

## Winston-Dillard School District 116

Code: JFCIA  
Adopted: 5/22/13  
Revised/Readopted: 6/18/14; 9/13/23; 9/11/24  
Orig. Code(s): JFCIA

### Student Drug Testing - Extracurricular Activity Participants\*\*

As part of the district's substance abuse prevention efforts, mandatory drug testing <sup>MAY</sup> will be required of all students, grades 6 through 12, participating in extracurricular activities in order to:

1. Provide for student participants' health and safety;
2. Undermine the effects of peer pressure; and
3. Encourage participation in treatment programs, at parent expense, for student participants with substance abuse problems.

"Extracurricular activities" are defined as district-sponsored athletics and other interscholastic activities which are sanctioned by the Oregon School Activities Association (OSAA) (e.g., dance, drill, music solo/band/choir/orchestra, cheerleader and speech) and other district-sponsored competitive activities.

No participant shall be penalized academically for testing positive for illegal or performance-enhancing drugs. Test results will not be documented in any student's education records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent a valid and binding subpoena or other legal process, which the district shall not solicit. In the event of a subpoena or other legal process, the district will notify the student's parents as soon as practical prior to releasing information.

Students may be tested prior to participation in extracurricular activities. Random testing will be conducted periodically thereafter by a method determined by the district to assure the integrity, confidentiality and random nature of the selection process.

No district employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through 12 students with whom the employee has contact as part of the employee's district duties; or knowingly endorse or suggest the use of such drugs.

The superintendent will develop administrative regulations to implement the drug-testing program in accordance with the provisions of law.

END OF POLICY

**Legal Reference(s):**

[ORS 329.095](#)  
[ORS 332.107](#)  
[ORS 336.222](#)  
[ORS 336.227](#)  
[ORS 339.240](#)

[ORS 339.250](#)  
[ORS 342.721](#)  
[ORS 342.723](#)  
[ORS 342.726](#)  
[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)  
[OAR 581-022-2045](#)  
[OAR 581-022-2210](#)

Vernonia Sch. Dist. 47J v. Acton, 515 U.S. 646 (1995).

Bd. of Educ. of Indep. Sch. Dist. No. 92 of Pottawatomie County v. Earls, 536 U.S. 822 (2002).

Weber v. Oakridge Sch. Dist. 76, 184 Or. App. 415 (2002).

# Winston-Dillard School District 116

I RECOMMEND KEEPING  
THE SAME.

Code: JFCIA-AR  
Revised/Reviewed: 5/22/13; 6/18/14; 9/13/23;  
9/11/24  
Orig. Code(s): JFCIA-AR

## Student Drug Testing\*\*

### Definitions

1. “Illegal drug” is any drug which an individual may not sell, possess, use, distribute or purchase under state law, or as defined in schedules I through V of the Controlled Substances Act (21 U.S.C. § 812) including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, “illegal drug” also means possession, use, sale or supply of prescription and nonprescription medication - in violation of Board policy JHCD/JHCDA - Medications\*\* and accompanying administrative regulation. “Illegal drug” shall also include alcohol.
2. “Performance-enhancing drug” includes anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed or other athletic ability. The term “performance-enhancing drug” does not include dietary or nutritional supplements such as vitamins, minerals and proteins which can be lawfully purchased in over-the-counter transactions.
3. “Prescription medication” means any noninjectable drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken either internally or externally by a student under the written direction of a physician. Prescription medication does not include dietary food supplements.
4. “Nonprescription medication” means only commercially prepared, non-alcohol-based medication to be taken at school that is necessary for the student to remain in school. This shall be limited to eyes, nose and cough drops, cough suppressants, analgesics, decongestants, antihistamines, topical antibiotics, anti-inflammatories and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements.

### Consent

Each student wishing to participate in OSAA-sanctioned activities and the student’s parent(s) shall consent in writing to drug testing. Written consent shall be in the form attached to this administrative regulation. No student shall be allowed to participate in athletics and/or extracurricular activities without such consent.

