

High School Athletic Program Drug and Alcohol Testing Policy

The Rio Rancho Public Schools (RRPS) Board of Education recognizes that the use of illegal drugs, alcohol and misuse of prescription drugs among student athletes is increasing and a proactive program of deterrence will be instituted as an approach to encourage student athletes to make healthy and positive choices, to provide support in participation in treatment programs for students found to be using prohibited substances and to foster a safe environment for all students participating in New Mexico Athletics Association (NMAA) programs. This will be a pilot program for the 2015-16 school year for RRPS students in high school athletic programs only. There will be no academic sanction for violation of this Policy unless the student also violates student handbook policies. THIS POLICY IN NO WAY LIMITS THE SANCTIONS WHICH MAY BE APPLICABLE UNDER STUDENT HANDBOOK POLICIES.

I. Purpose:

- a. To deter student athletes from using drugs and alcohol which pose a threat not only to themselves, but to the health and safety of all RRPS students.
- b. Undermine the effect of negative peer pressure by providing a legitimate reason for student athletes to refuse using drugs and alcohol and avoid the misuse of prescription drugs.
- c. Create a safe and drug free environment for students who participate in extra-curricular activities and assist them in getting help when needed.
- d. To ensure that students involved in athletics set an appropriate example for their peers for whom they are role models.
- e. To ensure that students involved in RRPS athletic programs are reaching their full potential in the academic endeavors.
- f. To determine the extent of current substance use and abuse in order to develop effective procedures for reduction of student contact with and use of prohibited substances.

II. Prohibited Substances:

“Prohibited Substances” means:

- a. Controlled substances that are identified in Schedules I through V of Section 202 of the Controlled Substances Act, 21 USC, Statute 812 (United States Code, Title XXI, Chapter 13) or its implementing regulations, 21 CFR Sections 1308.11 to 1308.15 where the use is neither authorized by law nor a valid prescription, or the misuse of a legal substance under Federal or New Mexico law. Such drugs include, but are not limited to: marijuana, cocaine, opiates, amphetamines, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates and propoxyphene.
- b. All prescription drugs that were obtained without authorization.
- c. All prescription and over-the-counter drugs that are being used in an abusive manner. Performance-enhancing drugs.
- d. "**Performance Enhancing Drugs**" includes anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or other athletic ability. The term "performance-enhancing drug" does not include dietary or

nutrition supplements such as vitamins, minerals, and proteins that can be lawfully purchased in over-the-counter transactions.

- e. Alcohol use.
- f. The Superintendent or designee is authorized to amend the foregoing list upon reliable medical or chemical information indicating use of such additional substances is detrimental to the health of minors engaged in athletic programs. Any amendment to this list shall be provided to each student athlete and testing for substances on the amended list may commence after ten (10) days' notice of the amended list.

III. Testing Procedures:

- a. At the beginning of each sport season, all student athletes /parents will be provided a copy of the RRPS Drug and Alcohol Testing Policy and acknowledge its receipt as a condition of any further participation in school activities. Athletic Coordinators will present and review the RRPS Drug and Alcohol Testing Policy at the mandatory Parent Meeting at the beginning of each season.
- b. At the beginning of each sport season, all student athletes will be provided a copy of the RRPS Drug and Alcohol Testing Policy and acknowledge its receipt as a condition of any further participation in school activities. Students in grades 8–12 who participate in any NMAA sanctioned high school athletic programs within RRPS will be subject to random drug testing performed by an independent laboratory certified by the U.S Dept. of Health and Human Services (HHS) under the National Laboratory Certification Program (NLCP) located in Bernalillo or Sandoval County, New Mexico and contracted by the District. Testing of a student saliva sample is the approved test moderm. All testing will be conducted by the laboratory according to testing standards established by the state or federal government.
- c. No student shall be allowed to practice or participate in any RRPS Athletic Programs until the student has submitted a completed physical form that the student is physically approved for participation in RRPS and NMAA sanctioned programs and has returned a RRPS Athletic Drug and Alcohol Testing Consent Form which has been signed and dated by the student and the student's parent/guardian. In doing so, the student is consenting to participation in the random substance testing program. Refusal to cooperate with the requirements of this policy, including failure to provide a saliva sample, will be deemed an admission of the use of prohibited substances and a voluntary resignation from all athletic participation for one calendar year beginning on the date of the refusal.
- d. Each school Athletic Department shall be responsible for confirming receipt of each physical form and RRPS High School Athletic Program Drug & Alcohol Testing Policy Consent Form and for maintaining them in a secure location.
- e. A set number of student athletes in each in-season sport or off-season program will be selected on a random basis. The drug testing company will randomly select the student athletes to be tested.
- f. The dates on which testing will be performed shall be also randomly selected and such dates will not be disclosed prior to testing. No student selected for testing will be given advance noticed or an early warning that he or she will be tested.

