

## **AR 5.24-STUDENT ATHLETE DRUG TESTING PROCFURES**

### ***ADMINISTRATIVE REGULATION::***

Fayetteville School District (“District”) is conducting a mandatory drug testing program for student athletes. Its purposes are threefold: (1) to provide for the health, safety, and welfare of all student athletes; (2) to undermine the effects of peer pressure by providing a legitimate reason for student athletes to refuse to use illegal drugs; and (3) to encourage student athletes who use drugs to participate in drug treatment programs.

### ***DEFINITIONS:***

Drugs and Alcohol:	Prohibited substances shall include, but are not limited to, alcohol, or any alcoholic beverage, inhalants that alter a student’s ability to act, think, or respond, LSD, or any other hallucinogen, marijuana, cocaine, heroin, or any other narcotic drug, PCP, amphetamines, steroids, “designer drugs,” look-alike drugs, or any controlled substance.
Student Athlete:	Any student participating in interscholastic athletic programs sponsored by the District and requiring registration with the Arkansas Activities Association.
Sport Season:	Fall, winter, and spring seasons begin on the first day of practice allowed by the Arkansas Activities Association and end the day prior to the beginning date of practice of the next season.

### ***PROCEDURES FOR STUDENT ATHLETES:***

Consent: Each student wishing to participate in any interscholastic athletic program and the student’s custodial parent(s) or guardian(s) shall consent in writing to drug testing pursuant to the District’s drug testing program. Written consent shall be in the form attached to this policy as Exhibit “A”. No student shall be allowed to participate in any interscholastic athletic program absent such consent.

Student Selection: At the option of the District, all student athletes may be drug tested at the beginning of any athletic season. In addition, random testing may be conducted during the school year. Selection for random testing will be by the use of a random number generating computer program. Each secondary school shall be denominated as a test group for all purposes herein. The District shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not limited to, assuring that the names of all participating student athletes are in the appropriate test group, assuring that the person matching names to computer generated numbers has no way of knowingly choosing or failing to choose particular students for testing, assuring that the identity of students selected for testing is not known to those involved in the selection process and assuring direct observation of the selection process by at least two persons.

### ***SAMPLE SELECTION:***

Samples will be collected at a mutually convenient time on the same day the student is selected for testing. If a student is selected and summoned to the testing area but fails to appear, or attempts to falsify a sample in any way, they will be treated the same as if they tested positive. If a student is unable to produce a sample at any particular time, the student will be required to remain in the testing area until the provided. All students providing samples will be given the option of doing so alone in an individual stall sample is with the door closed. If a sample is deemed “dilute”, a follow-up test will be performed.

***PRESCRIPTION MEDICATION:***

Students who are taking prescription medication which causes a positive test will have the opportunity to provide documentation from their medical doctor or pharmacist to a designated medical review officer within five (5) business days of notification of a positive result. Such information provided by the student will not be disclosed to any school official. Students who refuse to provide verification and test positive will be subject to the actions specified below for “positive tests.”

***SCOPE OF TESTS:***

The testing lab will be instructed to test for one or more illegal drugs. The District shall decide which illegal drugs shall be screened, but in no event shall that determination be made after selection of students for testing. Student athlete samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug intoxication.

***LIMITED ACCESS TO RESULTS:***

The testing lab will be authorized to report results only to the Superintendent or to such person(s) as the Superintendent may designate in the event the Superintendent is absent.

***PROCEDURES IN THE EVENT OF A POSITIVE RESULT:***

Whenever a student athlete’s test result indicates the presence of illegal drugs (“positive test”), the following will occur:

1. If a split specimen collection is done, (That is, the urine is divided into two specimen bottles.) and the test result of the primary specimen is positive, you may request the Medical Review Officer (MRO) to send the second (or split) specimen to a different certified lab for testing. The testing of the split specimen will be for the presence of drugs with no-cutoff levels. If you want the split specimen tested, you must advise the MRO within 72 hours of being notified of the positive test result of the primary specimen. The charge for the split specimen will be at the student's expense.
1. If a point of collection test is used, A split sample of the original sample provided by the student will be forwarded to a Substance Abuse Mental Health Services Association laboratory other than the initial sample testing agent and the results of the split sample test will be forwarded to a designated Medical Review Officer (MRO) for confirmation.
2. If the split sample tests negative, the student will be notified and no further action will be taken. If the split sample tests positive, a custodial parent or legal guardian will be notified and a meeting will be scheduled with the Superintendent or his/her designee, the student, the custodial parent or legal guardian, and the student’s building principal if the principal is available.

***FIRST POSITIVE RESULT:***

The student athlete will be suspended from participation in interscholastic athletics for a period of twenty (20) school days, will be required to successfully complete a re-entry drug test, and will be subject to random drug testing for the remainder of the academic year. In addition, the student athlete will be given the option of participation in a drug assistance program or suspension from participation in interscholastic athletics for one (1) calendar year. This section shall apply to student athletes who refuse to participate in the required random drug testing program.

***SECOND POSITIVE RESULT:***

For the second positive result in any two consecutive calendar years, the student athlete will be suspended from participating in interscholastic athletics for one (1) calendar year. The student athlete may be readmitted to participation in interscholastic athletics upon successful completion of a drug assistance program and a re-entry drug test.

***THIRD POSITIVE RESULT:***

For the third positive result in any two consecutive calendar years, the student athlete will be suspended from participating in interscholastic athletics for one (1) calendar year. The student athlete may be readmitted to participation in interscholastic athletics upon successful completion of a drug assistance program and a re-entry drug test.

***NON-PUNITIVE NATURE OF POLICY:***

No student athlete shall be penalized academically 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. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the District shall not solicit. In the event of service of any such subpoena or legal process, the student’s custodial parent or legal guardian will be notified at least 24 hours before response is made by the District.

**EXHIBIT “A”  
STUDENT ATHLETE DRUG TESTING POLICY  
GENERAL AUTHORIZATION FORM**

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules, and regulations set forth by Fayetteville School District and the sponsors for the activity in which I participate.

I also authorize Fayetteville School District to conduct a test(s) on a urine specimen(s) which I provide to test for drug use. I understand that I may be randomly tested throughout the school year. I also authorize the release of information concerning the results of such a test(s) to the Superintendent or his/her designees and to the parent and/or guardian of the student.

This shall be deemed a consent pursuant to the Family Education Right to Privacy Act for the release of above information to the parties named above.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent or Guardian Signature

\_\_\_\_\_  
Date