

Memorandum

TO: Tim Wyrosdick, Superintendent and School Board Members

FROM: Clifton Hinote, High School Director

DATE: August 14, 2013

RE: Student Athlete Drug Testing Policy

I have attached the 2013-14 Student-Athlete Drug Testing Policy for your perusal. We have made minor revisions at the request of Principals and Athletic Directors. We all feel these changes will increase our effectiveness in administering this policy in a fair and equitable manner. With your approval, we plan to initiate these revisions at the beginning of the school year. Thanks for your consideration of these revisions.

**SANTA ROSA COUNTY  
SCHOOL DISTRICT**

**DRUG TESTING  
FOR  
STUDENT-ATHLETES**

Revised 8-14-13

## DRUG AND ALCOHOL TESTING OF STUDENT ATHLETES

- I. **Findings and purpose:** We recognize that an increasing number of students in the Santa Rosa County school district and throughout our nation are involved in the illegal use of drugs and alcohol. The illegal use of drugs and alcohol by students during school hours and at other times continues to have a direct detrimental impact upon students' behavior, academic performance, and safety. This illegal use of drugs and alcohol may cause permanent physical and mental harm. We also find that many students who participate in interscholastic athletics and who are popular role models among their peers at school are also involved in the illegal use of drugs and alcohol.

It has been determined that, in addition to the harm that any student would experience, as a result of illegal use of drugs and alcohol, student athletes involved in such conduct will also experience other harmful effects, including the following: interference with their athletic performance, interference with their academic performance—often affecting their athletic eligibility—an increase in the risk of injury to themselves and to their teammates, athletic opponents, and others with whom they participate in athletic events; impairment of their judgment; slowing of their reaction time and reflexes; inability to adequately perceive pain; and reduction in motivation and the level of discipline necessary to any athletic program. Based upon these factors, we have determined that there is a compelling need to initiate a testing program and procedure to deter and reduce the illegal use of drugs and alcohol by student-athletes. With this program we will educate student-athletes concerning the problems and detrimental effects of drug and alcohol use, identify those student-athletes who may be using drugs and alcohol, identify those substances being used, encourage and facilitate appropriate counseling and treatment for any identified drug and alcohol dependency, and provide reasonable assurances that students wishing to participate in interscholastic athletics are medically physically competent to do so.

- II. **School Board's Authority:** In recognition of the fact that student participation in interscholastic athletics is extra-curricular and voluntary, and pursuant to Sections 1001.41 and 1001.42 of the Florida Statutes, and the opinion of the United States Supreme Court in the case of *Veronica School District 47J vs. Action*, the School Board of Santa Rosa County Florida is authorized to adopt a policy allowing drug and alcohol testing of student-athletes as provided herein.

- III. **Effective Date and Scope:** This policy shall become effective at the beginning of the fall sports season of the 2013-14 school years and shall remain in effect until such time as the School Board either repeals this policy or amends this policy.

- IV. **Definitions:** For purpose of this policy, the following terms and phrases shall be defined as follows:

- A. **Alcohol** shall mean any beverage, mixture or preparation, including any medication or other products containing alcohol or ethanol.

- B. **Chain of custody** refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to the final disposition for all such materials or substances and providing for accountability at each stage in handling, testing, storing specimens and reporting test results.
- C. **Confirmation test, confirmed test or confirmed drug test** means a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. A second test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.
- D. **Drugs** shall mean any substance of drugs identified in Schedules I through V of 21 United States Code Section 202 (controlled substances act) and as further defined by 21 CFR 1300.11 through 1300.15 and Section 893.03, Florida Statutes, and shall include without limitation, cannabinoids (marijuana), amphetamines, alcohol, cocaine, opiates, and phencyclidine(PCP).
- E. **Drug Screening-** the use of a drug screening kit procured through **E & A Solutions, Inc.** for the purpose of an initial determination of the presence or absence of a drug or its metabolites.
- F. **Drug test or test** means any chemical, biological, or physical instrumental analysis administered-by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration-for the purpose of determining the presence or absence of a drug or its metabolites.
- G. **Initial drug test** means a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens, using an immunoassay procedure or an equivalent, or a more accurate scientifically accepted method approved by the United States Food and Drug Administration as such more accurate technology becomes available in a cost effective form.
- H. **Medical review officer or "MRO"** is a licensed physician who has agreed to provide services to the School Board for the purpose of reviewing drug test results and communicating with student-athletes and their parent(s) concerning any positive drug test result as more specifically described herein.
- I. **Prescription or non-prescription medication** means a drug or medication obtained pursuant to a prescription as defined by S.893.02 or medication that is authorized pursuant to federal or state law for

general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.

