

## **DRUG TESTING OF STUDENT ATHLETES**

### Philosophy

In keeping with the mission of the Bath County Public Schools, the role of the student-athlete drug testing policy and programs is to protect student health, safety and welfare, and to strengthen partnerships among faculty, administrators, coaches, parents, and students in order to reduce alcohol and other drug related barriers and hazards to academic, athletic and personal development and success. This policy is directly related to policies governing student searches and student conduct.

### Definitions

- A. Drug – any substance considered illegal by Virginia Statute or which is controlled by the Food and Drug Administration.
- B. Student athlete – any student participating in high school interscholastic athletic programs as defined by Virginia High School League definitions and sponsored by Bath County High School.
- C. Sport Season – Fall, Winter, and Spring season begin on the first day of practice allowed by the Virginia High School League and end when the team has completed its season. This policy will be in effect 24 hours a day, 7 days a week during an athlete's sport season, through and including post-season play (playoffs, regionals, etc.).
- D. Calendar Year – a 12-month period from the date of occurrence.

### Drug Testing Procedures

This policy is designed not to be academically punitive, but to assure the student's health while participating in athletics. The standard athletic drug-testing program includes tests to deter drug use and help students live drug free lives. The main points of the program are as follows:

- A. If there is reasonable suspicion to believe that a student athlete is using a prohibited substance (for example, steroids), including but not limited to alcohol or drugs, that student will be required to undergo a test to confirm or deny the substance.
- B. All students will be randomly tested in each season they participate. (Example: a student who plays football could be tested during the football season and if the student plays basketball, could be tested in the basketball season.)
- C. Approximately 5% of the active student athletes will be selected for random tests each week. All student athletes will be eligible for a random test.
- D. Students will not be notified in advance of any drug test. Students will be called to the school testing site by a school official.
- E. Students will remain under school supervision until an adequate sample can be provided. If a student has not provided a reliable sample by the end of the school day, then the student will be ineligible to participate until a negative sample is provided at the next random test. Students will have access to their school materials during this time.
- F. Any sample registering below 92° Fahrenheit will be rejected. Also, if the lab technician suspects tampering has occurred, the sample will be rejected and another sample must be provided. If tampering occurs in an attempt by the student not to comply with the policy, the student will be dropped from the team, absent extenuating circumstances.

- G. The cut-off level for THC is the same as the department of Transportation and National Institute for Drug Abuse Standards.
- H. Students will be asked to empty their pockets and remove jackets before entering the bathroom. Otherwise, the student will be suspended from the team for the remainder of the season.

### Consent

To try out or participate on any school sponsored athletic team, the student athlete and parent(s)/guardian(s) must sign a consent form by which the student agrees to participate in the drug testing program. The consent form must be turned in to the coach in advance of the try out for a specific sport. The consent form will be valid for the current school year and must be renewed annually.

### Non-Compliance

If the student athlete, or parent(s)/guardians refuse to sign the consent form or seek to review or rescind consent already given, the student will not be permitted to be a member of a team. Also, if during the season the student athlete refuses to be tested or attempts to tamper with or assist others in tampering or attempting to tamper with the sample, the athlete will be dropped from the team, absent extenuating circumstances.

### Positive Test Results

Positive test results will be cumulative over a student's high school career. In the event of a confirmed positive test result, the testing agency will notify the Principal. The parent/guardian will be contacted immediately and a private conference will be scheduled to present the test results to the parent/guardian. A meeting will then be set up with the student, parent/guardian, and principal concerning the positive drug test.

### Progressive Actions Following Positive Test Results

- First Positive Test Result

The athlete will be removed from the team for the remainder of the season for which she/he has tested positive and suspended from all sports for the current inter-scholastic athletic season. The student athlete must complete a substance abuse education/intervention program at the parent's/guardian's expense. Students will lose their parking privileges at school while suspended from athletic activities.

- Second Positive Test Result

The athlete will be removed from participation in practice and competition beginning on the date of the positive test result registered by the testing laboratory, in all sports, for 365 days. Drug testing, at the parent's/guardian's expense, will resume on a monthly basis once the student resumes participation in athletics and is a member of an athletic team. The athlete must complete a substance abuse education/intervention program at parent's/guardian's expense. Students will lose their parking privileges at school while suspended from athletic activities.

- Third Positive Test Result

The athlete will be ineligible for participation in interscholastic athletics for the remainder of the high school career. Students will lose their parking privileges at school while suspended from athletic activities.

### Appeal

Appeals will be limited to consideration of procedural irregularities. An appeal may be submitted to the Bath County Schools Director of Instruction within five (5) working days of the positive confirmation test by the parent/guardian, or student if eighteen years of age or older. The appeal will be considered by the appeals committee. A decision will be reached within fifteen (15) working days of the date the appeal is received.

The appeal committee will consist of at least three of the following five (5) individuals:

- Director of Instruction
- Safe and Drug Free Schools Coordinator
- Director of Technology/Administrative Services
- Millboro Elementary Principal
- Valley Elementary Principal

The student athlete may not practice or compete until the appeals process is complete.

### Confidentiality

Confidentiality of test results must be maintained at all levels including the testing agency, the School Board, the Superintendent, the Principal, the Assistant Principal, the Athletic Director, and the coach. No penalties or restrictions will be placed on a student's participation in any other non-athletic activities, and no actions will be taken by the school against the student except as outlined in the positive test results section of this policy.

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Adopted: January 4, 2005

Legal References: Code of Virginia 22.1-279.6; 22.1-279.7; Guidelines Concerning Student Drug Testing in Virginia Public Schools, Virginia Board of Education, 2004

Cross References: JFC Student Conduct  
JFC-R Standards of Student Conduct  
JFG Search and Seizure