

Extracurricular Drug Testing Procedures & Violations

I. General Information

Although the Board of Education, administration and staff desire that every student in the Vestavia Hills City Schools refrain from using or possessing illegal drugs school officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this procedure implements Board Policy 6.23 related to performance-enhancing and illegal drug use by students participating in interscholastic extra-curricular activities in grades 7th to 12th. For the safety, health, and well-being of the student, the Vestavia Hills City Schools System has adopted the following Activity Student drug testing policy procedures. The term “Activity Students” refers to those students participating in extra-curricular activities in the Vestavia Hills City Schools.

II. Nicotine & Tobacco Products Use

All Activity Students are prohibited from using, possessing, distributing, manufacturing, or having nicotine or tobacco products present in their system while at practice or participating in competitive events or while under the care of this school system.

III. Alcohol Use/Impairment

All Activity Students are prohibited from using, possessing, drinking or being impaired or intoxicated by alcohol while at practice or participating in competitive events or while under the care of this school system.

IV. Drug Use/Impairment

All Activity Students are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, abused prescription drugs, inhalants or any other mind altering or intoxicating substances present in their system while at practice or participating in competitive events or while under the care of this school system.

V. Prescription Drugs

The proper use of medication prescribed by a physician is not prohibited; however, the Vestavia Hills City Schools prohibits the misuse of prescribed (or over the counter) medications and requires all Activity Students using prescribed or over the counter medications to notify the coach or sponsor where these drugs may affect their performance, such as by causing drowsiness.

VI. After School Hours Conduct

After school hours use of nicotine, tobacco, drugs, alcohol or any other prohibited substance including inhalants, is prohibited. Activity Students should realize that these regulations prohibit all illicit drug use during and away from school activities.

VII. Testing Procedures

(a) Random Testing

The Board will conduct random unannounced screening of 40% of the total number of Activity Students, no less than 4 times per calendar year. The drug-testing agency will provide computerized random sample lists to the Drug Program Coordinator. The list of Activity Students in the random pool will be updated periodically. Activity Students will be required to report to the Board designated collection site for testing as soon as possible, but in no case later than 4 hours following notification.

(b) Return to Participation Testing

All Activity Students who undergo a counseling or rehabilitation program or who are suspended for abuse of substances covered under this policy will be placed on a regular drug screening schedule for the remainder of the student's involvement in extra-curricular competitive activities sponsored by the Vestavia Hills Board of Education.

(c) Reasonable Suspicion

All Activity Students will be required to submit to screening whenever a coach, sponsor or school official observes circumstances which provide reasonable suspicion to believe an Activity Student has used nicotine, tobacco, alcohol or a controlled substance or has otherwise violated the substance abuse rules. The coach's, sponsor's or school official's determination that reasonable suspicion exists to require an Activity Student to undergo a nicotine, tobacco, alcohol and drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the Activity Student.

The required observations for nicotine, tobacco, alcohol and/or controlled substance reasonable suspicion testing shall be made by a coach, sponsor, school official or designee who has been trained on tobacco/nicotine, as well as on alcohol and controlled substance misuse.

At the expense of the individual extra-curricular competitive program, coaches/sponsors have the authority to require testing of their entire team during any time of year.

(d) General Guidelines

The School Board and its lab shall rely, when practical, on the guidance of the federal department of Transportation, Procedures for Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40.39, and on the further guidance of the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392, and 395. Relative to the protocols for determining diluted, substituted or adulterated specimens, the school board will rely on the guidance issued by the Substance Abuse and Mental Service Administration in its program documentations related to this issue.

(e) Substances Tested for All Activity Students

Activity Students may be randomly tested for: alcohol, amphetamines, cannabinoids (natural, synthetic, spice), cocaine and opiates. Activity Students may be tested for any substances, (such as but not limited to steroids, nicotine, tobacco, barbiturates and benzodiazepines) including inhalants,

without advance notice as part of the tests performed by the School Board for safety purposes. Such tests will be coordinated with the Drug Program Coordinator.

(f) Testing Procedure

The Vestavia Hills City Schools reserves the right to utilize blood, hair, breath, saliva or urinalysis testing procedures. A 9 panel drug screen + nicotine Oral Fluid may be utilized for random testing. All initial Oral Fluid specimens will be confirmed in accordance with current DOT or other applicable regulations. A Medical Review Officer (MRO) will make all reasonable efforts to contact the donor and his/her parent/guardian at the conclusion of the screening if a positive test is detected.