- g. A student may be removed from class for testing provided that no timed test or state required assessment test is in progress or that the student is in the process of presenting an oral report. Each student will be given a unique test number sequence and test sample(s) will be coded accordingly. Test samples will be taken in a private location one student at a time. Refusal to provide a sample will be treated as voluntary resignation from all athletic programs in RRPS. Such refusal may also be treated as an admission of violation of this Policy for purposes of other student disciplinary policies.
- h. The fact that a student is selected on more than one occasion or on consecutive days for testing shall not be grounds for refusing to be tested.
- i. Immediately after the saliva sample is given, the student may return to class with a pass that is signed, dated and timed by the principal/administrative designee. A student testing positive will remain in the testing area until the student's parents have been contacted as provided in subparagraph k below.
- j. A Refusal to Submit to Random Drug and Alcohol Test form be filled out and signed by the student, administrator, parent/guardian and a witness. If the student refuses to sign the form, that refusal will be noted on the form by the administrator.
- k. The testing laboratory will contact the Superintendent or designee with the test results. If a test result is positive, the Superintendent or designee will immediately contact the student and the student's parents or legal guardians and schedule a conference at which time the student, parents, or legal guardians may explain the positive result. A parent may also request a retest provided the request is made at the time of the initial notification by District of such positive test result and the parent makes satisfactory arrangements with the testing laboratory for payment of the retest. Any retest will be conducted as soon as possible on the same date as the original test and may be conducted without the presence of the parent. The student will be isolated until a retest is completed. If the original test result is contradicted by the retest, the District will reimburse the parent for the cost of the retest.

III. Procedures for Positive Tests:

"**Positive**" when referring to a test administered under this policy means a toxicological test result that demonstrates the presence of prohibited substances, using the standards customarily established by the testing laboratory administering the test.

First Violation

- a. A mandatory conference with the student's parent/legal guardian, coach, and/or other school administrators will be required.
- b. The student athlete will be suspended from competing in all athletic contests for twenty (20) consecutive activity days beginning the date of verification of the first violation.
- c. The student/parent will sign an acknowledgement of the consequences of a second offense and be required to write a letter to the Athletic Coordinator at his/her school describing how he/she will achieve having a "clean" saliva test result in any future tests.
- d. The student athlete will be required to attend athletic events scheduled at their home school and sit with their team, but not in uniform. The student will not be allowed to attend out-of-town events.

- e. The student shall participate in practices, games or meetings of their sport.
- f. The student will be required to successfully complete the RRPS substance abuse contract as a condition of any further participation in school activities. The contract will include the obligation to contact the Rio Rancho/Albuquerque family based service agencies listed in the Community Resources packet or a health services counseling program to obtain substance abuse counseling that is selected by and paid for by the parent. This counseling must include developing strategies to assist improving substance abuse issues. The parent must provide written evidence of completion in the counseling program by the program provider upon return.
- g. During the 20 day suspension a random test or tests may be conducted by RRPS. The student athlete will be reinstated in his or her sport as long as the tests are not positive for prohibited substances. A positive test result will be considered a second violation with consequences consistent with the RRPS Athletics Code of Conduct.

Second Violation

- a. A mandatory conference with the student's parent/legal guardian, coach, and/or other school administrators will be required.
- b. The student will be suspended from competing in all athletic contests for forty-five (45) consecutive activity days beginning the date of verification of the second violation.
- c. The student will be required to successfully complete a second RRPS substance abuse contract to include a counseling program to obtain additional substance abuse counseling that is selected by and paid for by the parent. This counseling must include developing additional or alternative strategies to assist improving substance abuse issues. The parent must provide written evidence of completion of the counseling program by the program provider upon return.
- d. The student will write a 2-page letter addressing the second violation and what next steps will be taken so a third violation does not occur.
- e. The student/parent will sign an acknowledgement of the consequences of a third offense.
- f. After the 45 days of suspension, the student must complete random tests which must be performed **at the parent's/guardian's expense. The parent(s)/guardian(s) will be required to reimburse RRPS at the time each test is performed.** The student athlete will be reinstated in his or her sport as long as the random tests are not positive. A positive test result will be considered a third violation with consequences consistent with the RRPS Athletics Code of Conduct.

Third Violation

- a. A mandatory conference with the student's parent/legal guardian, coach, and/or other school administrators will be required.
- b. The student will be suspended from participation from all RRPS Athletic activities for as long as he/she attends RRPS.

IV. Appeal Process:

A student may appeal a suspension under this policy to the RRPS Executive Director of Athletics by submitting a written request within five (5) days of the positive report of drug/alcohol use. The student will remain suspended from their sport pending an appeal. The Executive Director of Athletics shall conduct an investigation to determine whether or not the original finding and suspension of the student athlete were justified.

V. Voluntary Disclosure:

At the beginning of each sport season, all student athletes will be advised of the RRPS Drug and Alcohol Drug Testing Policy and that throughout the year there will be random testing for prohibited substances. They will also be informed they have the opportunity to voluntarily disclose their use of drugs and/or alcohol and should talk with a coach or their school counselor, an athletic trainer, the athletic coordinator or a school administrator.

Students who voluntarily divulge that they have consumed alcohol and/or drugs will be offered assistance. Coaches occupy special roles in the lives of their student athletes and often a student athlete will choose to talk about a personal problem with his/her coach. Our coaches and athletic coordinators want to maintain this position so that student athletes feel free to talk to them. Voluntary disclosure allows a student athlete to voluntarily come forward and ask for help.

If a student athlete does voluntarily disclose their use of drugs and/or alcohol, the coach will schedule a meeting with the appropriate administrative and counseling personnel at their school. At this time, the student athlete will be informed that he/she must take a drug and alcohol test. A student athlete will not be able to participate in any athletic contest(s) until a negative test is produced. The tests will be paid for by RRPS Athletics.

NOTE: The voluntary disclosure opportunity will only be allowed one (1) time while the student athlete is enrolled in an RRPS school.

A student athlete will not be allowed to make a claim of voluntary disclosure on a day they are randomly chosen to take the alcohol and drug test.

See policies: 307 Drug-Free Schools – Students
336 Student and School Rights and Responsibilities

Rio Rancho Public Schools
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