

Monmouth-Roseville Community School District No. 238 Extracurricular Activity Eligibility Random Drug Testing Policy

Philosophy/Purpose

The Board of Education believes that the use of illegal drugs by students who participate in extracurricular activities and who operate a motor vehicle and park on District property presents a particular hazard to the health, safety, and welfare to students and to those who compete with the student. The risks associated with such abuse may include the possibility of impaired judgment, diminished capacity, deterioration of the organs and tissue of the body, addiction and mental and physical impairment which substantially compromises one's ability to perform to his/her natural ability.

The Board encourages students to participate in extracurricular activities and park on campus, but believes the opportunity to try out for and participate in school sponsored activities and park on campus is a privilege and not a right. To be eligible to try out for, or to participate in any extracurricular activities or park on campus students must agree to submit to testing for the use of prohibited substances, if selected, in accordance with this policy.

This policy has been adopted by the Board of Education of Monmouth-Roseville Community School District No. 238 and applies to all students who participate in extracurricular activities in grades 7-12 or who park a motor vehicle on school property. This policy is in addition to the Monmouth-Roseville School Extracurricular Code of Conduct, and all other policies regarding student conduct. This policy has been adopted after seeking the input of parents and concerned citizens of the District and is a response to their consensus that it is the most effective response to the growing problem of drug and alcohol abuse of students, and in particular, student extracurricular participants.

The District recognizes that there is a high incidence of alcohol and drug abuse by students nationwide, which is epidemic in proportion. The District also recognizes that some Monmouth-Roseville school district students, and in particular, participants in extracurricular activities have used alcohol and have or will experiment with illegal drugs and/or alcohol during their school years. Because participants in extracurricular activities are especially respected and looked up to by the student body, they are expected to be good examples of conduct, sportsmanship and training, which includes abstaining from the use of drugs and alcohol. Moreover, participants in extracurricular activities or who park on campus who use drugs can be a danger to himself/herself or others, both in and out of the extracurricular activity.

In order to provide for the health and safety of the individual participant and other extracurricular participants, as well as provide a legitimate reason for the students to say "NO" to drug use, and to provide an opportunity for those taking drugs to receive help in locating programs which can provide assistance, the District is conducting a mandatory drug testing program for extracurricular participants. The program is not punitive. It is designed to prevent drug and alcohol usage, to educate student extracurricular participants as to the serious physical, mental and emotional harm caused by drug,

alcohol, and tobacco use/abuse, to create and maintain a safe, drug free, environment for student athletes and to assist them in getting help when needed.

The purpose of this policy is to deter the use of prohibited substances, not to provide a means which the district may use to punish a student other than by disqualification from participation in extracurricular activities. Accordingly, the results of any drug test administered under this policy shall be used only for determination of eligibility to try out for and participate in extracurricular activities and for no other disciplinary purpose.

Definitions

A. *Extracurricular Activities*

School sponsored activities outside the regular school day, conducted by and representing Monmouth-Roseville Community Unit School District No. 238 where participation is voluntary, no academic credit or grades are awarded, and are competitive in nature in grades 9-12, including but not limited to the following list of extracurricular activities: All Athletic Teams, Dance Team, Cheerleading, Scholar Bowl, Flag Corps/Winter Guard, Marching Band, Student Council, Spanish Club, Art Club, Computer Club, Drama Club, Fellowship of Christian Athletes, French Club, Future Business Leaders of America, FFA, German Club, Madrigals, National Honor Society, Peer Mediation, Newspaper, Yearbook, School Plays, Speech Team, Student Council, Orchestra, School Musicals, Science Olympiad, Academic Challenge, Latin Club, Math Club, Pass Club, Science Club, Jazz Band, Pep Band, Swing Choir, Twirlers, all students wanting to buy a Parking Permit, Homecoming (King, Queen, and Court), Prom (King, Queen, and Court), parking on school district property, etc.