J. **Parent** shall mean the parent or legal guardian of a student-athlete.

K. **Reasonable-suspicion drug testing** means drug testing based on a belief that a student-athlete is using or has used drugs in violation of school board policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things such facts and inferences may be based upon:

1. Observable phenomena while at school, athletic practice, athletic competition, or other times such as direct observations of drug use or the physical symptoms or manifestations of being under the influence of a drug.

2. Abnormal conduct or erratic behavior while at school, athletic practice, athletic competition, or other times.

3. A significant deterioration in athletic performance.

4. A report of drug use, provided by a reliable and credible source.

5. Evidence that a student-athlete has tampered with his/her drug test.

6. Evidence that a student-athlete has used, possessed, sold, solicited, or transferred drugs.

K. **Specimen** means tissue, hair, or a product of the human body capable of revealing the presence of drugs or their metabolites, as approved by the United States Food and Drug Administration or the Agency for Health Care Administration.

L. **Student-Athletes** are any students enrolled in the Santa Rosa County public schools who are participating in or applying for participation in any interscholastic athletic program, including practices and contests under the control and jurisdiction of the Santa Rosa County School District.

M. **Interscholastic athletics** is defined as any play between organized varsity, junior varsity, B squads, or 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> grade squads of different schools in sports including cheerleader squads.

## **V. General Prohibitions and penalties:**

- A. **Standard of Conduct for Student-Athletes:** The use or possession of a drug, as defined herein, by a student-athlete at any time is both illegal and detrimental to that student-athlete's ability to participate in interscholastic athletics and is hereby prohibited. Any student-athlete determined to be in violation of this policy is subject to disciplinary action related to his/her participating in interscholastic athletics and will be suspended from participation.
- B. **Student Code of Conduct:** Nothing contained in this policy for drug testing for student-athletes shall be construed to limit the application and enforcement of the Student Code of Conduct, including all of its provisions pertaining to drugs and alcohol.
- C. **Positive Test Results:** A drug test administered Pursuant to this policy will be deemed to have rendered a positive result indicating the presence of a drug if the quantity as determined by an initial screening followed by a confirmation laboratory analysis of the remaining portion of a split sample is equal to or greater than the following levels:
  - 1. Amphetamines: 1000 ng for the initial test and 500 ng for the confirmation test.
  - 2. Cannabinoid (marijuana): 50 ng for the initial test and 15 ng for the confirmation test.
  - 3. Cocaine: 300 ng for the initial test 150 ng for the confirmation test.
  - 4. Methamphetamine: 1,000 ng for the initial test and 500 ng for confirmation test.
  - 5. Opiates: 2000 ng for the initial test and 300 ng for the confirmation test.
  - 6. Phencyclidine (PCP): 25 ng for the initial test and 25 ng for the confirmation
  - 7. Other Drugs: If a drug test administered pursuant to this policy is intended to detect the presence of drugs, other than those listed in paragraphs 1 through 6 above (such as anabolic steroids), then a determination as to whether such drug test renders a positive result shall be based upon the levels or quantities established for such drugs by the medical review officer (MRO).

- D. Penalties: In addition to any disciplinary action that may be applicable pursuant to the Code of Conduct, any student-athlete whose drug test administered pursuant to this policy renders a positive test result or who otherwise violates this policy shall be punished as follows:

1. **First Offense or First Confirmed Positive Drug Test Result:** The student-athlete shall be suspended from participation in all interscholastic athletics (including practices) and referred to a school-approved drug assessment and rehabilitation program. His/her parent(s) will sign the student-athlete up and pay the enrollment fee. The student-athlete will attend his/her normal classes while enrolled in the program unless he/she is under any disciplinary action set forth by the Student Code of Conduct. The length of the suspension shall be no less than four weeks from notification of the test results. After the student-athlete has satisfactorily completed the program, he/she may resume participation in interscholastic athletics under a probationary status with the following conditions:

**A. Condition Number 1:** As a condition of probation, the student athletes shall be required to comply with any recommendations resulting from the assessment/ counseling conducted as part of the assessment.