### Selection

All student participants in an OSAA-sanctioned activity may be tested at the beginning of the OSAA-sanctioned activity in which they participate. In addition, selection for random testing will be by lottery from a pool of all students participating in athletic and/or extracurricular activity programs in the district at the time of the drawing.

The superintendent shall take reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not limited to, assuring that:

1. The names of all participating students are in the pool;
2. The person drawing names has no way of knowingly choosing or failing to choose particular students for testing;
3. The identity of students drawn for testing is not known to those involved in the selection process;
4. The selection process is observed by at least two adults.

### **Testing**

Testing will be conducted by a laboratory selected by the district.

Students who participate in OSAA-sanctioned activities may be tested at any time throughout the respective season (e.g., fall, winter, spring and summer). Failure to comply with a test at the assigned time will result in the student forfeiting the right to participate in practice or games/events during that season and the next season.

Sample containers will be labeled before a participant takes possession of it. After completion, each participant will bring the container to the test administrator who will take it and place the container on a table and keep it private from other participants. Parents will always be contacted if their child has a positive test result on any test. Laboratory or test administrator will report results only to the superintendent or designee.

Samples will be collected at a mutually convenient time on the same day the student is selected for testing or, if the student is absent on that day, on the day of the student's return to school. If a student is unable to produce a sample at any particular time, the student will be allowed to return later that same day to provide the sample. All students selected for testing will be given the option of providing samples in private. Students who refuse to provide a sample will be considered to have tested positive and will be subject to the procedures listed below.

The testing laboratory will test for one or more illegal or performance-enhancing drugs. The superintendent shall decide prior to selection of students which illegal or performance-enhancing drugs shall be screened. Samples will not be screened for the presence of any substance other than an illegal or performance enhancing drug or for the existence of any physical condition other than drug intoxication.

### **Positive Test Results**

If the student's test results indicate the presence of illegal or performance-enhancing drugs, the following will occur:

1. The student or parent may request within 72 hours of a positive test notification that the second specimen sample be tested. The student may voluntarily disclose use of prescription medication which may have affected the outcome of the test;

2. If the second sample tests negative, the student and parent will be notified and no further action will be taken. If the second sample tests positive, notification will be made and a meeting will be scheduled with the student, the parent(s) and the principal.

## **Discipline**

Due process procedures will be followed for all discipline arising from violation of the district's policy.

### **First Positive Result**

1. Notify student and parent(s);
2. Meeting scheduled by the principal, with the parent(s) and student;
3. The student will:
  - a. Be given an option to successfully complete a drug assistance program with submission to follow-up drug testing as may be required, at parent expense. Refusal will result in suspension from participation in OSAA-sanctioned activities for the remainder of the current season. If a failed test occurs within three weeks or less of remaining season, then suspension will extend to the following season.
  - b. Be denied participation in competitions **and** practices beginning with the first scheduled competition following the offense and concluding after 20 percent of that season's total competitions have taken place and of the equivalent time in an OSAA-sanctioned activity season (depending on what time remains in the current season, suspension may carry over into the next season). Ex: 20 OSAA-sanctioned activity season – Participant misses 4 games or events (20 percent).

### **Second Positive Result (In any two consecutive calendar years)**

1. Notify student and parent(s);
2. Meeting scheduled by the principal, with the parent(s) and student;
3. The student will:
  - a. Successfully complete a drug assistance program with submission to follow-up drug testing as may be required; at parent expense. Refusal will result in suspension from participation in OSAA-sanctioned activities for the remainder of the current season and potentially the next season.
  - b. Be denied participation in competitions and practices beginning with the first scheduled competition following the offense and concluding after 40 percent of that season's total competitions have taken place (suspension may carry over into the next season). Ex: 20 Game Season – participant misses 8 games or events (40 percent).

