

STUDENT DRUG AND ALCOHOL TESTING POLICY**I. POLICY**

The New Albany School District (NASD) recognizes that drug and alcohol use by students participating in activities governed by the Mississippi High School Activities Association (MHSAA) present special concerns about the dangerous combination of drugs or alcohol and school activities. While the misuse or abuse of alcohol, illegal drugs, prescription, and even non-prescription drugs is unsafe for any student, the physical demands placed upon students involved in athletics, band, cheerleading, and dance in practice and competition make such misuse or abuse dangerous. The student's use of drugs or alcohol increases the risk of injuries and impairs judgment, coordination, and reaction, leading to injuries on the field to both the student using drugs and other teammates or opponents. Conditioning can be continuous, so the concern for safety does not diminish during the off-season of a sport.

The incidence of drug use by New Albany High School and New Albany Middle School students, and especially students involved in competition and/or practice, is not great, but even though the number of cases is small, the danger to individual students is magnified by physical exertion. Additionally, NASD finds that, since physical conditioning, practice, and competition can often be an almost daily activity, the indication of drug use in the recent past means that (1) the student most probably exercised with the drug (or alcohol) in the student's system and (2) the student may exercise under the influence of drugs or alcohol in the future unless there is reasonable intervention provided in this policy.

In addition to focusing on the serious health risks posed by students drug and alcohol use, NASD has elected to test students involved in activities governed by MHSAA because of their status within the school community. These students generally are prominent members of the student body who are viewed with admiration and respect. This status places these students in a leadership role that gives them the power to influence other students' behavior. Accordingly, drug and alcohol use by students involved in MHSAA activities can have a negative effect on the general health and welfare of all students.

In response to the NASD health risks and other risks posed by these students drug and alcohol use, NASD has implemented a student drug and alcohol testing policy which is designed to provide early detection of drug use and to eradicate or reduce significantly use and influence of prohibited drugs, alcohol and other chemicals by students participating in MHSAA governed programs.

In pursuit of these purposes, NASD declares that the use of prohibited drugs and alcohol, or intoxication and physical influence thereof, by student participating in MHSAA governed activities is inherently unsafe. Such use, intoxication, or influence should be detected and prevented and such student should be counseled, educated, and monitored.

II. AUTHORITY

This policy was adopted and is implemented by the New Albany School District Board of Trustees.

III. APPLICABILITY

All students enrolled in New Albany High School who are in 9th grade or higher and seventh and eighth graders at New Albany Middle School who participate, or who have expressed an intention to participate, in any New Albany School program governed by MHSAA shall be subject to drug and/or alcohol testing to the extent and manner provided for in this policy.

This policy and the NASD Drug and Alcohol Policy, shall be administered separately and concurrently. Tests occurring under this policy shall not be used for or considered for the purposes of the NASD Drug and Alcohol Policy, but test results under NASD Drug and Alcohol Testing Policy may be considered for the purposes of student eligibility and for testing or monitoring under this policy.

IV. DEFINITIONS

"Alcohol" or "alcoholic beverage" means ethyl alcohol (ethanol). References to use or possession of alcohol include use or possession of any beverage, mixture, or preparation containing ethyl alcohol.

"Anabolic steroids" mean a class of synthetic compounds which resemble the natural male hormone testosterone or which promote muscle tissue growth at a rate above that which can be obtained through training and nutrition, leading to increased muscle mass, power and strength.

"Confirmation test" means a drug and alcohol test on a specimen to substantiate the results of a prior drug and alcohol test on the specimen. The confirmation test must use an alternate method of equal or greater sensitivity than that used in the previous drug and alcohol test.

"Drug and/or alcohol test" means a chemical test administered for the purpose of determining the presence or absence of a drug or alcohol in a person's bodily fluids.

"Illegal drug" means a prohibited drug as set forth below or a drug listed as illegal under Mississippi law or a drug which is illegal to use under Mississippi law without a prescription.

"Initial test" means an initial drug test to determine the presence or absence of drugs or related metabolites or of alcohol and its metabolites in specimens.

"Medical Review Officer" "or "MRO" means a licensed physician, either a doctor of medicine or doctor of osteopathy, or other medical or scientific expert knowledgeable in drug abuse disorders, employed to help the lab interpret, evaluate, and monitor its drug-testing program.

"Mississippi High School Activities Association Sanctioned Events" means athletics, band, cheerleading, chorus, debate and dance.

"Negative drug test" means a drug or alcohol test that does not show evidence of alcohol or a prohibited drug in a student's system.

"Positive drug test" means a drug or alcohol test that indicates the presence of alcohol or a prohibited drug in a student's system.

"Prescription or non-prescription medication" mean a drug prescribed for use by a duly licensed physician, dentist or other medical practitioner licensed to issue prescriptions or a drug that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments or injuries.

"Prohibited drug" means any drug which is considered a part of the group of drugs listed in Section V of this Drug Testing Policy.

"Random testing" means a neutral selection basis of testing for drugs and/or alcohol which provides a mechanism for selecting students for testing that: (1) results in an equal probability that any student from a pool of students subject to the selection mechanism will be selected, and (ii) does not give NASD and school personnel the discretion to waive the selection of any student selected under the mechanism.