**B. Condition Number 2:** At the conclusion of the assessment/counseling program, the student-athlete must pass a second drug test. The cost of this test will be the responsibility of the student-athlete and his/her parent(s).

**C. Condition Number 3:** As a condition of probation, the student-athlete will be subject to recurring drug screenings/tests at times that would not be previously disclosed to the student-athlete to deter the student-athlete from committing a subsequent violation of this policy.

**D. Condition Number 4:** The student-athlete shall remain on probation throughout the remainder of the time that he/she is enrolled in school.

2. **Subsequent Offense or Subsequent Confirmed Positive Drug Test**

**Results:** Upon determination that a student-athlete is guilty of a second or subsequent violation of this policy, or has a second or subsequent positive drug test result, the student-athlete shall be prohibited from participation in all interscholastic athletics for one full calendar year following the end of the athletic season during which the second offense or second positive drug test occurs. For example, if a football player has a second positive drug test during the middle of the football season, he/she would be prohibited from participating in any interscholastic athletics for the remainder of the season and for one full calendar year thereafter.

#### IV. Drug Testing Procedures:

- A. Consent:** Each student-athlete and his or her parent are required to sign a written consent for drug testing form prior to being allowed to participate in interscholastic athletics. Any random drug testing or reasonable suspicion drug testing done throughout the course of the school year will be paid for by the school. Failure or refusal to sign the consent, will result in the student not being permitted to participate. In addition, refusal to submit to the screening/test shall result in termination of the student's right to participate. Any student-athlete who turns 18 while a student will execute a document confirming the consent or shall not be permitted to continue participation.
- B. Medication:** Student-athletes who have been selected for drug testing and who are or have been taking prescription or non-prescription medication should disclose that fact to the MRO when requested and provide appropriate verification. This disclosure may be done by either a copy of the prescription or by the physician's written authorization.
- C. Selection Process:** Drug testing of student-athletes shall occur at various times throughout the school year on a team and/or individual basis whereby all student-athletes participating in a particular sport would be required to undergo drug screening or where an individual may be selected for screening because of "reasonable suspicion", or where individuals would be selected at random using a numerical selection process where each student-athlete's name and identity remains unknown until the random selections are complete. The times for team drug screening will be determined by the athletic director. The random selections will occur on a weekly basis throughout the fall, winter, and spring sports seasons. The random drawing of student-athletes will be done by the Santa Rosa School District utilizing a random selection program. Baptist Occupational Health Center will be the provider of the medical review officer (MRO). This process is to insure fairness and confidentiality for our student-athletes. Reasonable suspicion drug screening will occur at the request of the coach based on a belief that student-athletes are using or has used drugs in violation of athletic department policy. Reasonable suspicion screening or entire team screening will be above and beyond the random selection process and any costs associated with these additional screenings will be assigned to the school. Re-testing student-athletes following a first offense or first positive drug test result shall occur as specified in Paragraph V.D.1.b. above. If the selected student-athlete is 18 years of age or older, the student will need to sign a release of information form in order for drug screening/test results to be delivered to their parents and school officials.
- D. Screening Sample Collection Procedures:** Those student-athletes who are selected for drug screening shall be required to report to the screening facility immediately when called upon, and produce a urine sample under the supervision of the Baptist Health Care Trainer and the Athletic Director in a manner which will minimize intrusiveness and embarrassment to the student-athlete while also insuring that there is no tampering with the urine specimen by the student-athlete. Each urine sample screening kit container will be checked for appropriate temperature and for any signs of tampering and will be sealed and labeled with a code number or other means of identification.



**E. Sample Analysis Procedures (Confirmation Testing):** The sealed urine sample screening kit container will be evaluated immediately by the Baptist Health Care Trainer and the Athletic Director. If the urine sample screening kit renders a positive (non-negative) result, ~~the student and their parents will be notified immediately.~~ the urine sample will be immediately transferred to the lab analysis container, sealed and sent (provided envelopes) to the designated testing laboratory for analysis (Medtox). The cost incurred for the confirmation laboratory analysis will be the responsibility of the Santa Rosa County School District. If a non-negative result is observed, do not inform the student-athlete or his/her parent(s) of the screening results at this time. Possible consequences of the non-negative (positive) screening results will not occur until the confirmation analysis results have been received and verified by the MRO. However, please supply all students with the identifying sample code number if the need arises to reference the student athlete's confirmation analysis results. This code will be also conveyed to the Medical Review Officer (MRO) at the Baptist Occupational Health Center to facilitate contact with parents/student in regard to the confirmation analysis results.

