component of our overall effort to protect students from the scourge of drug and substance abuse and provide a safe, healthy environment for students, staff, parents, and families on campus and at athletic and extra-curricular events.

OVERVIEW

The procedure for initial and random testing (illicit substances, tobacco, and alcohol) of students in athletics or extra-curricular activities is accomplished in conjunction with an independent illicit substance testing vendor selected by Churchill County School District. Following the initial testing, the vendor is provided a list of eligible students by the Churchill County Middle and High School. The vendor then randomly selects up to 20% of these students for illicit substance testing at regular intervals. An appointed neutral Churchill County School District Administrator (Designated Official) will visit the school and will oversee the collection of all specimens as outlined in this document. Specimens are collected as urine specimens.

A. A STATEMENT OF NEED AND PURPOSE

Use of banned and illicit substances by any CCSD student is a serious concern. Student athletes and students participating in extra-curricular activities using illicit or banned substances pose a threat to their own safety, as well as to that of other students. Therefore, a program of deterrence will be instituted as a proactive approach to a school truly free of banned and illicit substances. The purpose of this program is fourfold:

1. to provide for the safety of all students;
2. to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illicit and banned substances;
3. to encourage students who use substances to participate in drug, tobacco, and substance abuse treatment programs; and

4. to prevent the impact drug, tobacco, and alcohol use has on the learning centers of the brain, allowing students to achieve their full academic potential while within CCSD.

The program is designed to create a safe environment, free of banned and illicit substances, for students, and assist them in getting help when needed.

B. DEFINITIONS

Designated Official - The individual selected by the school or district to oversee the banned and illicit substance testing program of the school or district. Persons having affiliation with law enforcement will not be eligible to administer tests or be Designated Officials.

Illicit 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 School, NIAA, or NRS laws, rules and guidelines as being banned from use by students, including those listed in paragraph 9 below.

Student Participant - A qualified sixth through twelfth grade student participating in a sanctioned athletic team as defined by the State Athletic Association or a student participating in an extra-curricular activity.

Extra-Curricular Activities – Activities in addition to the normal course of study and curriculum taking place outside normal school day hours, including those sometimes referred to as “co-curricular.”

Quantitative Levels - The measurement levels of a specific chemical in the urine reported usually in nanograms per milliliter (ng/ml).

Adulterant/Adulteration – Any attempt to alter the outcome of a urine 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 urine, or purposefully over hydrating oneself in an attempt to dilute the urine to decrease possible detection of illicit or banned substances.

C. PROCEDURES FOR STUDENTS

1. Informed Consent for Testing

At the beginning of each school year or athletic season, students participating in athletics or extra-curricular activities and their parent/guardian/custodian will complete and sign the Code of Conduct and Informed Consent Agreement in Exhibit A (and, for student athletes, the Code of Conduct in the CCHS Parent/Athlete Handbook). No student may participate in sports or extra-curricular activities until these forms are properly executed and on file with CCSD.

2. Banned and Illicit Substance Testing Frequency

At the beginning of each year/season or when a student moves into the District, all students wishing to participate in athletics or extra-curricular activities may be subject to testing for banned or illicit substances. Following initial testing, up to 20% of eligible students will be randomly tested on up to a bi-weekly basis anytime during the school year. A senior student whose season is completed and will not participate for the remainder of the school year may be removed from the program with a signed contract stating that the student will not be allowed to participate on any athletic teams or in any extra-curricular activities for the remainder of their school career. Only seniors whose seasons are completed will be allowed to opt out of the banned and illicit substance testing program. Any student who refuses to submit to testing will not be allowed to participate in any CCSD athletic or extra-curricular programs. Any student who tries out for a team or activity but is not chosen will not be eligible for testing on the basis of the tryout.

3. Sample Collection

Samples will be collected by the Designated Official as described in Paragraph 5, Random Banned and Illicit Substance Testing Procedures. Any eligible student selected randomly for a test who is not in school on the day of testing will be tested at the next available testing time. Students not able to provide an adequate urine specimen at the testing time will be unable to participate until the proper specimen is provided. The refusal to provide the specimen or sample will be conclusively presumed to be a positive test. Arrangements may be made for special collections at a pre-approved site with prior approval of the Building Principal or Designated Official. Participant will acknowledge that there may be a fee associated with the use of an off-site collection point and this fee will be paid by the student participant.