### **Third Positive Result (In any two consecutive calendar years)**

1. Notify student and parent(s);
2. Meeting scheduled by the principal, with the parent(s) and student;

3. The student will:
  - a. Successfully complete a drug assistance program with submission to follow-up drug testing as may be required; at parent expense. Refusal will result in suspension from participation in athletics for the next eligible season.
  - b. Be denied participation in all OSAA-sanctioned activities for a full calendar year.

### **Appeal Process**

A student who has been determined to be in violation of the district's drug testing policy shall have the right to appeal the decision to the superintendent or designee. The appeal must be submitted to the superintendent, in writing, within five calendar days following the meeting with the principal. The student will remain ineligible to participate in OSAA-sanctioned activities pending the appeal.

The superintendent or designee will determine whether the original finding was justified.

The superintendent's decision shall be final.

### **Relationship to Student Discipline Policies**

Normal disciplinary measures which may affect eligibility are still applicable for violations which do not arise from these testing procedures.

### STUDENT DRUG-TESTING AUTHORIZATION FORM

I understand that my performance as a participant in OSAA-sanctioned activities 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 Board policies, administrative regulations and rules of the Winston-Dillard School District.

I also authorize the Winston-Dillard School District to conduct a test for drug use on a mouth swab or a urine specimen which I provide. I also authorize the release of information concerning the results of such a test to the district and to my parent(s).

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

I have received a copy of this release. I have read and understand the district policy and administrative regulation.

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Student Signature

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Date

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Parent Signature

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Date

consequences. The coach/advisor will then conduct an informal hearing to allow the athlete to explain his/her actions.

2. The coach/advisor must contact the athlete's parents, athletic director, and principal-either verbally or in writing- that the athlete is being denied participation. The coach must also explain the appeal process.
3. In keeping with due-process procedures, if requested by the parent, a hearing involving the athlete, his/her parents, the involved coach, the athletic director, and the high school principal may be held.

S. Athletes will ride to and from all contests held away from Douglas High School in school transportation unless otherwise arranged in advance. An athlete may ride home with a parent/guardian provided there is written verification given to the coach. For athletes wishing to ride home with adults, other than their parent/guardian, a parent/guardian permission note and administrative approval before the team leaves for the contest is required. Athletes will not be allowed to ride home with another student or minor.

T. As a condition for participation, students and parent/guardians will be required to consent to the code of conduct, regulations, rules and policies applicable to the student's participation, and consent to random drug and alcohol testing pursuant to Winston Dillard School District Policy JFCIA, and its administrative rules. Failure to comply with a UA at the assigned time will result in the student forfeiting the right to participate in practice or games/events during that season. Any attempt to falsify the urine analysis test will be considered a failed test and the student will be subject to consequences.

### **TEAM RULES**

The head coach will issue rules that pertain specifically to each sport. Such sport or team rules will be used in conjunction with the District, Athletic Department, OSAA and League codes of conduct. There is no guarantee of playing time. It is a primary goal to prepare student athletes to compete at the next level.

### **OSAA PHYSICAL CONTACT RULE &/OR FINES**

Physical contact between a coach or player and an official shall be considered a gross act of unsportsmanlike conduct. The offending coach or /player shall be immediately ejected from the contest, shall be suspended for minimum of one contest. In addition, the school may be fined up to \$1,000. The individual coach may be liable for any coaching fines.

### **OSAA EJECTION POLICY**

Ejected players or coaches must leave the contest immediately and shall not be allowed further contact with the team members for the duration of that contest. Players and coaches will not be allowed to participate in the next scheduled contest. The individual responsible for the ejection will pay fines.

### **ATHLETIC AWARDS**

Individual coaches in consultation with the athletic director will establish criteria for earning a varsity letter. The criteria will be on file in the Douglas High athletic office and will be communicated to players at the start of the season. Certification will be issued indicating that an athlete has earned a varsity letter. Trophies or plaques may be used for additional awards in each sport as deemed appropriate by the coaching staff.

### **PARTICIPATION GUIDELINES**

These policies are designed to (1) encourage students to participate in multiple sports (2) place reasonable restrictions on student participation in practice sessions and in contests during the OSAA year and (3) provide athletes, on a limited basis, an opportunity to receive instruction from coaches during out of season periods.