School sponsored activities outside the regular school day, conducted by and representing Monmouth-Roseville Community Unit School District No. 238 where participation is voluntary, no academic credit or grades are awarded, and are competitive in nature in grades 7-8, including but not limited to the following list of extracurricular activities: Girls Basketball, Boys Basketball, Football, Volleyball, Wrestling, Cheerleading (Football and Boys Basketball Seasons), Twirling, Boys and Girls Track, Scholastic Bowl, Broadcasting Club, Student Council

B. *Extracurricular Participant*

Any student who is trying out for or participating in any school sponsored extracurricular activity. Should any student be unsuccessful in trying out for a given activity and not choose to be involved in any other activity for the remainder of the school year, parents should send a letter so indicating and requesting the removal of the student's name from the random list.

C. ***Alcohol***

Any liquor, wine, beer, or other drink containing alcohol.

D. ***Illegal Drugs***

Any substance considered illegal or controlled by the Food and Drug Administration.

E. ***Tobacco***

Any tobacco product including but not limited to cigarettes, cigars, smokeless tobacco or pipe tobacco.

F. ***Self-Referral***

Process of a student coming forward, voluntarily, seeking help for a problem with an illegal drug, alcohol or tobacco. This is done before a violation of the Extracurricular Code has been verified by notifying staff or administration.

G. ***Testing Cycle***

Time period for random tests determined by the District and Testing Organization. Cycles may be weekly, monthly, quarterly or by semester.

H. ***Dilute Specimen (Adulterated)***

Specimen with a specific gravity of less than .023. Individual has more fluids in their body limiting the testing ability of the sample.

I. ***Testing Organization***

Organization selected by the Board of Education to conduct the random drug testing program and all required testing.

Eligibility

In order to be eligible for participation in any athletic, the student must be eligible under the applicable rules governing IHSA and/or IESA competition. Students ineligible to participate under IHSA or IESA rules will not be permitted to participate in athletic competition, regardless of eligibility under this or any other District policy.

Consent Form

To try out for or to participate in any school sponsored extracurricular activities, the student must read this policy and sign a consent form by which the student agrees that as a condition of participation in extracurricular activities, he/she will consent to the drug testing program outlined in this procedure. This consent form must also be signed by the student's parents or guardians at the beginning of the school year or prior to try outs for a

specific activity. Students deciding to participate in an extracurricular activity after the first sign-up deadline, will be required to be tested after the signed consent form is returned. This testing will occur on the next scheduled test date and the extracurricular participant will then remain eligible for random testing for the remainder of the school year. Both signatures must be witnessed by another adult, not a member of the student's family.

Withdrawal of Consent

Consent for participation may be withdrawn under the following conditions:

1. Student fails to make the team/activity under tryout procedures outlined.
2. Student will not be participating in any additional qualified extracurricular activities for the remainder of the school career.
3. Parents must submit written request for withdrawal of consent indicating intentions in #2 above.
4. Withdrawal of consent must be sent to the appropriate building principal who will verify student no longer participating in any qualified extracurricular event.

Should student elect to resume participation in any qualified activity again in his/her school career, the student will be required to be tested on the next scheduled test date prior to activity tryout or participation.

Non-Compliance

If the extracurricular participant, his/her parents or guardians refuse to sign the consent form, the student will not be permitted to be a member of the activity until such consent form is signed. Also, if the extracurricular participant refuses to be tested or does not complete the test as instructed, the extracurricular participant will be considered in violation of this policy and automatically be ineligible as an extracurricular participant until testing is completed.

Confidentiality

The results of any test administered under the terms of this policy shall be kept confidential and disclosed only to the extracurricular participant, his/her parents or guardians, and school officials designated by the Superintendent. The results of the testing shall not be used as a basis for any disciplinary action other than disqualification as provided for in the Monmouth-Roseville School Extracurricular Code of Conduct. The test results will not be part of the extracurricular participant permanent record, but will be kept in a secure file in the school office. The results for testing, negative or positive, will be kept until the student graduates. At that time all results/records of this policy, related to individual students will be purged.