COLLECTION PROCESS

Selected students are escorted from class to the collection site. A specimen of urine is collected following this process:

- a. No purses, bags, or containers may be taken into the collection area with the student. All extra coats, vests, jackets, sweaters, etc., are to be removed before entering the collection area.
- b. The Designated Official adds a bluing agent (food coloring) to the water in the urinal or toilet.
- c. Student is asked to rinse their hands and dry them. If no water is easily accessible, a non-alcoholic wipe may be used instead.
- d. The student is told to urinate directly into the provided container and should provide a sufficient amount of urine (at least 30ml) in one attempt. The student is also told they are to hand the container of urine to the Designated Official.
- e. The student then provides the required specimen.

- f. The Designated Official checks the volume, reads and records the temperature within four minutes of collection, and looks for evidence of tampering. If tampering is suspected, a second specimen will be requested. A second suspected tampered specimen will be considered refusal to test and the building principal will be notified.
- g. The Designated Official takes the properly signed and initialed bottle seals and places them on the container. The student may wash his or her hands and is then sent back to class. The Designated Official then records the results and notifies the building principal of the results.

D. CONFIDENTIALITY OF RESULTS

All test results are considered confidential information and will be handled accordingly. Those persons having results reported to them as set forth by this Policy and Regulation must sign a Confidentiality Statement (Exhibit B).

E. RANDOM BANNED AND ILLICIT SUBSTANCE TESTING PROCEDURES

1. Random Selection of Eligible Students

A list of all students participating in all sports as well as a list of all students participating in every extra-curricular event will be established. The Designated Official will ensure that this list is accurate and that all athletic activities/students and all extra-curricular activities/students are on the list to ensure an inclusive eligible student list. Once provided a list of eligible students, the vendor must select the required number of students in a random and confidential manner. No more than bi-weekly, the vendor shall arrange with the Designated Official a day and time to do the collection of specimens. The schedule will not follow any recognizable pattern. The selected student names will be given to the Designated Official, who will arrange for these students to report to the collection area.

2. Collection of Urine Specimens

The Designated Official will oversee the collection of urine specimens as outlined in the Procedures for Banned and Illicit Substance Testing of CCSD Students. Students will provide a urine specimen in the RediCup® Drug Testing Kit, or similar kit, and saliva sample for the Reditest® Alcohol Saliva Test, or similar test.

3. Testing of Urine Specimens

The Designated Official will follow the manufacturer's recommended procedures outlined by the testing product specified by the Churchill County School District. The test gives immediate results upon completion of the procedures. The Designated Official will seal the cup and then date and sign the seal after the results have been read.

4. Submission of Positive Tests

The Designated Official will submit all positive tests to the vendor for a complete analysis of the banned and illicit substance amounts present in the urine specimen. The results will be reported to the parents/guardians of the student following the confidentiality guidelines.

5. Reporting of Random Urine Test Results.

The vendor will certify all urine tests as negative or positive. Positive findings will be reported by telephone and in writing in a confidential manner to the parent/guardian and the school principal or his/her designee as soon as reasonably possible.

6. Statistical Reporting and Confidentiality of Urine Test Results

The vendor and the testing laboratory may not release any statistics on the rate of positive banned and illicit substance tests to any person, organization, publication, or news media without the express written consent of CCSD. However, the vendor will provide the middle and high school principals with an annual report showing the number of tests performed, rate of positive and negative tests, and what substances were found in the positive urine specimens.

F. PROCEDURES IN THE EVENT OF A POSITIVE RESULT

Whenever a student's test result indicates the presence of illicit or banned substances or adulteration, the following will occur:

1. Notification to Parents/Students/Coach or Activity Advisor

Initially, in the event of a positive test, the Designated Official will notify the building principal within 24 hours, and the building principal will notify the parents/guardians and student within 24 hours by telephone if possible, and if not, by other means, in order to confirm that the student was not using prescribed medication for legitimate reasons.

The building principal will notify the head coach or activity advisor of the positive result by telephone within 24 hours. All district employees, advisors, and coaches who receive this information will be bound to uphold strict confidentiality and sign the confidentiality agreement outlined in this report. A written notification from the building principal, by form letter, will be sent to the parent/guardian/custodian by certified mail. The building principal may keep all test results for a period not to exceed one year.

2. Periodic Testing of Positive Students

The student will be notified and be required to submit to five (5) periodical urine tests throughout the next calendar year at the student's expense. Dates of periodic urine tests will be determined by the building principal.

3. Contesting the Results

If the parent/guardian/custodian or student wishes to contest the results, the parent will arrange for another banned and illicit substance test (re-testing of the sample) to be conducted by a medical facility or through the school. This is done at parent/guardian/custodian or student expense. Such a request must be made to the building principal within 24 hours of parent notification. The results of the re-test must be submitted to the building principal with 24 hours of the request.

