

Descriptor Term: DRUG TESTING POLICY – STUDENT ATHLETES, DRIVERS, EXTRACURRICULAR PARTICIPANTS	Descriptor: JJIE	Issued: Draft 3.24.10
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I. BOARD POLICY

The Tupelo Public School District (“TPSD”) recognizes that drug and alcohol use by students participating in athletics, extracurricular activities and those who drive and park on campus (hereinafter “participating students”) athletes presents special concerns about the dangerous combination of drugs or alcohol and participation in these activities. sports. While the misuse or abuse of alcohol, illegal drugs, prescription and even non-prescription drugs is unsafe for any student, the additional physical demands placed upon participating students athletes in sports in practice and competition make such misuse or abuse dangerous. The athlete use of drugs or alcohol increases the risk of sports related injuries and impairs judgment, coordination and reaction, leading to injuries on the playing field to both the athlete using drugs and other teammates or opponents. Athletic conditioning can be continuous, so the concern for safety does not diminish during the off season of a sport.

~~The incidence of drug use by Tupelo High School students, and especially students athletes, is not great, but even though the number of cases is small, the danger to individual students is magnified by the additional physical exertion. Additionally, TPSD finds that, since physical conditioning, practice, and competition can often be an almost daily activity, the indication of drug use in the recent past means that (1) the student athlete most probably exercised with the drug (or alcohol) in the student’s system and (2) the student athlete may exercise under the influence of drugs or alcohol in the future unless there is reasonable intervention provided in this policy. In addition to focusing on the serious health risks posed by student athlete drug and alcohol use, TPSD has elected to test athletes because of their status within the school community. Student athletes generally are prominent members of the student body who are viewed with admiration and respect. This status places student athletes in a leadership role that gives them the power to influence other students’ behavior. Accordingly, drug and alcohol use by athletes can have a negative effect on the general health and welfare of all students.~~

In response to the serious health risks and other risks posed by participating students’ athlete drug and alcohol use, TPSD has implemented a student athlete drug and alcohol testing policy which is designed to provide early detection of drug use and to eradicate or reduce significantly use and influence of prohibited drugs, alcohol and other chemicals by participating students. participating in TPSD athletic programs.

In pursuit of these purposes, TPSD declares that the use of prohibited drugs and alcohol, or intoxication and physical influence thereof, by participating students athletes is inherently unsafe. Such use, intoxication or influence should be detected and prevented and such participating students athletes should be counseled, educated and monitored.

All students enrolled in TPSD who are in 7th grade or higher and who (1) participate or who have expressed an intention to participate in any Tupelo High School or Tupelo Middle School athletic program and/or extracurricular activity or (2) drive and park on the THS campus (whether or not they have obtained a parking permit) shall be subject to drug and/or alcohol testing to the extent and manner provided for in this policy.

The Board authorizes the superintendent to implement procedures in furtherance of the goals of this policy.

II. AUTHORITY

~~This policy was adopted and is implemented by the TPSD Board of Trustees by and through the Tupelo High School Administrative Staff.~~

II. DEFINITIONS

“Alcohol” or “alcoholic beverage” means ethyl alcohol (ethanol). References to use or possession of alcohol include use or possession of any beverage, mixture or preparation containing ethyl alcohol.

“Anabolic steroids” mean a class of synthetic compounds which resemble the natural male hormone testosterone or which promote muscle tissue growth at a rate above that which can be obtained through training and nutrition, leading to increased muscle mass, power and strength.

“Athletic Department” shall mean the Tupelo High School Athletic Department.

“Confirmation test” means a drug and alcohol test on a specimen to substantiate the results of a prior drug and alcohol test on the specimen. The confirmation test must use an alternate method of equal or greater sensitivity than that used in the previous drug and alcohol test.

“Drug and/or alcohol test” means a chemical test administered for the purpose of determining the presence or absence of a drug or alcohol in a person’s bodily fluids.

“Illegal drug” means (a) a prohibited drug as set forth below, (b) a drug listed as illegal under Mississippi law, or (c) a drug which is illegal to use under Mississippi law without a prescription.