**F. Medical Review Officer's Procedure:** The Medical Review Officer (MRO) will receive all reports of positive drug test results and will be supplied with information to determine the correct name of the student-athlete whose identifying code number appears on each positive test result report. Prior to verifying a positive drug test result, the MRO shall contact the student-athlete, whose name coincides with the identifying code number on the positive drug test report and that student-athlete's parent(s), to afford them the opportunity to discuss the tests results confidentially with the MRO, and provide the MRO with the student-athlete's medical history and any other relevant biomedical information that would assist the MRO in determining whether he/she should verify the drug test results as positive or deem that results to be negative. If the MRO determines that the test results should be deemed negative then no further action shall be taken and the student-athlete's test results, along with all their previous negative test results, will be reported to the school principal or his/her designee as a negative result. ~~If the MRO verifies that a positive drug test result, as reported by the laboratory, is indeed positive, then the MRO will offer to the student/parents, the opportunity to have the original sample tested by another laboratory at the student's/ parent's expense.~~

~~This will be the final offer for a re-test.~~ The MRO shall submit the positive drug test results to the student-athlete's school principal or his/her designee identifying that student-athlete by name so that the appropriate disciplinary action can be taken pursuant to this policy.

Re-testing of student-athletes who are on probation because of a previous positive drug test or other violation of this policy shall be processed in the following manner. The student will be required to contact the Occupational Health Services Office at Baptist Medical Park, 9400 University Parkway, Pensacola, FL 32514-5752 ((850) 208-6400) and schedule a drug test. This drug test will be

**at the cost of the parent and a waiver allowing the test results to be shared with Santa Rosa County District schools will be required.**

**VII. Appeal Procedures:** In addition to the opportunity afforded to the student-athlete and his/her parents to discuss that student-athlete's confirm positive drug test results with the MRO, a student-athlete whose test results have been verified and forwarded by the MRO to the school principal or his/her designee for the imposition of disciplinary actions provided here in or a student-athlete facing disciplinary actions provided herein as a result of other alleged violations of this policy, shall be entitled to procedural due process as follows:

- A. Notice: The principal or his/her designee shall notify the student-athlete and his/her parent(s) that the student-athlete's positive drug test result has been verified by the MRO or that the student-athlete has otherwise violated this policy, describe the disciplinary action to be taken, and advise the student-athlete and his/her parent(s) of their right to schedule a due process hearing. This hearing will be scheduled for the following school day. At this point the student-athlete will be deemed temporarily ineligible for participation in interscholastic athletics and any practice until the appeal process is brought to a conclusion that would re-instate the student-athlete.
- B. Hearing: If requested by the student-athlete or his/her parent(s), the principal shall conduct a hearing within a reasonable period of time. The principal shall render a decision and provide the student-athlete and parent with a written record of that decision at the hearing or within three (3) days of the hearing and sanctions shall begin immediately. The principal's decision shall be final and shall not be subject to any further administrative appeal.

SANTA ROSA COUNTY  
CONSENT TO STUDENT-ATHLETE DRUG SCREENING

I understand that submission to screening for the presence of drugs is a condition of participating in interscholastic athletics. I further understand if I refuse to take the screening or if the screening establishes a violation to the drug testing policy, I will face disciplinary action set forth by the drug testing policy.

By signing and dating this form I consent to take a preseason urinalysis if required and to be random tested by draw throughout my sport's season(s). The preseason test, when required, is completed prior to the start of the particular sports season after tryouts are over. The draw for the random screenings will be performed on a weekly basis with the selected athletes being notified on the day they are to report for urinalysis. I also understand the provisions of reasonable suspicion.

By signing and dating this form I understand that the cost for all random screenings and **confirmation** laboratory analysis will be paid for by the Santa Rosa School District. I also understand that the cost for the assessment and rehabilitation program, in the event of a violation of the drug testing policy, is the responsibility of the athlete. Any subsequent drug screenings/laboratory analyses will be the responsibility of the student athlete's parent(s) or guardian(s).

I hereby consent to the administration of the drug screening and to the conditions listed in this consent. By signing and dating this form I attest I have read and understand the Santa Rosa County Drug Testing for Student-Athletes policy.

Student-Athlete's Name: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Notary Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