4. Results of Future Testing

The vendor may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substances from the body. If the vendor concludes the Quantitative Levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

G. PENALTIES/VIOLATIONS FOR POSITIVE TEST

Participation in Nevada Interscholastic Athletic Association sanctioned sports is a privilege and responsibility which requires all participants to adhere to athletic training rules imposed by the school district and member or affiliate school the student attends and represents. Adherence to training rules ensures that all student athletes are in top physical condition, minimizes potential for injury, and further ensures that all member and affiliate school athletic teams are appropriately represented by their student athletes.

Participation in extra-curricular activities is also a privilege and responsibility. This requires all participants to adhere to the rules of the sponsoring entity, the school site, and the school district. Adherence to rules ensures that extra-curricular students achieve the objectives of the extra-curricular activities, minimize the risk of injury, and appropriately represent the school and the school district.

Therefore, the possession or use of any controlled substance, alcohol, or tobacco products by a student participating in athletics or extra-curricular activities, whether on or off of school property, is prohibited and shall result in the penalties set forth herein.

This regulation shall begin once the student begins participation as a student in middle or high school athletics or extra-curricular events. This policy remains in effect for every calendar school year during the course of his/her middle or high school career. This policy remains in effect regardless of whether the student is currently participating in extra-curricular activities or on a middle or high school athletic team.

1. First Positive Result

Student Athletes: A positive result from the urine test or an altered sample will constitute a first positive and will result in a six (6) competitive week suspension from participation in interscholastic competition beginning with the first scheduled competition after the suspension occurs. Four (4) competitive weeks of the suspension of eligibility may be waived if the student successfully completes all components of the appropriate substance abuse intervention program set forth in

subparagraphs (d) (1) (A) and (d) (1) (B) of the NIAA Alcohol, Tobacco and Other Drug Possession, Use, Abuse, and Penalties Policy. The student may practice with the team during the period of suspension if approved by the coach and principal.

Students Involved in Extra-Curricular Activities: A positive result from the urine test or an altered sample will constitute a first positive and will result in a six (6) week suspension from participation in extra-curricular activities. Four (4) weeks of participation in extra-curricular activities may be waived if the extra-curricular student completes all components of an appropriate substance abuse intervention program set forth by the principal of the middle or high school. The extra-curricular student may participate in non-competitive events during the period of suspension if approved by the advisor and principal.

2. **Second Positive Result**

Student Athletes: A second positive result from the urine test or adulteration will result in the student being suspended from interscholastic competition for a minimum of ninety (90) school days which shall include a minimum of six (6) competitive weeks of competition. The student shall not be allowed to practice with the team, or participate in any out of season activities and must complete the requirements set forth in subparagraphs “a” and “b” below. In order to be considered for reinstatement of future athletic eligibility, which shall be determined following the ninety (90) day suspension of athletic eligibility, a group composed of one of the student’s parents/legal guardians, the school principal, athletic director, coach, and a substance abuse program coordinator must make a specific finding that the student is free from use of illicit and banned substances to be reinstated consistent with this Regulation.

- a. A substance abuse evaluation assessment conducted by a licensed alcohol and drug counselor at the expense of the parent/legal guardian of the student must be completed within ten (10) school days following the suspension and all assessment recommendations must be satisfactorily met before athletic eligibility may be reinstated.
- b. The student must successfully participate in all sessions of the appropriate substance abuse intervention program set forth in subparagraphs (d) (1) (A) and (d) (1) (B) of the NIAA Alcohol, Tobacco, and other Drug Possession, Use, Abuse, and Penalties Policy, and successfully complete a minimum of ten (10) tobacco or alcohol/drug related support sessions.

Students Involved in Extra-Curricular Activities: A second positive result from the urine test or adulteration will result in the student being suspended from extra-curricular activities for a minimum of ninety (90) school days which shall include a minimum of six (6) competitive weeks of competition. The student shall not be allowed to participate or compete with the extra-curricular group and must complete the requirements set forth in subparagraphs “a” and “b” below. In order to be considered for reinstatement of future extra-curricular privileges, which shall be determined following the ninety (90) day suspension of extra-curricular eligibility,

a group composed of one of the student's parents/legal guardians, the school principal, activity advisor, and a substance abuse program coordinator must make a specific finding that the student is free from use of illicit and banned substances to be reinstated consistent with this regulation.

