

STUDENTS

§9-4B Athlete Random Drug Testing Program (ARDTP)

Mission Statement

In keeping with the mission of the Clarke County Public Schools, the purpose of the Athlete Random Drug Testing Program (ARDTP) is to protect student health, safety and welfare and to strengthen partnerships among faculty, administrators, coaches, parents, and students in order to reduce drug related barriers and hazards to academic, athletic and personal development and success.

The Principal of Clarke County High School is hereby designated as the school division administrator in charge of the ARDTP.

In this context, our mission is to anticipate, plan for and respond to the needs of a diverse and changing student body by providing services that:

1. Protect the health, safety and welfare of the student.
2. Create supportive environments in which students are empowered to make responsible and healthy lifestyle choices.
3. Promote non-use behavior.
4. Recognize that substance abuse is a national, state, and regional problem.
5. Communicate realities, misperceptions, and secondary effects of drug abuse.
6. Employ strategies that will improve the school environment as well as individual attitudes towards responsible behavior.
7. Provide policies that emphasize the use of drugs will not be tolerated.
8. Provide educational programs.

Definitions

Drug	Any substance considered illegal by Virginia or Federal law or any substance which is controlled by the Food and Drug Administration.
Athlete	Any student participating in high school interscholastic athletic programs sponsored by Clarke County High School and sanctioned by the Virginia High School League (VHSL). The Virginia High School League (VHSL) is an alliance of Virginia's 312 public high schools providing quality student activities.

Athlete Random Drug Testing Guidelines

All students who participate in high school interscholastic athletic programs sponsored by Clarke county High School are subject to the ARDTP. The ARDTP is not intended to be academically punitive but is intended to assure the student's health and safety while participating in athletics. The ARDTP seeks to deter drug use and help

STUDENTS

§9-4B Athlete Random Drug Testing Program (ARDTP)

students live drug – free lives. The key features and requirements of the ARDTP are as follows:

1. Approximately 10% of the active student athletes will be randomly selected for drug tests during the season.
2. Students will not be notified in advance of any drug test. Students will be escorted to the school testing site by a school official.
3. Students will remain under school supervision until an adequate sample is provided per the testing protocol. If the selected student does not provide an adequate sample by the end of the student school day, the student will be ineligible to participate in athletics until a negative sample is provided at the next random test. Students will have access to their school materials (e.g. textbooks, reading materials, calculators, etc.).
4. 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 circumvent the policy or testing, the student will be dismissed from the team.
5. Students will be asked to empty their pockets and remove jackets before beginning the testing protocol. Any student who refuses to follow testing and collection protocols, as directed by the supervising school official, will be dismissed from the team for the remainder of the season.

Consent

Before any student will be permitted to try-out for or participate on any school-sponsored athletic team, the student and his/her parent(s) or guardian(s) must sign a consent form agreeing to participate in and be subject to the ARDTP. The consent will be valid for the current school year and must be provided on an annual basis. If the athlete *or* his/her parent(s) or guardian(s) refuse to sign the consent form, or seek to rescind consent previously given, the athlete will not be permitted to continue to participate in athletics. Also, if during any season the athlete refuses to be tested or attempts to tamper with or assists others in tampering or attempting to tamper with a testing sample, the athlete will be dismissed from the team.

Positive Test Results

For purpose of determining the consequences of a positive test result, each positive test results will be cumulatively counted over a athlete's entire high school career within the Clarke County Public Schools. In the event of a positive test result, the testing agency will notify the school division administrator in charge of the program. The following steps will then occur:

1. The Principal or designated Assistant Principal will notify in writing the parent(s)/guardian(s), the athlete, and coach and will advise the parent(s)/guardian(s) of the opportunity to respond to a positive test. The

STUDENTS

§9-4B Athlete Random Drug Testing Program (ARDTP)

Principal shall maintain a record of such written notice. The Principal or designated Assistant Principal *shall* schedule a meeting with a substance abuse educator, the parent(s)/guardian(s), the athlete, and athlete's physician, if requested, to develop a plan of assistance for the athlete.

2. Progressive actions following positive test results:

a. First Positive Test Result

The athletes will be dismissed from the team for the remainder of the season during which she/he has tested positive and placed on a six month suspension from participation in any interscholastic athletics. The athlete shall be required to participate in a substance abuse education/intervention program identified by the division. The athlete may appeal the suspension after three months, provided the athlete has completed the requirements of the mandated substance abuse education intervention program identified by the division.

b. Second Positive Test Result

The athlete will be ineligible to participate in any athletic practice and/or competition for 365 days from the date of the positive test result reported by the testing laboratory. The athlete will become eligible for athletic participation following the 365 – day suspension period and provided he/she successfully completes a substance abuse education/intervention program. Once the athlete resumes athletic participation at the expiration of the suspension period, he/she shall undergo monthly drug testing, at the expense of the parent(s)/guardian(s) or athlete, and such required monthly drug testing shall continue for as long as the athlete is a member of any athletic team.

c. Third Positive Test Result

The athlete will be ineligible to participate in any interscholastic athletics for the remainder of his/her high school career.

Appeal of Test Results

The parent(s)/guardian(s), or athlete if over the age of eighteen, may initiate an appeal within seven (7) calendar days of the **date they are provided written notice of a positive test**. The appeal must be filed in writing with the Athletic Eligibility Committee (AEC). The AEC will consist of the Clarke County High School Principal, one Clarke

STUDENTS

§9-4B Athlete Random Drug Testing Program (ARDTP)

County High School Assistant Principal, and the Clarke County High School Athletic Director. The appellants' shall provide the AEC with any additional information they wish for the AEC to consider and any reasons why the appellants' believe consequences should not be imposed as set forth in this ARDTP.

Upon request and at the expense of the Parent(s)/Guardian(s) or Athlete, the original sample will be retested by the original testing laboratory. The athlete may not practice or compete until the appeals process has been completed and then only if the AEC acts favorably on the appeal

Reinstatement

If an appeal is acted on favorably, and the suspension term commuted, the athlete will agree to submit to up to six (6) unscheduled drug tests at the expense of the parent(s)/guardian(s) or athlete for the remainder of the six-month suspension period..

The Committee shall report their decision to the division Superintendent who, in turn, shall inform the School Board.

Confidentiality

The division shall take all reasonable steps to maintain the confidentiality of test results and those results shall only be shared with those administrators with a need to know to include the superintendent, the principal, the assistant principal, the athletic director, the coach, and the school board. Test results shall not be maintained in the athlete's scholastic records but shall be maintained in records kept by the school division administrator in charge of the ARDTP. A positive test pursuant to this policy shall not result in any penalties or restrictions on an athlete's participation in any other non-athletic activities, shall not result in any disciplinary action except as explicitly provided for in this policy, and shall not be reported to law enforcement.

The principal will be responsible for conducting annual meetings with his/her faculty and staff to ensure confidentiality and fairness to all athletes. The policy and procedures are to be carefully explained to all staff members.

Reasonable Suspicion Drug Testing

- Nothing in this ARDTP shall be construed to replace or supplant the existing or future guidelines for student searches and student conduct policies. Any drug testing of an athlete based on reasonable suspicion, and the consequences imposed by a positive test under such circumstances, shall be governed by existing policy, student conduct guidelines and/or law and not by the terms of this Policy §9-4B.

STUDENTS

§9-4B Athlete Random Drug Testing Program (ARDTP)

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Legal Refs: Code of Virginia, 1950, as amended, §§ 22.1 – 78, 22.1 – 79