“Initial test” means an initial drug test to determine the presence or absence or drugs or related metabolites or of alcohol and its metabolites in specimens.

“Medical Review Officer” or “MRO” means a licensed physician, either a Doctor of Medicine or Doctor of Osteopathy, or other medical or scientific expert knowledgeable in drug abuse disorders, employed to help the TPSD interpret, evaluate and monitor its drug testing program.

“Negative drug test” means a drug or alcohol test that does not show evidence of alcohol or a prohibited drug in a person’s student-athlete’s system.

“Participating Students” are students participating in athletics and/or extracurricular activities and/or those who drive and park on campus, whether or not they have obtained a parking permit.

“Positive drug test” means a drug or alcohol test that indicates the presence of alcohol or a prohibited drug in a **person’s** ~~student-athlete’s~~ system.

“Prescription or non-prescription medication” means a drug prescribed for use by a duly licensed physician, dentist or other medical practitioner licensed to issue prescriptions. ~~or a drug that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments or injuries.~~

“Prohibited drug” means any drug which is considered a part of the group of drugs listed in Section V of this ~~Drug Testing~~ policy.

“Random testing” means a neutral selection basis of testing for drugs and/or alcohol which provides a mechanism for selecting **participating** students ~~athletes~~ for testing that: (i) results in an equal probability that any student from a pool of students subject to the selection mechanism will be selected, and (ii) does not give TPSD and school personnel the discretion to waive the selection of any student ~~athlete~~ selected under the mechanism.

“Reasonable suspicion drug or alcohol testing” means drug and alcohol testing based on a belief that a student is using or has used drugs in violation of this policy as indicated in Article X.

“Specimen” means a tissue or product of the human body chemically capable of revealing the presence of drugs or alcohol in the human body.

“THS” shall mean Tupelo High School.

“TMS” shall mean Tupelo Middle School.

“TPSD” means the Tupelo Public School District.

III. ADMINISTRATIVE PROCEDURES

1. Concurrent Drug Testing Policies.

This policy and the TPSD Drug and Alcohol Testing Policy, JICH, shall be administered separately and concurrently. Tests occurring under this policy shall not be used for or considered for the purposes of the TPSD Drug and Alcohol Testing Policy, but test results under Policy JICH may be considered for the purposes of ~~athletic eligibility~~ **to participate in athletics and/or other extracurricular activities or to drive to and park on the THS campus** and for testing or monitoring under this policy. **Participating** student ~~athletes~~ are subject both to Policy JICH and to this policy.

2. Prohibited Drugs/Alcohol.

The list of prohibited drugs is attached to this policy as JJIE Exhibit 1 and incorporated herein by reference. ~~The THS Principal shall designate those drugs for which tests shall be administered.~~

3. Implementation.

~~This policy has been in effect since 1988 and has been periodically reviewed and updated. A complete review and update was accomplished in 1997.~~ All participating students athletes and their parents or guardians will ~~continue to be notified of this policy upon (1) entrance of a student athlete into an athletic program or~~ extracurricular activity, or (2) a student seeking a THS parking permit. The THS and TMS Principals shall be responsible for the fair, impartial and complete implementation of this policy and for ensuring the no-notice, surprise nature of all testing. The THS and TMS Principal TPSD Athletic Director shall be responsible for the coordination and execution of all testing occurring on their respective campuses. ~~The effective date of this revised policy shall be July 1, 2000.~~

4. Consent/Refusal to Consent

~~Upon implementation of the student athlete drug and alcohol testing policy,~~ All participating students athletes and their parents/guardians of student athletes shall be asked to sign a consent form acknowledging this policy, authorizing the test for prohibited drugs and alcohol as provided for in this policy and consenting to the release of the tests results to the THS or TMS Principal TPSD Athletic Director and the parents/guardians of the participating student athlete. Results may also be released to the Superintendent or his designee, the school principal Athletic Director and coaches or advisors on a need-to-know and confidential basis. A suggested form is attached as ~~Exhibit A~~ JJIE Form 1 to this policy. If a participating student athlete and/or his or her the athlete's parent/guardian declines or fails to sign the consent form, the student athlete will be ineligible to participate in any TPSD athletic or extracurricular program or to drive and park on the THS campus.