- a. A substance abuse evaluation assessment conducted by a licensed alcohol and drug counselor at the expense of the parent/legal guardian of the student must be completed within ten (10) school days following the suspension and all assessment recommendations must be satisfactorily met before extra-curricular eligibility is reinstated.
- b. The student must successfully participate in all sessions of the appropriate substance abuse intervention program set forth by the principal of the school and successfully complete a minimum of ten (10) tobacco or alcohol/drug related support sessions.

3. Third Positive Result

If the student is in middle school, a third positive urine test or adulteration will result in the student being ineligible to participate in extra-curricular activities or in interscholastic athletics through eighth grade.

If the student is in high school, a third positive urine test or adulteration will result in the student being ineligible to participate in extra-curricular activities or in interscholastic athletics for the remainder of the student's high school career in Nevada.

4. Appeal

Student Athletes: A student athlete who serves his/her third violation and still has more than one year of remaining eligibility can appeal through the Nevada Interscholastic Athletic Association Board of Control. Both the student and his/her parent must attend this meeting of the Board to present their appeal.

Students Involved in Extra-Curricular Activities: A student involved in extra-curricular activities who serves his/her third violation and still has more than one year remaining in high school can appeal through the superintendent. Both the student and his/her parent must attend this meeting with the superintendent to present their appeal.

5. Graded Activities

In case of a positive result or adulteration with a student involved in extra-curricular activities which form a component of a grade in a class such as band or FFA, the teacher shall offer alternative assignments such that the student's grade opportunities are equivalent regardless of the suspension from extra-curricular activities and there are no academic consequences of a positive result or adulteration.

H. NON-PUNITIVE NATURE OF POLICY

No student will be penalized academically for testing positive for illicit or banned substances. The results of tests pursuant to this policy will not be documented in any student's academic record. Information regarding the results of tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process.

I. ILLICIT OR BANNED SUBSTANCES

For the purpose of this regulation, the following drug classes, substances, or their metabolites are considered illicit or banned for CCSD students and may be tested for under this regulation:

- Amphetamine (AMP)
- Barbiturates (BAR)
- Benzodiazepines (BZO)
- Cocaine (COC)
- Marijuana (THC)
- Methadone (MTD)
- Methylenedioxymeth-amphetamine (MDMA)
- Methamphetamine (M-AMP)
- Opiates OPI 300 & OPI 200
- Oxycodone (OXY)
- Phencyclidine (PCP)
- Alcohol
- Tobacco

Other drug classes deemed illicit or banned as determined by federal or state authorities.

Procedures for Random Banned and Illicit Substance Testing of Churchill County Middle and High School District Students

a. LIST OF ELIGIBLE STUDENTS

A list of all students participating in all sports as well as a list of all students participating in every extra-curricular event will be established based upon the applicable season for those events. The Designated Official will ensure that this list is accurate and that all athletic activities/students and all extra-curricular activities/students are on the list to ensure an inclusive eligible student list. The Designated Official will prepare a list of eligible students. This list will be forwarded to the vendor for the random selection of students who will submit urine specimens for testing.

b. RANDOM SELECTION OF STUDENTS FOR TESTING

The vendor will use a system to assure that students are selected in a random fashion. This system will utilize a computer based system designed specifically for the purpose of randomly selecting individuals for banned and illicit substance testing.

c. SCHEDULING OF TESTING

Random banned and illicit substance testing is unannounced. The day and date are selected by the Designated Official and confirmed with the vendor. Random testing may be done up to bi-weekly, but not during holidays and spring break.

d. INITIAL TESTING

At the beginning of the year, all eligible students may be subject to banned and illicit substance urine testing. This testing will be accomplished on a date and time coordinated with the appointed administrator. The Designated Official is responsible for seeing that all students and their parent/guardian/custodian properly sign the Code of Conduct and the Informed Consent Agreement in Exhibit A (and, for student athletes, the Code of Conduct in the CCHS Parent/Athlete Handbook) prior to testing. Any student moving into a CCSD school shall be tested at the time they join an athletic team or extra-curricular group.

e. TESTING YEAR

The testing year begins the date the first activity for the upcoming school year commences and continues for 365 days thereafter.