Under this drug testing program, no staff, coach, or sponsor shall divulge any information to anyone about a particular student or disposition of the student involved, other than by order of a court of competent jurisdiction.

Random Selection of Extracurricular Participants for Testing

At the beginning of each school year, each extracurricular participant shall be assigned a number by the Superintendent or his/her designee. The selection of numbers will be made by the Testing Organization. The numbers will be computer generated. Students will be eligible for random testing throughout the school year. There will be student numbers selected for each week of the month, student numbers will be forwarded to the School Principal and students selected in the order the numbers are selected.

The District specifically reserves the right to test any extracurricular participant at any time where reasonable suspicion of drug use is found to exist.

Notification of Extracurricular Participant Selection/Absence/Self-Referral

The selected extracurricular participants will be notified to report to the principal's office during first period on test day. The student will then be escorted to the test site. If the student is absent from school, and the absence is unexcused, the student will be ineligible for practice or competition until the next testing date and then will automatically be tested on that date. If the absence is excused, the student will remain eligible for practice and competition, but will automatically be tested on the next date. After testing an extracurricular participants number will be returned to the testing population and subject to re-selection during the next testing cycle. Extracurricular participants will be subject to random testing throughout the school year, so long as they are trying out for or participating in an extracurricular activity.

Student Transfers

A student transferring to Monmouth-Roseville school district will be provided a copy of this policy. Transfer students and parents will be given a reasonable period of time, not to exceed 5 school days to determine whether or not student intends to participate in extracurricular activities. If, within period of time given, the consent form is signed appropriately, the student's name will be added to the random list. If a decision is made to participate after the original timeline for consent, the student will automatically be tested on the next scheduled test date, prior to activity tryout or participation.

Program Details

Testing Procedures

1. Superintendent or designee shall assign a number to each extracurricular participant on a random basis and shall develop a master list of assigned numbers. The Testing Organization shall, then, from time-to-time throughout the school year, randomly select extracurricular participants for drug, alcohol and/or tobacco testing from the pool of numbers submitted by the Superintendent or designee. Testing may occur on any day, Monday through Saturday. Each student participant may be tested at any time during the year.
2. No student will be given advance notice or early warning of the testing.
3. Drug, alcohol and/or tobacco testing may be performed by breath alcohol testing and/or urinalysis. Upon being selected for breath alcohol testing, a student must provide an adequate amount of breath so that the measuring device can measure any alcohol concentration in the breath. Upon being selected for a urinalysis test, the student shall provide a sample of “fresh” urine according to the quality control standards and policy of the collection facility conducting the urinalysis.
4. A staff member, of the District or Testing Organization, will accompany the student until he or she produces an adequate, verifiable urine specimen. The student will not be under direct visual observation while providing the sample, unless there is reason to believe the extracurricular participant will alter or substitute the specimen to be provided. If unable to produce a specimen, the student will be given up to 40 ounces of fluid. If unable to produce a specimen within 2 hours, the student will be taken to the Building Principal’s office and told he/she is ineligible for participation in any extracurricular activity. In addition, the parent(s)/guardian(s) will be telephoned and informed the student is unable to produce a sample for the testing procedure and he/she must be tested at a later date in order to be eligible.
5. All specimens registering below 90° F (32° C) or above 100° F (38° C) will be invalid. The head strip on each specimen bottle indicates the validity of the urine specimen by temperature. If a specimen is invalid, the student must provide another specimen.
6. A student will be ineligible for all extracurricular activities for the remainder of the school year if he or she tampers or cheats during the collection. This will be reported to the parent(s)/guardian(s).
7. Immediately after specimen is taken, the student may return to class with an admit slip or pass with the time he/she left the collection site.
8. Each specimen is given to the laboratory for testing for alcohol, tobacco, or controlled substances (which may include all drugs listed as controlled substance under Illinois law, defined by the Food and Drug Administration, or otherwise prohibited by the Illinois High School Association or Illinois Elementary School Association), and “performance enhancing” drugs such as steroids on a suspicion only basis.

