

**Baxter Springs USD 508**  
**Student Extracurricular and/or Co-Curricular Activities**  
**Drug/Alcohol Testing Policy**

The Baxter Springs Board of Education, in a an effort to protect the health and safety of its student athletes from illegal and/or performance-enhancing drug/alcohol use and abuse or injuries resulting from the use of drugs/alcohol, thereby setting an example for all other students of the Baxter Springs School District adopts the following policy for drug/alcohol testing of students participating in extracurricular and/or co-curricular activities.

**1. Statement of Purpose and Intent**

- a. It is the desire of the Board of Education, administration, and staff that every student in the Baxter Springs School District refrain from using, possessing, or distributing illegal drugs and alcohol. The actions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in extracurricular and/or co-curricular activities. This policy is intended to supplement and complement all other policies, rules, and regulations of the Baxter Springs School District regarding possession and/or use of illegal drugs and alcohol.
- b. Participation in school sponsored extracurricular and co-curricular activities at the Baxter Springs School District is a privilege. Accordingly, students in extracurricular and co-curricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal drugs and alcohol.
- c. The purpose of this policy is to prevent illegal drug use and to strive within the Baxter Springs School District for an environment free of illegal drug use and abuse. The sanctions of this policy relate to solely to limiting the opportunity of any student found to be in violation of this policy to participate in extracurricular and/or co-curricular activities. There will be no academic sanction for violation of this policy, except to the extent that if a violation of this policy would also constitute violation of the District's discipline policy. If the discipline drug/alcohol policy is violated, the student will be subject to the penalties of the discipline policy.
- d. The purpose of this policy is to prevent drug/alcohol use, educate students as to the serious physical, mental, and emotional harm caused by drug use, alert students with possible drug problems to the potential harms of use, prevent injury, illness and harm as a result of drug use and to maintain in the school district an environment free of drug use and abuse. The Baxter Springs School District has adopted this policy

for use by all students participating in extracurricular and co-curricular activities in grades 7-12.

## **2. Definitions**

- a. “Extracurricular activities” means those activities that take place outside the regular course of study in school and those students involved in those activities including all Baxter Springs School District sponsored activities, interscholastic sports teams, cheerleaders, and dance teams.
- b. “Co-curricular activities” means those activities that students participate in outside of the classroom as a result of being enrolled in a school-offered class.
- c. “Drug Use Test” means a scientifically substantiated method to test for the presence of illegal, performance-enhancing drug, alcohol, or the metabolites thereof in a person’s urine or saliva.
- d. “Illegal Drugs” means any substance which an individual may not sell, possess, use, distribute, or purchase under either Federal or Kansas Law. “Illegal Drugs” includes, but is not limited to, all scheduled drugs as defined by Kansas Law, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being use for an abusive purpose as well as alcohol.
- e. “Performance-Enhancing Drugs” includes anabolic steroids and any other natural or synthetic substance use to increase muscle mass, strength, endurance, speed, or other athletic ability. The term “Performance-Enhancing Drugs” does not include dietary or nutritional supplements such as vitamins, minerals, and proteins that can be lawfully purchased in over-the-counter transactions.
- f. “Positive” when referring to a drug test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test. “Positive” when referring to an alcohol test administered under this policy means a breath analyzer test result that is considered to demonstrate the presence of alcohol.
- g. “Reasonable Suspicion” means a suspicion based on specific personal observations concerning the appearance, speech, or behavior of a participating student, and reasonable inferences drawn from those observations in the light of experience. Information provided by a

reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion could also include unusual increases in size, strength, weight, or other athletic abilities.

### **3. Procedure**

- a. Each student in extracurricular and/or co-curricular activities shall receive copies of the “Student Extracurricular and/or Co-curricular Activities Drug/Alcohol Testing Consent Form” which shall be read, signed, and dated by the student, parent and/or guardian. Students must turn in the “Student Extracurricular and/or Co-curricular Activities Testing Consent Form” to the school office during the first week of school before the student will be allowed to begin or continue to practice or participate in any extracurricular and/or co-curricular activities. Any student who does not turn in the required forms during this first week of the school year will not be eligible to participate in any extra curricular and/or co-curricular activities during the remainder of the school year. Transfer students will be placed in the testing pool within one week of their enrollment date in Baxter High School.
- b. Students will be required to provide urine and/or saliva samples as follows:
  - 1) On a random selection basis, from a list of all students in the testing pool, 5-10 extracurricular and/or co-curricular participants will be drawn at random to provide a urine and/or saliva sample every one to fourteen days.
  - 2) At any time requested by the administration, based on reasonable suspicion, be tested for illegal or performance-enhancing drugs and/or alcohol.
- c. Any drug use test required by the Baxter USD 508 School District under the terms of the policy will be administrated by or at the direction of a professional laboratory chosen by the Baxter USD 508 School District, using scientifically validated toxicological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control, and scientific testing.
- d. Students attending school sponsored extracurricular activities may be randomly required to submit to an alcohol breath analyzer test to determine the presence of alcohol.