"Reasonable suspicion drug or alcohol testing" means drug and alcohol testing based on a founded suspicion that a student is **in possession of or is** using or has used drugs in violation of this policy as indicated in Article X.

"Student" means all students enrolled in New Albany High School and New Albany Middle School who participate, or who have expressed an intention to participate, in any New Albany School program governed by MHSAA

"Specimen" means a tissue or product of the human body chemically capable of revealing the presence of drugs or alcohol in the human body.

"NAHS" shall mean New Albany High School

"NAMS" shall mean New Albany Middle School

"NASD" shall mean the New Albany School District.

"MHSAA" shall mean the Mississippi High Schools Activities Association.

V. PROHIBITED DRUGS/ALCOHOL

The New Albany School District shall designate those drugs for which tests shall be administered.

VI. IMPLEMENTATION

All students participating in activities governed by the MHSAA and their parents or guardians will be notified of this policy. The NAHS and NAMS Principal shall be responsible for the fair, impartial and complete implementation of this policy and for ensuring the no-notice, surprise nature of all testing.

VII. CONSENT/REFUSAL TO CONSENT

All students participating in activities of the MHSAA and the parents/guardians of students shall be asked to sign a consent form acknowledging the policy, authorizing the test for prohibited drugs and alcohol as provided for in this policy and consenting to the release of the test results to the New Albany Schools Athletic Director and the parents/guardians of the student. Results may also be released to the Superintendent or his designee, the school principal and coaches/directors/sponsors on a need-to-know and confidential basis. A suggested form is attached as Exhibit A to this policy. If a student and/or the student's parent/guardian decline or fail to sign the consent form, the student will be ineligible to participate in any MHSAA governed program.

VIII. RANDOM TESTING

Students as defined in Section IV of this policy will be tested on a random basis for use of prohibited drugs and/or alcohol. Random tests shall be initiated by the testing laboratory without prior notice, except that the Principals shall receive notice from the testing laboratory not more than one (1) hour prior to the commencement of collection of specimens. The random testing shall not be announced or revealed prior to the time of commencement and shall be conducted on a no-notice, surprise basis. Athletic Department staff shall not be involved in the collection, storage, labeling, or handling of specimens from random testing. The NASD Superintendent shall determine the percentage of student athletes tested in any one (1) random test, not to exceed **20%**.

VIII. Part 2 PRE-SEASON TESTING

All students who participate in activities governed by the MHSAA may be required to submit to drug and alcohol testing prior to the beginning of their season. This testing procedure will be completed by the district's nursing staff and could be prior to the start of each sport or one testing date for fall sports and one for spring. This will be separate from the random testing during the school year.

IX. REASONABLE SUSPICION TESTING FOR STEROID USE

NASD may require any student to submit to a drug test if there is reasonable suspicion that the student has or is using anabolic steroids. Reasonable suspicion must be based on observable physical, behavioral or performance indicators of probable anabolic steroid use. Reasonable suspicion will not arise when indicators are not observed as provided in Article X of this policy.

The following observation indicator constitutes the primary factor for reasonable suspicion testing for anabolic steroids:

1. Rapid, marked increase in body muscle, mass, strength and performance which cannot be explained alone by training, nutrition, and exercise.
2. In addition to the primary factor listed above, reasonable suspicion may be confirmed by:
 - a) Jaundice due to liver dysfunction
 - b) Virilization in females (increased body hair, deepening of voice)
 - c) Breast enlargement in males
 - d) Insomnia, or
 - e) Depression

Any NAHS or NAMS staff member who reasonably suspects that a student is using an anabolic steroid shall report such suspicions to the Principal. The staff member and the Principal must agree that the observable indicators constitute reasonable suspicion of possible steroid use before a student can be tested under these provisions.

IX. PART 2. REASONABLE SUSPICION FOR ILLEGAL DRUG / UNAUTHORIZED PRESCRIPTION MEDICATION POSSESSION OR USE

Any student who by reasonable suspicion is believed to be under the influence or has possession of drugs/alcohol shall be subject to being tested. Reasonable suspicion may include, but not limited to specific observations which are articulated concerning the appearance, behavior, speech or body odors of the student.

X. SPECIMEN COLLECTION

Breath, urine, hair, and saliva will be collected under reasonable and sanitary conditions. Individual dignity and privacy will be preserved to the extent practicable. Universally accepted standards for testing, labeling, storage, and transportation of specimens will be strictly followed by the testing facilities. The MRO will request information before each confirmation test regarding prescription and non-prescription drugs and any other information which could lead to a false positive test. Athletic Department staff members shall not be involved in specimen collection.

XI. TESTING PROCEDURES

A laboratory certified by the National Institute of Drug Abuse will be designated by NASD to perform all initial drug and alcohol tests. The laboratory will be responsible for the handling and safe delivery of all positive specimens to the confirmation laboratory and such delivery will be accomplished through proper chain of custody procedures.