(g) Collection Sites

The School Board will designate collection sites in areas where individuals may provide specimens. For the most part, collections will be conducted on-site at the appropriate designated school.

(h) Collection Procedures

The Vestavia Hills City Schools, Testing Agency (TA), and the laboratory, have developed and will maintain a documented procedure for collecting, shipping, and accessing Oral Fluid specimens. The Board, TA and the laboratory will utilize a standard Urine Custody and Control Form for all Activity Student testing. The Board, TA and laboratory will utilize a standard Breath Alcohol Testing Form for All Activity Student alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will also be used for specimen transportation.

Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure that is reasonable. All alcohol testing will be performed by a certified Breath Alcohol Technician (BAT). Where the School Board has an employee collect the specimen, the School Board will provide instruction and training to that employee.

(i) Evaluation and Return of Results to the School Board

The laboratory will transmit by mail, the results of all tests to the School Board's MRO. The MRO will be responsible for reviewing test results of Activity Students and confirm that the individuals testing positive have used drugs or adulterated the specimen in violation of the School Policy. Prior to making a final decision, the MRO shall give the individual an opportunity to discuss the results either face to face or over the telephone.

The MRO shall then promptly tell the Drug Program Coordinator which Activity Students test positive. The Drug Program Coordinator will then schedule a conference with the student and parents or legal guardians to discuss the positive result and appropriate consequences.

(j) Release of Test Results

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the Board through it's nicotine, tobacco, drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form.

However, all Activity students will be required to execute a consent/release form annually permitting the School Board to release test results and related information to the school officials who have a need to know.

Parents or guardians will be informed of confirmed positive test results by the School Superintendent of Board designee.

The MRO shall retain the individual test results for five (5) years.

VIII. Violations and Consequences

A. Nicotine and Tobacco-the consequences of a student (grades 7th-8th) whose screening indicates nicotine or tobacco use will be:

1. upon the First Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular activity for a minimum of 10% of the regularly scheduled competitions, beginning no earlier than the opening event for that activity. If a student is not participating in an in-season activity, he/she will begin the 10% suspension at the beginning of the next in-season activity in which he/she participates.
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 7th – 8th.

* Further disciplinary actions may be implemented by the coach or sponsor

2. upon the Second Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular competitive activity for a minimum of 30% of the regularly scheduled competitions, beginning no earlier than the opening event for that activity. If a student is not participating in an in-season activity, he/she will begin the 30% suspension at the beginning of the next in-season activity in which he/she participates.
- b) parent/guardian notification and
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 7th – 8th.

* Further disciplinary actions may be implemented by the coach or sponsor.

3. upon the Third Violation **:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity for a minimum of one calendar year.
- b) parent/guardian notification

- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 7th – 8th.

4. upon the Fourth Violation **:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity in the Vestavia Hills School System for the remainder of his/her academic years for grades 7th – 8th.
- b) parent/guardian notification

** A student in the 8th grade who is in violation for a Third Offense shall service their one calendar year consequence during their 9th grade year of high school. A student in the 8th grade who is in violation for a Fourth Offense shall add one additional calendar year suspension from the end date of their Third Offense Consequence.

The consequences of a student (grades 9th-12th) whose screening indicates nicotine or tobacco use will be:

1. upon the First Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular activity for a minimum of 10% of the regularly scheduled competitions, beginning no earlier than the opening event for that activity. If a student is not participating in an in-season activity, he/she will begin the 10% suspension at the beginning of the next in-season activity in which he/she participates.
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 9th – 12th.

* Further disciplinary actions may be implemented by the coach or sponsor.

2. upon the Second Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular competitive activity for a minimum of 30% of the regularly scheduled competitions, beginning no earlier than the opening event for that activity. If a student is not participating in an in-season activity, he/she will begin the 30% suspension at the beginning of the next in-season activity in which he/she participates.
- b) parent/guardian notification and
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 9th – 12th.

* Further disciplinary actions may be implemented by the coach or sponsor.

3. upon the Third Violation:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity for a minimum of one calendar year.
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 9th – 12th.

4. upon the Fourth Violation:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity in the Vestavia Hills School System for the remainder of their high school year (grades 9th – 12th).
- b) parent/guardian notification

B. Alcohol – Drugs

The consequences of a student (grades 7th-8th) whose screening indicates Alcohol/Drug use will be:

1. upon the First Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular competitive activity for a minimum of 20% of the regularly scheduled competitions, beginning no earlier than then opening event for that activity. If a student is not participating in an in-season activity, he/she will begin the 20% suspension at the beginning of the next in-season activity in which he/she participates. parent/guardian notification
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 7th – 8th.