### **PERSONAL CONDUCT**

Winston Middle School Handbook  
possession or use of drugs are present. Recognizing that there may be varying degrees of culpability, the severity of the consequences for such involvement may result in a reprimand or up to denial of participation, depending upon the nature of the conduct.

- At a minimum, athletes who represent Winston Middle School are expected to be well groomed and dressed appropriately. The school dress code applies for all athletic practices and events both home and away, including on the bus. (See the WMS Student/Parent Handbook for complete dress code)

**Attendance:** To be able to participate in any after school activities, the student must be in attendance all day, unless the absence has been pre-arranged or school initiated.

- Parents/Guardians may pre-arrange absences with the Asst. Principal/Athletic Director, Michelle Clarno, or Principal, Rob Holveck, in case of medical appointments or emergency.
- Attendance at all practices is considered **mandatory**, including Friday practices. While coaches are welcome to schedule open gym/field on other non-school days, these practices are encouraged but not mandatory.
- Exceptions will be up to coach and athletic director's discretion.

**Good Standing:** Athletes will act as good citizens in school as well as out of school.

- Students who lose their good standing due to behavior during the sports season must **miss one contest**, and will then be on probation. Any subsequent referral will result in missing another game. If a student misses three games during the season due to behavior, they will be dismissed from the team. Students on probation must remain under the direct supervision of their coach.
- Students who receive any suspension will not be allowed to participate in ANY extra-curricular activity (athletics, band, choir, etc.) on suspended days.

**Communication:** Athletes and families will work cooperatively with coaches, admin, and officials to create a positive environment for students.

- Coaches will hold a parent meeting at the beginning of the season.
- Coaches and Admin will use Parentsquare to communicate updates and information to families throughout the season.
- If parents/guardians have concerns, they will first bring them to the attention of the coach on non-game days. Please do not address concerns with coaches immediately before or after games.
  - If concerns are not resolved by talking with the coach, parents/guardians may contact the middle school office to meet with the athletic director and/or principal.

**Drug Testing Policy:** All athletes may be tested for alcohol, drugs, illegal substances, or the use of performance enhancing substances.

- The possession/use of tobacco/alcohol/prescription medication used in a manner inconsistent with the prescription, or non-prescribed or illegal drugs is prohibited.

- Students who participate in extra-curricular, co-curricular and district-sponsored activities may be tested at the start of the season (Fall, Winter, Spring or near the beginning of the year if the group is active all year), and may be subject to testing at least one more time during the season.
- Failure to comply with a drug test at the assigned time will result in the student forfeiting the right to participate in practice or games/events during that season.
- Parents will always be contacted if their child has a positive result on any test.
- Any attempt to falsify the test will be considered a failed test and will be subject to consequences.
- See WDSB policy JFCIA-AR for discipline and appeal procedures.

**Sixth Grade Participation:** 6<sup>th</sup> grade athletes may participate in Cross Country, Wrestling, and Track.

- In the event a complete team is not available for certain seventh grade team sports [volleyball or basketball], sixth grade participation may be considered by the coach, athletic director, and principal.
- At no time will a seventh grade player be cut in favor of a sixth grade athlete.
- At no time will a sixth grade player be allowed to play on a varsity or eighth grade team.

**Team Rules:** Coaches may have their own team-specific rules.

- Additional team rules will be used in conjunction with the District, Athletic Department, and League codes of conduct.
- While every effort will be made to play all players, there is no guarantee of the amount playing time. It is a primary goal to prepare student athletes to be able to compete at the next level.

**Transportation:** Students are to ride district transportation to and from away contests.

- Parents/Guardians wanting to transport their own student home after an away contest must check their student out with the coach.
- Students may not ride home with an adult other than their own parent/guardian unless prearranged in writing with the athletic director or principal.
- Students who are ineligible for a given contest are not allowed to travel with the team or attend that contest.
- See WDSB policy EEACC-AR for student conduct on school buses and discipline procedures.