5. Annual Pre-Season Testing.

As an annual prerequisite, ~~for participation in a TPSD athletic or extracurricular program, or for permission to drive and park on the THS campus,~~ each participating student athlete must agree to submit to an unannounced drug and/or alcohol test, administered at the discretion of the Principal. Any student who tests positive for drugs and/or alcohol may be ineligible to participate in TPSD athletic or extracurricular programs or to drive and park on the THS campus as provided in this policy, or, in the discretion of the Principal Athletic Director, may participate subject to the provisions of Section 10 Article XIII of this policy.

6. Random Testing.

Participating students athletes as defined in Section IV of this policy will ~~may also~~ be tested on a random basis for use of prohibited drugs and/or alcohol. Random tests shall be initiated by the testing laboratory or MRO without prior notice, except that the THS Principal shall receive notice from the MRO or testing laboratory not more than one (1) hour prior to the commencement of collection of specimens. The random testing shall not be announced or revealed prior to the time of commencement and shall be conducted on a no-notice, surprise basis. ~~Athletic Department staff shall not be involved in the collection, storage, labeling, or handling of specimens from random testing.~~ The TPSD Superintendent and THS Principal shall determine the percentage

of **participating** students-athletes tested in any one (1) random test, not to exceed ten percent (10%).

7. Reasonable Suspicion Testing for Steroid Use.

TPSD may require any **participating** student athlete to submit to a drug test if there is reasonable suspicion that the student athlete has **been** or is using anabolic steroids. Reasonable suspicion must be based on observable physical, behavioral or performance indicators of probable anabolic steroid use. ~~Reasonable suspicion will not arise when indicators are not observed as provided in Article X of this policy.~~

The following observation indicator constitutes the primary factors for reasonable suspicion testing for anabolic steroids:

- A. Rapid, marked increase in body muscle, mass, strength and performance which cannot be explained alone by training, nutrition and exercise.
- B. In addition to the primary factor listed above, reasonable suspicion may be confirmed by:
 1. Jaundice due to liver dysfunction
 2. Virilization in females (increased body hair, deepening of voice)
 3. Breast enlargement in males
 4. Insomnia ~~or~~
 5. Depression

Any ~~THS~~ **TPSD** staff member who reasonably suspects that a **participating** student athlete is using an anabolic steroid shall report such suspicions to the ~~THS~~ **student's** Principal. The staff member and the ~~THS~~ Principal must agree that the observable indicators constitute reasonable suspicion of possible steroid use before a student athlete can be tested under these provisions.

8. Specimen Collection.

All breath, urine and blood specimens will be collected under reasonable and sanitary conditions. Individual dignity and privacy will be preserved to the extent practicable. Universally accepted standards for testing, labeling, storage and transportation of specimens will be strictly followed by the testing facilities. The MRO will request information before each confirmation test regarding prescription and non-prescription drugs and any other information which could lead to a false positive test. ~~Athletic Department staff members shall not be involved in specimen collection.~~ **No TPSD** staff shall be involved in the collection, storage, labeling, or handling of specimens from random testing.

9. Testing Procedures.

A laboratory certified by the National Institute of Drug Abuse will be designated by TPSD to perform all initial drug and alcohol tests. The laboratory and the MRO will be responsible for the handling and safe delivery of all positive specimens to the confirmation laboratory and such delivery will be accomplished through proper chain of custody procedures._

10. Finding of Drug and/or Alcohol Use Consequences

First Violation

If the initial test for drugs or alcohol indicates a negative result, no further test will occur unless there is good reason to suspect the quality of the specimen sample. If the initial test indicates a positive result, a confirmation test will be conducted

immediately. Should the confirmation test also indicate a positive result for a participating student, the following consequences shall be imposed:

(1) The Principal will notify the student and his or her parent/guardian in writing of such positive test results.