Chain-of-Custody

2. The testing organization will provide appropriately trained staff members, set up the collection environment, guarantee specimens, and supervise the chain-of-custody.
3. A District or testing organization staff member will escort students to the collection site. No student is allowed to go to his or her locker. The staff member should minimize classroom interruptions. Athletes may be called after school, perhaps during practice time.
3. Before a student's urine is tested by the laboratory, he or she must sign any form that may be required by the testing laboratory. If a student chooses, he or she may notify the administrator that he/she is taking a prescription medication.
4. A sanitized kit containing a specimen bottle will be given to each student. The bottle will remain in the collector's possession until a seal is placed upon the bottle and the student signs that the specimen is sealed. The seal may be broken only by the lab testing the specimen.
5. If the seal is tampered with or broken, after leaving the collector's possession and prior to arriving at the lab, the specimen is invalid. The student will remain eligible for extracurricular activities subsequent to a retest.
6. Students will be instructed to remove all coats and wash their hands in the presence of the supervisor before entering the restroom stall. The stall door/curtain will be closed while student provides a urine specimen. The supervisor will wait outside the restroom stall/curtain. The commode will contain a blue dye so the water cannot be used to dilute the sample. The faucets in the restroom will be shut off, and sealed with evidence tape. All garbage containers will be removed from the restroom stall.
7. After it is sealed, the specimen will be transported to the testing laboratory by testing organization personnel. The testing laboratory will report the results to the Building Principal or designee.

Testing Results

1. The Building Principal or designee will be notified of a student testing "positive" (i.e., if the test shows that drug residues are in the student's system after using at least 2 different types of analyses). The Building Principal or designee will notify the student and his or her parent(s)/guardian(s). The student or his parent(s)/guardian(s) may submit any documented prescription or explanation of a "positive" test result.
2. In addition, the student or parent(s)/guardian(s) may request that the urine specimen be tested again by a certified laboratory at the parent(s)/guardian cost. This request should be made within twenty-four (24) hours of the notification of

the first positive test result to have the specimen tested in a laboratory of the family's choice and at their expense. This test must be arranged by the family if the lab is to be a different lab. Any alternate labs selected by a family must be a federally registered, and SAMHSA certified lab (Substance Abuse Mental Health Services Administration) certified lab. Should the test be confirmed as positive, and there is not a satisfactory explanation for the positive results, the student will be considered to be in violation of the Code of Conduct. If it is determined by mutual consent of both testing facilities that the first test was invalid, the parents will be reimbursed the cost of the retest. Student will be reinstated if test is determined invalid.

3. If the test is verified "positive," the Building Principal or designee will meet with the student and his or her parent(s)/guardian(s). The student and parent(s)/guardian(s) will be given the names of counseling and assistance agencies. The student may not participate in extracurricular activities until the required "follow-up" test is completed.
4. A "follow up" test will be required after the suspension period is served or after such an interval of time that the substance previously found would normally be eliminated from the body, whichever comes first. If this "follow up" test is negative, the student will be allowed to resume extracurricular activities. If a "positive" result is obtained from the "follow up" test, or any later test, it will be considered a subsequent violation. In addition, the School District reserves the right to continue testing at any time during the remaining school year any participating student who had a verified "positive" test.
5. Information on a verified "positive" test result will be shared on a need-to-know basis with the student's coach or sponsor. The results of "negative" tests will be kept confidential.
6. Drug testing results sheets will be returned to the Building Principal or designee. Names will not be kept in open files or on any computer. Result sheets will be locked and secured in a location to which only the Building Principal or designee had access.
7. Should the certified lab determine the urine sample is a dilute specimen, the student will be retested at the next test date. The student will remain eligible until the retest results are known.

