

## Student Athlete Random Drug Testing

Pursuant to Board policy (AR 5131.61), Tulare Joint Union High School District (TJUHSD) maintains a mandatory drug testing program for student athletes that requires both the student and parent or guardian consent. The purpose of this program is: (1) to provide for the health and safety of all student athletes; (2) to undermine the effects of peer pressure by providing a legitimate reason for a student to refuse to use illegal drugs and controlled substances illegally; (3) to encourage students who use drugs to participate in drug treatment programs; and (4) to discourage drug use campus wide.

### **Drug Testing Protocol:**

1. The Athletic Director will provide the District Nurse with updated rosters of all student athletes by season. The rosters are updated weekly or as any changes occur. **Testing begins for each of the following seasons:**  
Fall Season - August 12  
Winter Season - November 12  
Spring Season - February 17
2. The Assistant Superintendent of Student Services will provide the Health Aides a list of a minimum of 20 randomly selected numbers each week.
3. Recovery Resources will contact the Health Aides when they are enroute to the campus for drug testing. Recovery Resources will randomly visit each campus weekly.
4. The Health Aides will call the first 10 student athletes associated with the randomly selected number from the roster out of class for testing. If the student is absent, the Health Aide will move to the next random number.
5. A campus supervision team member and security will escort students to the nurse's office and the students will be monitored while they wait to be tested. **Students are not to access their cell phones while in transport.**
6. Recovery Resources with the assistance of the Health Aide will place the student's belongings in a "holding container" and provide drinking water while the student waits in the designated area. Leaving the designated waiting area with or without consent prior to completing the testing for any other reason will be considered the same as a positive drug test result.
7. Recovery Resources will perform the drug test, with the Health Aides as witness. Testing may take up to one (1) hour.
8. While in the restroom, if a student cannot produce a sample within fifteen (15) minutes, the student may be allowed to leave the restroom area (but must remain in visual contact with the test administrator at all times, before returning to the restroom to again attempt to produce a testing sample). Failure to provide a sample or the refusal to test is deemed a positive test.

9. Recovery Resources will notify the Site Principal of a positive drug test. Principals will contact the parents within 48 hours of notification or next school day. A referral to Recovery resources will then be made.
10. The consequences for a positive drug test:

**First Positive Test Result**--the student shall be immediately excluded from participation in District athletics and given the opportunity to choose from one of the two options:

**Option 1:**

- ❖ **The student is ineligible for District athletics for a two week period.**
- ❖ The student will be required to enroll in the six (6) week education/counseling program provided on campus.
- ❖ In addition to completion of the educational/counseling component of the program, the student must also submit to additional random drug testing up to six (6) times during the six (6) week program.

Both the testing and the education/counseling program will be provided by the District at no cost to the student. If the student elects this option, while completing the six (6) week education/counseling program, the student will be removed from athletics for a period of two weeks but then subsequently reinstated when the student can provide a negative (clean) drug test at the cost of the District. However, if after being reinstated to participate in athletics the student fails to continue the counseling program or the additional drug testing, the student will be immediately removed from athletics until the student complies with the entirety of the counseling and testing requirements prior to reinstatement in athletics.

Alternatively, the student is ineligible for District athletics for a two week time period. During this time a student may opt out of the educational/counseling program, while remaining eligible for athletics in the event the student enrolls in drug counseling with a certified or licensed professional specializing in alcohol and drug abuse or dependency or a certified or licensed drug treatment program. The District will maintain a list of approved providers that will fulfill this requirement. The student will be ineligible to participate in athletics for a two week time period. However, if the student chooses to attend counseling or a treatment program not offered by the District, the student will still need to submit to and have a negative (clean) drug test at the cost of the District in order for the student to participate in athletics prior to reinstatement in athletics.

The site principal will offer to the student's parent(s) or guardian(s) the opportunity of sharing the confidential information regarding the positive test with one staff member who may play a significant role in the student's life (for example, a coach, teacher, or a counselor) to enlist that staff member's support as a mentor for the student. The parent(s) or guardian(s) must approve this release of confidential information.



## Option 2:

- ❖ If a student, within ten (10) days of receiving a positive drug test result, elects not to participate in an evaluation of his or her drug use and/or fails to enroll in the six (6) week educational/counseling program (or alternative counseling or program described above) and/or fails to submit to additional random drug testing up to six (6) times during the six (6) week program, the student will be ineligible for athletics until he or she completes the educational/counseling requirement with the drug testing in its entirety and provides a negative (clean) drug test for reinstatement.