(2) The student shall be suspended from participation in all athletics and extracurricular activities (which encompasses, for purposes of this policy, all participation including: tryouts, practices and competitions) and from driving to and parking on the THS campus for a minimum of thirty days.

(3) The student shall submit to a mandatory drug test on or about thirty days after the date on which TPSD received notification of the confirmation tests' positive result. TPSD will be responsible for the cost of the test and the date it will be administered. A positive test result shall constitute a separate violation of this policy and shall be treated as a second violation.

(4) The student shall be required to attend a drug counseling or education program. A TPSD drug counselor shall determine the length and manner of counseling which suits the best interest of the individual student. Refusal to participate in the counseling program, as set forth in this paragraph, will be treated and handled as a second positive test result. Documentation of attendance and completion of counseling must be submitted to the Principal before participation/eligibility is reinstated.

(5) The student will not be allowed to resume participation until he/she has had a negative drug test.

(6) The student will be required to submit to periodic or unannounced retests during the calendar year of the violation.

Second Violation

Should a participating student test positive for a second time, the following consequences shall be imposed.

(1) The Principal will notify the student and his or her parent/guardian in writing of such positive test results.

(2) The student shall be suspended from participation in all athletic and extracurricular activities and from driving to and parking on the THS campus for a minimum of sixty days.

(3) The student shall be required to attend a drug counseling or rehabilitation program at the expense of the student/parent/ guardian. A TPSD drug counselor shall refer the student to a TPSD approved outside drug counseling agency. Documentation of attendance and completion of counseling must be submitted to the Principal before participation/eligibility is reinstated.

(4) The student shall submit to mandatory drug testing during the calendar year of the violation as often as deemed appropriate by the administration. The student will not be allowed to resume participation until he/she presents a negative result on a retest.

Third Violation

Should a participating student test positive for a third time, the following consequences shall be imposed.

(1) The Principal will notify the student and his or her parent/guardian in writing of such positive test results.

(2) The student shall be suspended from participation in all athletic and extracurricular activities and from driving to and parking on the THS campus for a minimum of one calendar year.

(3) The student shall be required to attend a drug counseling or rehabilitation program at the expense of the student/parent/ guardian. A TPSD drug counselor shall refer the student to a TPSD approved outside drug counseling agency. Documentation of attendance and completion of counseling must be submitted to the Principal before participation/eligibility is reinstated.

(4) The student shall submit to mandatory drug testing during the calendar year of the violation as often as deemed appropriate by the administration. The student will not be allowed to resume participation until he/she presents a negative result on a retest.

No positive test results as described under Section XIII of in this policy will be used as grounds to discipline, suspend or expel a participating student athlete, except for the guidelines provided in this policy. Any student athlete who intentionally evades a preseason or random test will be suspended from practice and competition until a test is taken and may be subject to discipline for the evasion.

11. Appeal.

A participating student athlete has the right to appeal a decision of the Principal Athletic Department by following the complaint procedures as outlined in School Board Policy JIA, Student Due Process Rights. Participation in athletic and extracurricular programs and parking a vehicle at Tupelo High School is a are privileges only and a student athlete has no property right or interests in such athletic participation.

12. Medical Review Officer.

As part of this policy, its student athlete drug and alcohol testing program, TPSD will utilize the services of a medical review officer (MRO) as designated by TPSD. The MRO will interpret, monitor and evaluate all positive test results so as to determine whether any alternative medical explanation could account for the positive results. The MRO must be a licensed physician, or group of licensed physicians, knowledgeable in drug abuse disorders.

13. Confidentiality.

The results of a student's athlete's drug and/or alcohol test shall not be released to anyone other than the Medical Review Officer, the Principal, Athletic Director and the student's athlete's parents/guardians. Results may also be released to the Board of Trustees, the Superintendent or his designee, the school principal or building administrator, school board attorney, athletic department personnel and/or school advisor on a need-to-know and confidential basis. No other person may receive the test results of a student athlete without the express authorization and consent of the participating student athlete and his or her parent/guardian.