Financial Responsibility

1. Under this policy, the School District will pay for all initial drug tests and all “follow up” drug tests, requested by the District.
5. A request for another test of a “positive” urine specimen is the financial responsibility of the student’s parent(s)/guardian(s).
3. Counseling and subsequent treatment by non-school agencies is the financial responsibility of the student’s parent(s)/guardian(s).

Other Rules

Apart from this drug testing program, the Illinois High School Association and Illinois Elementary School Association as well as each activity’s coaching staff or sponsor may have their own training rules and requirements. Coaches and sponsors have the necessary authority to enforce those rules. Any student participant who violates a team or activity rule or requirement is subject to the consequences as defined in those rules and requirements.

Testing Negative

The parents or guardians of the extracurricular participant who tests negative will be notified by mail as soon as practical of the district’s receipt of the information.

Testing Positive

If the test results are positive, the extracurricular participant will be considered in violation of Monmouth-Roseville School Extracurricular Code of Conduct. The student and parents will be notified as soon as practical and shall meet with the Building Principal or designee.

Penalties

Students who test positive in violation of this policy may suffer consequences up to and including:

1. Suspension from all extracurricular activities for the remainder of his/her high school career; and
2. Suspension of student’s school parking permit for the remainder of his/her high school career.

Enforcement

The provisions of this policy are considered an addition to all other rules and regulations governing student conduct and discipline in extracurricular activities.

Expenses

Funding for this program will be by Board of Education action.

LEGAL REF.:105 ILCS 5/24-24

Clements V. Board of Education of Decatur, 478 N.E.2d 1209 (Il. App. 4th Dist. 1985)

Vernonia v. Acton, 115 S. Ct. 2386 (1995)

Todd v. Rush County Schools, 133 F.3d 984 (7th Cir., 1998)

Penn-Harris-Madison School Corporation, No. 99-2261 (7th Cir. May 12, 2000)

Bd. of Education of Potawanomie v. Earls, 536 U.S. 822 (2002)

Monmouth-Roseville Community Unit School District No. 238

Extracurricular Participant Eligibility Drug Testing Student/Parent Consent Form

I wish to try out for and/or participate in school sponsored extracurricular activities. I have read the Board of Education's Extracurricular Participant Drug Testing Policy and I understand the Board of Education's Policy and Procedures and agree to follow said Policy and Procedures, including being subjected to random testing, as a condition of participation in extracurricular activities. I understand that if I disobey the rules, I will be excluded from the opportunity to participate in extracurricular activities as provided in the Board's Policy and Procedures. I understand that I should ask school district staff if I have any questions about the drug testing program or results.

I accept the method of obtaining urine samples, testing and analyses of such specimens, and all other aspects of the program. I agree to cooperate in furnishing such urine samples which may be required at random times. I further agree and consent to the disclosure of the sampling, testing and results as provided for in this program to the school district administration. This consent is given pursuant to all State and Federal Privacy Statutes and is a waiver of rights to non-disclosure of such test records and results only to the extent such disclosure is authorized by this program. This consent is valid for the current school year.

I authorize the medical staff to take a sample of my urine for the purpose of performing tests and otherwise screen the sample obtained from me for presence of drugs, alcohol, tobacco or other chemical substances. Also, I authorize the medical staff to release the results of the testing, regardless of whether the results are negative or positive to the Administration of Monmouth-Roseville Community Unit School District No. 238.

I agree to participate in this program and release the testing organization/certified lab and any of its employees or agents from any liability arising out of my participation in this Drug Screening Program.

I understand that costs for random tests and required retests will be paid for by the school district.

Student Participant Signature

Parent/Guardian Signature

Witness: _____

Witness: _____

Date: _____

Date: _____