* Further disciplinary actions may be implemented by the coach or sponsor.

2. upon the Second Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular competitive activity for a minimum of 40% of the regularly scheduled competitions, beginning no earlier than then opening event for that activity. If a student is not participating in an in-season activity, he/she will begin the 40% suspension at the beginning of the next in-season activity in which he/she participates.
- b) parent/guardian notification

- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 7th – 8th.

* Further disciplinary actions may be implemented by the coach or sponsor.

3. upon the Third Violation **:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity for a minimum of one calendar year.
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 7th – 8th.

4. upon the Fourth Violation **:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity in the Vestavia Hills School System for the remainder of his/her academic years for grades 7th – 8th.
- a) parent/guardian notification.

** A student in the 8th grade who is in violation for a Third Offense shall service their one calendar year consequence during their 9th grade year of high school. A student in the 8th grade who is in violation for a Fourth Offense shall add one additional calendar year suspension from the end date of their Third Offense Consequence.

The consequences of a student (grades 9th-12th) whose screening indicates Alcohol/Drug use will be:

1. upon the First Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular competitive activity for a minimum of 20% of the regularly scheduled competitions, beginning no earlier than then opening event for that activity. If a student is not participating in an in-season activity, the 20% suspension will be applied to the beginning of the next in-season activity in which he/she participates.
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 9th – 12th.

* Further disciplinary actions may be implemented by the coach or sponsor.

2. upon the Second Violation:

- a) the Activity Student shall be suspended from competition in any extra-curricular competitive activity for a minimum of 40% of the regularly scheduled competitions, beginning no earlier than the opening event for that activity. If a student is not participating in an in-season activity, the 40% suspension will be applied to the beginning of the next in-season activity in which he/she participates.
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 9th – 12th.

* Further disciplinary actions may be implemented by the coach or sponsor.

3. upon the Third Violation:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity for a minimum of one calendar year.
- b) parent/guardian notification
- c) placement on a regular drug screening schedule for the remainder of the student's involvement in the extra-curricular competitive programs sponsored by the Vestavia Hills Board of Education for grades 9th – 12th.

4. upon the Fourth Violation:

- a) the Activity Student shall be suspended from participating in any extra-curricular competitive activity in the Vestavia Hills School System for the remainder of their high school years (grades 9th-12).
- b) parent/guardian notification

* Activity Students who test positive for both nicotine/tobacco and alcohol/drugs in the same testing cycle will receive the more restrictive consequence. Additionally, a violation of nicotine/tobacco and drug/alcohol will be registered.

* With the exception of a 3rd or 4th Violation Consequence during the 8th grade year, all Activity Students will start over in their Consequence Track when they move to the high school in 9th grade.

IX. Activity Student Support Incentive

The purpose of the Vestavia Hills City Schools Extracurricular Drug Testing Program and Procedures is to promote the safety, health and well-being of the student body. These students carry with them a responsibility to themselves, their fellow students, their parents and their school to set the highest possible examples of conduct, sportsmanship, and training. For this reason, it is the goal of this Program and Procedures to identify inappropriate behaviors, address them, and transition students back to showcasing their talents and skills.

Following an Activity Student's First Offense, and only their First Offense at either the middle grades or high school, a student may initiate the *Activity Student Support Incentive*. This incentive may be initiated in one of two ways:

- a) Activity Student and a parent/guardian attends a one (1) hour school sponsored Multidisciplinary Assessment seminar provided by a Third-Party Provider. Seminars are scheduled at the high school on a quarterly basis and the Activity Student must attend in the semester in which they have received a positive result.
- b) Activity Student and a parent/guardian may forgo the Multidisciplinary Assessment seminar, however they must schedule a private session with the school system's Third Party Provider and provide receipt of their attendance to the Drug Program Coordinator. Receipt must be provided to the Drug Program Coordinator in the same semester in which the Activity Student received a positive test result.

By initiating the *Activity Student Support Incentive*, the Activity Student holds on the First Offense of the Consequence Track. The Activity Student is still required to adhere to the initial consequence, but any subsequent positive test will place them back at the consequence for the First Offense. Additional offenses will then be handled as per the outline in the aforementioned Consequence Track.