- e. All aspects of the drug use-testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of students to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, the specimen must be collected in a restroom or other private facility behind a closed stall. The student will empty their pockets and remove their coat and other excess clothing prior to entering the restroom or other private facility. The principal shall designate a drug laboratory employee, a coach, or school employee of the same gender as the student to accompany the student to a restroom or other private facility. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to ensure an accurate chain of custody. The monitor shall verify the normal warmth and appearance of the specimen. If at any time that a student is tampering with the specimen, the monitor may stop the procedure and inform the principal, who will then determine if a saliva sample should be obtained.
- f. If the initial drug test is positive, the initial test result will then be subject to confirmation by a second and different test of the same specimen. In order to keep the results of the initial testing confidential, the school district may also choose a certain number of samples for a conformation test. A specimen shall not be reported positive unless the second is positive for the presence of an illegal drug or the metabolites thereof.
- g. If the test for any student has a positive result, the laboratory will contact the parents or guardians and solicit any information on medication that would create a positive test. A medical review officer will confirm the positive result and contact the principal with the results. Once a positive result is determined the student will become ineligible to practice, participate, or compete in extracurricular and/or co-curricular activities. The principal will contact the athletic director, activities director, assistant principal, the student, the head coach/head sponsor, and the parent or guardian of the student and schedule a conference. At the conference, the principal will solicit any explanation of the positive result.
- h. If the student asserts that the positive test results are caused by something other than consumption of an illegal drug, performance-enhancing drug, or alcohol by the student, then the student will be given an opportunity to present evidence of such to the principal, the athletic director, and the head/coach/head sponsor. The Baxter USD 508 School District will rely on the opinion of the laboratory that

performed the confirmation test in determining whether the positive test result was produced by other than consumption of an illegal drug, performance-enhancing drug, or alcohol. The principal, the athletic director, and the head coach/sponsor will make the decision within five working days.

- i. This decision may be appealed in writing to the Baxter USD 508 School District's superintendent within five days. The superintendent will make a written decision within five working days.
- j. The decision of the superintendent may be appealed in writing to the Baxter USD 508 Board of Education with five working days. The Baxter USD 508 School District's rules and regulations will be followed in the case of an appeal.
- k. A student that has tested positive for illegal drugs or performance-enhancing drugs will be required to undergo one or more additional drug use tests to confirm that the student is no longer using illegal drugs or performance-enhancing drugs before he/she may rejoin an activity. The Baxter USD 508 School District will rely on the opinion of the laboratory that performed or analyzed the additional drug use test in determining whether a positive result in the additional drug test was produced by illegal or performance-enhancing drugs used by the student that caused the first positive result or by more recent use. The cost of the retest will be the obligation of the student or the parent custodial guardian.
- l. All parents or guardians of students who test negative for illegal drugs or performance-enhancing drugs in the initial screening will be contacted by personnel of the Baxter USD 508 School District within five working days after testing.

#### **4. Violation**

Any student who test positive in a drug/alcohol use test under this policy shall be subject to the following restrictions:

- a. For the first offense, the student shall be suspended from participation in all extracurricular and/or co-curricular activities including all performances and competitions, for eight weeks (56 days). During this time, it is required that the parent/guardian obtain a substance abuse evaluation and education/counseling for the student. Once the student and/or parent/guardian can provide proof of completion of a school-approved substance abuse program and the student has served the full term of his/her suspension from participation in all extracurricular and/or co-curricular activities, the student will be reinstated.

- b. For the second offense, the student shall be suspended from participation in all extracurricular and/or co-curricular activities including all meetings, practices, performances, and competitions for thirty-six weeks (252 days) continuous and successive weeks from the date of the initial report of the second offense as stated in this policy. During this time, it is required that the parent/guardian obtain a substance abuse evaluation and education/counseling for the student. Once the student and/or parent/guardian can provide proof of completion of a school-approved substance abuse program and the student has served the full term of his/her suspension from participation in all extracurricular and/or co-curricular activities, the student will be reinstated.
- c. For the third offense, the student shall be suspended from participation in all extracurricular and/or co-curricular activities including all meetings, practices, performances, and competitions for the length of the students enrollment at Baxter Springs School District from the date of the initial report of the third offense as stated in this policy.

## **5. Refusal to Submit to Drug Use Test**

- a. If an extracurricular and/or co-curricular participant refuses to submit to a drug/alcohol use test authorized under this policy, such student shall be considered “positive” for drugs and subject to the appropriate suspension as stated in sections 4a, 4b, and 4c.
- b. Any student who has a positive initial test and refuses to complete the required paperwork for a confirmation test will be treated as a refusal to submit to testing.

## **6. Disclaimer**

This policy shall not supersede or be in conflict with any state and/or federal law.