

## **DRUG TESTING FOR STUDENT PARTICIPANTS IN SCHOOL-SPONSORED ACTIVITIES PROCEDURE**

All participants will be subject to random drug testing. In addition, a non-random selection may be made where there is reasonable suspicion of drug use. Participant samples will not be screened for the presence of any substance other than an illegal drug or for the existence of any physical condition other than drug intoxication.

### **Definitions**

**Drug:** Any substance as defined by Wyoming Code Section 35-7-1002 as illegal unless prescribed to the student by a licensed medical practitioner authorized to prescribe controlled substances or those controlled by the FDA.

**Participant:** Students participating in interscholastic programs sponsored by the Wyoming High School Activities Association (WHSAA).

**Sport Season:** From the first day of practice allowed by the WHSAA in the fall to the last day of classes in the spring.

**School Grounds and Extensions:** "School Grounds" is defined as a school building or other school district premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off-school property during any school sponsored or school approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

**Refusal to Submit to Drug Test:** A participating student who refuses to submit to a drug test authorized under this policy, or fails to comply with any other provision of this policy shall be ineligible to participate in any interscholastic programs sponsored by the Wyoming High School Activities Association (WHSAA) for a period of 365 days. If a student is unable to produce a sample at any particular time, the student will be given up to one hour to provide the sample but will remain under the direct supervision of the third-party administrator responsible for collection of samples. If the sample cannot be produced at the end of one hour it will be considered a refusal. Students unable to produce a sample due to a medical condition may provide written documentation from a licensed medical practitioner.

**Third Party Administrator:** An independent testing agency or a Lincoln County School District #2 employee will be responsible for collection, testing, administration, and reporting results.

### **Policy Implications**

Notification of a prescribed drug may be given to the third-party administrator or school district employee at the time of the test. In the event of a positive test, opportunity will be given to provide proof of doctor-prescribed prescription.

#### **First Positive Test:**

Whenever a participant's test result indicates the presence of illegal drugs ("positive" test), the following will occur:

1. The parent/guardian of the child will be notified.
2. Upon parent/guardian request, the sample will be submitted to an independent lab for retesting at the parent/guardian expense.
3. Following a non-challenged or confirmed positive test, the school will meet with the parent(s) /guardian(s) to determine an appropriate course of action which may include suspension for the remainder of the activity season.

#### **Second Positive Test:**

When a participant produces a second positive test, the following will occur:

1. The participant will be suspended for the remainder of the activity season.
2. In order for the participant to be eligible for the next season in which he/she wishes to participate, he/she must submit to weekly drug testing for six weeks at his/her expense and an appropriate treatment program with counseling, if applicable, at his/her own expense. Additionally, the participant will be required to take a mandatory drug test prior to participating in another activity.

**Third Positive Test:**

A participant who tests positive a third time will be suspended from taking part in activities for the remainder of his/her eligibility.

**Obstruction of Test:**

Any participant who willfully provides a false urine sample, otherwise tampers with a urine sample, or engages in any effort to obstruct or impair the accuracy of a drug test, shall likewise be prohibited from or suspended from participation in activities for 365 days.

**Limited Access to Results:**

The third-party administrator is authorized to report results only to the superintendent or to such person as the superintendent may designate.

**Process of Appeal:**

A student participant who has been determined by the principal or superintendent to be in violation of this policy may have the right to appeal the decision. Such request for review must be submitted to the superintendent in writing within five (5) calendar days of notice of the positive test. The student will remain ineligible to participate until the review is complete, not to exceed 21 days. Any necessary interpretation or application of this policy shall be in the sole judgment and discretion of the superintendent and is non-appealable.

**Non-Punitive Nature of Policy:**

No participant shall be penalized academically for testing positive for illegal drugs or a controlled substance. The results of drug tests pursuant to this policy will not be documented in any participant's academic records. Information regarding the results of drug tests will not be disclosed to any criminal or juvenile authority unless requested by valid and binding subpoena or other legal process, which the district will not solicit. In the event of service of any such subpoena or other legal process, the participant and his/her custodial parent/guardian will be notified at least 72 hours before response is made by the district.

**Voluntary Testing Program:**

To assist in the ultimate goal of drug free schools and drug free students the district may provide drug testing to any participant whose parent/guardian request testing be done. The nature of the testing is a routine sample with immediate, on-site results. The testing is provided at no cost to parent/guardian and is absolutely confidential in nature with only the parent/guardian, participant, and tester knowing the results. There are no legal or criminal actions taken, and no discipline from the district will result from the testing. There will be no records kept. This service is offered solely for the information of the parent/guardian, and the outcomes of the results and information that the service provides is ultimately a parent/guardian decision.

**Voluntary Admission of Drug Use by a Student:**

A student may voluntarily admit to the use of illegal drugs.

1. The voluntary admission must be made within 72 hours of the infraction.
2. Admission must be given to the activities director or principal.
3. Must be participants first offense to result in a possible reduction of consequences.
4. An appropriate course of action will be decided upon in consultation with the activities director, principal and superintendent.

**Record Keeping and Confidentiality:**

All records pertaining to participants drug testing will be kept in a locked filing cabinet separate from the student records. Records will only be accessible to the principal, activities director, superintendent or their designee. Records pertaining to a particular student will be destroyed upon their graduation or one year after they have exited LCSD#2.

Approved August 11, 2022