14. Cost.

TPSD will bear the cost of all drug and alcohol tests required by TPSD under this policy. for student athletes. The participating student athlete or his or her

parent/guardian will pay the costs of any retest requested by the student athletes and of all tests required after a violation of this policy, as outlined in Section 10 above.

XVIII. DRUG EDUCATION AND COUNSELING

TPSD provides drug and alcohol education at several levels. TPSD requires drug education and counseling, at student expense, as a prerequisite to continuing to participate as a student athlete and for reinstatement to an athletic program after suspension.

15. Use of Prescription or Legal Non-prescription Drugs.

TPSD recognizes that from time to time its students athletes, for medical reasons, may take certain drugs prescribed by their physician including certain prohibited drugs. TPSD also recognizes that students athletes may, from time to time, for various medical reasons take certain non-prescription drugs. Any student who needs to take prescription or legal non-prescription drugs may (but is not required to) notify the Principal, Athletic Director or an athletic department staff member or advisor and provide a copy of the prescription, or in the case of non-prescription drugs, a note from the parent/guardian that the student athlete has permission to possess and take the non-prescription drugs. The prescription or the note should state how long the student will be taking the drugs. Both the prescription and the note should be specific about the type or description of drug to be taken. The Principal, Athletic Director and staff member shall keep the information confidential and in a secure location.

Prior to an initial drug and alcohol test, a participating student athlete may voluntarily disclose the use of any prescription or non-prescription drugs, but will not be required to do so. If the initial test results are positive, the MRO shall request from the student athlete and/or the parent/guardian information regarding what, if any, prescription and non-prescription drugs, the student athlete was using at the time of the test.

Information regarding a student's athlete's need for and possession and use of prescription and non-prescription drugs is considered confidential, sensitive and private. The information is necessary and will only be used for the assistance and safety of the student athlete needing the medications, the safety of that athlete and other students athletes, and, in the event of a positive initial test result, to assist the MRO in determining possible causes of a false-positive test.

The information should only be available to the Principal, Athletic Director or athletic department personnel to the extent practical.

EXHIBITS

JJIE 1.0310 Prohibited Drugs

JJIE 2.0310

REFERENCES

None

FORMS

JJIE Form 1 Drug Testing Policy – Student Athletes, Drivers, Extracurricular Participants – Consent Form

PROHIBITED DRUGS

1. The following is a list of prohibited drugs:

(a.) Psychomotor stimulants:

Amphetamine	pemoline	methylamphetamine
benzphetamine	phenmetrazine	methylphenidate
chlorphentermine	pirradol	norseudoephedrine
cocaine	ethylamphetamine	phendimetrazine
diethylpropion	fencamfamin	phentermine
dimethylamphetamine	meclofenoxate	prolintane and related compounds

(b.) Sympathomimetic amines:

chlorprenaline	methoxyphenamine	methylephedrine
ephedrine	isoprenaline	phenylpropanolamine
etafedreine	isoetharine	and related drugs

(c.) Miscellaneous central nervous system stimulants:

amiphenazole	crolethamide	nikethamide
bemigrade	doxapram	picrotoxine
caffeine	ethamivan	strychnine
cropropamide	leptazol	and related compounds

(d.) Anabolic steroids:

clostebol	methenolone	oxymesterone
dehydrochlormethyl-	methandienone	oxymetholone
testosterone	nadrolone	stanozolol
fluoxymesterone	norethandrolone	testosterone
mesterolone	oxandrolone	and related compounds

(e.) Alcohol**(f.) Diuretics:**

bendroflumethiazide	ethacrynic acid	metolazone
benzthiazide	flumethiazide	polythiazide
bumetanide	flurosemide	quinethazone
chlorothiazide	hydrochlorothiazide	spironolactone
chlorthalidone	hydroflumethiazide	triameterene
cyclothiazide	methyclothiazide	trichlormethiazide
		and related compounds

(g.) Street drugs:

amphetamine	marijuana
cocaine	MDMA "Ecstasy"
heroin	THC (tetrahydrocannabinol)

2. Exceptions may be made for those student-athletes **participating students** with a documented medical history demonstrating the need for regular use of such a drug.