ADOPTED: 10/20/11

REVIEWED:

REVISED: 9/10/15, 4/20/16

LEGAL REFERENCE: NIAA Alcohol, Tobacco and Other Drug Possession, Use, Abuse and Penalties Policy
Subparagraphs (d) (1) (A) and (d) (1) (B)

REVIEW RESPONSIBILITY: Superintendent

EXHIBIT A
CCSD CODE OF CONDUCT AND EXPECTATIONS & INFORMED CONSENT AGREEMENT

Student Name _____
(Please Print) Grade _____ Student# _____

AS A STUDENT:

- I understand and agree that participation in athletics or extra-curricular activities is a privilege that may be withdrawn for violations of the Code of Conduct and Expectations, hereinafter Code of Conduct.
- I have read the Code of Conduct and thoroughly understand the consequences that I will face if I do not honor my commitment to the Code of Conduct.
- I understand and realize that there is risk of injury in participating in activities.
- I understand that when I participate in any athletic or extra-curricular program, I will be subjected to initial and random urine substance testing, and if I refuse, I will not be allowed to practice or participate. I have read the Consent to Perform Urinalysis accompanying this form and agree to its terms.
- I understand this is binding while enrolled in any CCSD school.
- I have read and understand the Regulation for Banned and Illicit Substance Testing and agree to abide by the procedures and consequences listed therein.

_____ Date _____
Student Signature

AS A PARENT/GUARDIAN/CUSTODIAN:

- I have read the Code of Conduct and understand the responsibilities of my son/daughter/ward as a participant in athletics or extra-curricular activities at a CCSD school.
- I understand and realize that there is an assumed risk of injury involved for my son/daughter/ward as a participant in activities.
- I understand that my son/daughter/ward, when participating in athletics or extra-curricular activities, may be subjected to initial and random urine and saliva illicit substance testing, and if they refuse, will not be allowed to practice or participate. I have read the Consent to Perform Urinalysis accompanying this form and agree to its terms.
- I also understand that upon purchasing an athletic packet or joining an extra-curricular group, they will be subject to random banned and illicit substance testing even though they may be out of season.
- After my son/daughter/ward has completed his/her season and has no intention of participating in any other activities for the remainder of the year, I may not remove them from the random substance test program, unless the student is a senior whose season is completed and will not participate for the remainder of the school year.
- I understand that if my child has a positive urine substance test, my child will be referred for a substance abuse evaluation by an assessment specialist.
- I understand this is binding while my son/daughter/ward is a student in a CCSD school.
- I have read and understand the Regulation for Banned and Illicit Substance Testing and agree to abide by the procedures and consequences listed therein.

_____ _____
Parent/Guardian/Custodian Signature Date

_____ _____ _____
Parent/Guardian/Custodian Name (print) Home Phone Work Phone

CONSENT TO PERFORM URINALYSIS FOR SUBSTANCE TESTING

We hereby consent to allow the student named on the front of this form to undergo urinalysis testing for the presence of Banned or Illicit Substances in accordance with the **Policy and Procedure for Banned and Illicit Substance Testing of Churchill County School District Students** as approved by the Churchill County School District Board of Trustees.

We understand that the collection process will be overseen by a Designated Official assigned by the district.

We understand that any urine samples will be sent only to a certified laboratory in the event of a positive test.

We hereby give our consent to the medical vendor selected Churchill County School District, their laboratory, doctors, employees, or agents to perform urinalysis testing for the detection of illicit substances or banned substances.

We further give permission to the vendor selected by CCSD, its doctors, employees, or agents, to release all results of these tests to the building principal at our student’s school. We understand these results will be made available to us within 24 hours after the building principal being notified by the vendor.

We understand that consent pursuant to this Informed Consent Agreement will be effective for all athletic or extra-curricular activities in which this student might participate during the current school year.

We understand that if a parent gives his/her child a prescription medication not originally prescribed under the child’s name, it is a positive result.

We understand that after a positive test the following consequences must be completed prior to participating in athletics at Churchill County Middle or High School.

First Positive Result: The student athlete will receive a six (6) competitive week suspension from participation in interscholastic competition beginning with the first scheduled competition after the suspension occurs. The extra-curricular student will receive a six (6) week suspension from extra-curricular participation. Four (4) competitive or participation weeks of the suspension of eligibility may be waived if the student successfully completes all components of the appropriate substance abuse intervention program.

Second Positive Result: The student athlete shall be suspended from interscholastic competition for a minimum of ninety (90) school days which shall include a minimum of six (6) competitive weeks of competition. The student athlete shall not be allowed to practice with the team or participate in any out of season activities. The extra-curricular student shall be suspended for participation for a minimum of ninety (90) school days.

Third Positive Result: The student shall be ineligible to participate in interscholastic athletics or extra-curricular activities for the remainder of the student’s Middle and High School career in Nevada.

We hereby release Churchill County School District from any legal responsibility or liability for the release of such information and records.

Student Signature

Date

Parent/Guardian/Custodian Signature

Date

Parent/Guardian/Custodian Name (print)

Home Phone

Work Phone