**Second Positive Test Result**--the student shall be immediately excluded from participation in District athletics. If a student has already completed a portion of the drug education/counseling program and/or additional drug tests at the time of the second positive drug test result, the student must nonetheless choose from one of the two following options:

## Option 1:

- ❖ **The student is ineligible for District athletics for a six week period.**
- ❖ The student will be required to enroll in the six (6) week education/counseling program provided on campus.
- ❖ In addition to completion of the educational/counseling component of the program, the student must also submit to additional random drug testing up to six (6) times during the six (6) week program.

Furthermore, a student's refusal to either effectively participate in or engage in appropriate behavior during counseling may result in the removal of the student from the counseling program for a maximum period of eight (8) weeks. The student will be ineligible to participate in athletics for a six (6) week time period. Both the testing and the education/counseling program will be provided by the District at no cost to the student. If the student elects this option, he or she will be removed from athletics for a period of six (6) weeks and must have a negative (clean) drug test in order to reinstate in athletics. However, if after being reinstated to participate in athletics the student fails to continue the counseling program or the additional drug testing, if any are required following the student's reinstatement, the student will be immediately removed from athletics until the student complies with the entirety of the counseling and testing requirements prior to reinstatement in athletics.

The site principal will offer to the student's parent(s) or guardian(s) the opportunity of sharing the confidential information regarding the positive test with one staff member who may play a significant role in the student's life (for example, a coach, teacher, or a counselor) to enlist that staff member's support as a mentor for the student. The parent(s) or guardian(s) must approve this release of confidential information.

Alternatively, a student may opt out of the educational/counseling program, and may become eligible for athletics following the six (6) week sit out period in the event the student enrolls in drug counseling with a certified or licensed professional specializing in alcohol and drug abuse or dependency or a certified or licensed drug treatment program. The District will maintain a list of approved providers that will fulfill this requirement. However, in the event that the student chooses to attend counseling or a treatment program not offered by the District, the student will still need to submit to and have a negative (clean) drug test prior to reinstatement in the sport.

**Option 2:**

- ❖ In the event that a student, within ten (10) days of receiving a positive drug test result, elects not to participate in an evaluation of his or her drug use and/or fails to enroll in the six (6) week educational/counseling program (or alternative counseling or program described above) and/or fails to submit to additional random drug testing up to six (6) times during the six (6) week program, the student will be ineligible for athletics for a period of at least seven (7) weeks and until he or she completes the educational/counseling requirement with the drug testing in its entirety and provides a negative (clean) drug test for reinstatement.

**Third (or subsequent) Positive Test Result**--the student shall be immediately excluded from participation in District athletics and given the opportunity to choose from one of the two options:

**Option 1:**

- ❖ **The student is ineligible for District athletics for a period of one calendar year (365 days)**
- ❖ The student will be required to enroll in the six (6) week education/counseling program provided on campus.
- ❖ In addition to completion of the educational/counseling component of the program, the student must also submit to additional random drug testing up to six (6) times during the six (6) week program.
- ❖ The student must also submit to additional random drug testing for the remainder of his or her high school athletic career.

Furthermore, a student's refusal to either effectively participate in or engage in appropriate behavior during counseling may result in the removal of the student from the counseling program for a maximum period of eight (8) weeks. In addition to completion of the educational/counseling component of the program, the student must also submit to additional random drug testing up to six (6) times during the six (6) week program. The testing will be provided by the District at no cost to the student. If the student elects this option, he or she will be removed from athletics and be ineligible for athletics for a period of **one calendar year (365 days)** and must have a negative (clean)



drug test in order to reinstate in athletics. The student must also submit to additional random drug testing for the remainder of his or her high school athletic career. The site principal will offer to the student's parent(s) or guardian(s) the opportunity of sharing the confidential information regarding the positive test with one staff member who may play a significant role in the student's life (for example, a coach, teacher, or a counselor) to enlist that staff member's support as a mentor for the student. The parent(s) or guardian(s) must approve this release of confidential information.

Alternatively, a student may opt out of the educational/counseling program, while remaining ineligible for athletics for a calendar year (365 days) in the event the student enrolls in drug counseling with a certified or licensed professional specializing in alcohol and drug abuse or dependency or a certified or licensed drug treatment program. The District will maintain a list of approved providers that will fulfill this requirement. However, in the event that the student chooses to attend counseling or a treatment program not offered by the District, the student will still need to submit to and have a negative (clean) drug test prior to reinstatement in the sport.

**Option 2:**

- ❖ In the event that a student, within ten (10) days of receiving a third positive drug test result, elects not to participate, he or she will be prohibited from participation in District athletics for a period not less than one calendar year (365 days).
- ❖ The student must complete the six (6) week educational/counseling program.
- ❖ The student must submit to additional random drug testing up to six (6) times.
- ❖ The student must provide a negative (clean) drug test prior to reinstatement in athletics before the beginning of the first athletic season in which the student will participate.
- ❖ The student must submit to additional random drug testing for the **remainder** of his or her high school athletic career.