XII. FINDING OF DRUG AND/OR ALCOHOL USE CONSEQUENCES

If the initial test for drugs or alcohol indicates a negative result, no further test will occur unless there is good reason to suspect the quality of the specimen sample. If the initial test indicates a positive result a confirmation test will be conducted immediately. Should the confirmation test also indicate a positive result, the Athletic Director will notify the student and the student's parent/guardian in writing of such positive test results.

TESTING CONSEQUENCES

First Positive: When a positive result is verified and confirmed, the school contact person(s), as defined in subparagraph b of XII and the student's parent(s)/legal guardian(s) will be notified. The student will not be allowed to participate in any extracurricular event sanctioned by the MHSAA until he or she tests negative. Additionally, any student who tests positive will be subject to subsequent testing once a month for the following six (6) months. Any student who tests positive must get counseling approved by the school district.

Second Positive:

When a second positive test is verified and confirmed, the school contact person(s), as defined in subparagraph b of XII, and the student's parent(s)/legal guardian(s) will be notified. The student will not be allowed to participate in any extracurricular event sanctioned by the MHSAA for thirty (30) days. The student must show proof of counseling which has been approved by the district. The student will be tested after the thirty (30) day suspension. Additionally, any student who tests positive for a second time will be subject to subsequent testing once a month for the following six (6) months.

Third Positive:

When a third positive test is verified and confirmed, the school contact person(s), as defined in subparagraph b of XII, and the student's parent(s)/legal guardian(s) will be notified. The student will not be allowed to participate in any extracurricular event sanctioned by the MHSAA for ninety (90) days. The student will be tested after the ninety (90) day suspension. Additionally, any student who tests positive will be subject to subsequent testing once a month for the following six (6) months

XIII. APPEAL

A student has the right to appeal a decision of the Athletic Department by following the complaint procedures as outlined in School Board Policy. Participation in MHSAA governed programs at New Albany High School and New Albany Middle School is a privilege only and the student has no property right or interests in participation.

XIV. CONFIDENTIALITY

The results of a student's drug and/or alcohol test shall not be released to anyone other than the lab, the Athletic Director, and the student's parents/guardians. Results may also be released to the Superintendent or his designee, the school principal and coaches/directors/sponsors on a need-to-know and confidential basis. No other person may receive the test results of a student without the express authorization and consent of the student and his/her parent/guardian.

XV. COST

NASD will bear the cost of all drug and alcohol tests required by NASD for students. The student or his/her parent/guardian will pay the costs of any retest requested by the student.

XVI. DRUG EDUCATION AND COUNSELING

NASD provides drug and alcohol education at several levels. NASD requires drug education and counseling, at student expense, as a prerequisite to continuing to participate as a student and for reinstatement to a program after suspension.

XVII. USE OF PRESCRIPTION OR LEGAL NON-PRESCRIPTION DRUGS

NASD recognizes that from time to time its students, for medical reasons, may take certain drugs prescribed by their physician including certain prohibited drugs. NASD also recognizes that students may, from time to time, for various medical reasons take certain non-prescription drugs. Any student who needs to take prescription or non-prescription drugs may (but is not required to) notify the Athletic Director or an athletic department staff member and provide a copy of the prescription, or in the case of non-prescription drugs, a note from the parent/guardian that the student athlete has permission to possess and take the non-prescription drugs. The prescription or the note should state how long the student will be taking the drugs. Both the prescription and the note should be specific about the type or description of drug to be taken. The Athletic Director and staff member shall keep the information confidential and in a secure location.

Prior to an initial drug and alcohol test, a student may voluntarily disclose the use of any prescription or non prescription drugs, but will not be required to do so. If the initial test results are positive, the MRO shall request from the student and/or the parent/guardian information regarding what, if any, prescription and nonprescription drugs, the student was using at the time of the test.

Information regarding a student's need for and possession and use of prescription and non-prescription drugs is considered confidential, sensitive, and private. The information is necessary and will only be used for the assistance of the student needing the medications, the safety of that athlete and other students, and, in the event of a positive initial test result, to assist the lab in determining possible causes of a false-positive test.

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DRUG AND ALCOHOL TESTING POLICY

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CONSENT TO STUDENT DRUG & ALCOHOL TESTING

I, the undersigned student acknowledge that I have received a copy of the New Albany School District Student Drug and Alcohol Testing Policy. I acknowledge that I have had the opportunity to read and understand the policy and I agree to comply with the rules and regulations of this program. I hereby consent to pre-season testing, random testing throughout the year and to testing for steroid use in the circumstances of reasonable suspicion. I authorize the confidential release of the testing to the athletic director, to my parents or guardians and as provided in the policy

Printed name of student

Date: _____

Signature of Student

CONSENT AND ENDORSEMENT OF PARENT/GUARDIAN

We, the parents or legal guardians of the above student join in the above consent, acknowledging that we have received, read, and understood the New Albany School District Drug and Alcohol Testing Policy and consenting to the testing, by urinalysis, saliva, or a sample of hair, or breath intoxilyzer of our student as provided in the policy.

Printed name of parent or legal guardian

Signature of parent or guardian

Date

Both the student and his or her parents or legal guardians must sign and return this consent form to the proper authorities at School prior to participation as a member of any team or program governed by the Mississippi High School Activities Association.