

# North Olmsted Bylaws & Policies

## CO-CURRICULAR CODE OF CONDUCT FOR DRUG TESTING

### PHILOSOPHY

North Olmsted Schools provides a variety of co-curricular activities that complement the educational and athletic development of each student. The privilege of participation carries the responsibility of adherence to the co-curricular Code of Conduct and Drug Testing Policy. Since the actions of student co-curricular participants (hereinafter "participants") in school and community reflect upon the overall image of the institutions and activities they represent, as representatives of North Olmsted Schools, participants are expected to display exemplary conduct at all times, whether or not engaged in co-curricular activities. Through participation in the co-curricular and student athletic programs, students are provided an opportunity for education and character-building experiences. As well, conformance to this code and drug testing policy will promote the safety and welfare of participating students. The North Olmsted Board of Education desires to implement a policy that will attempt to provide this district with a safe and healthful student co-curricular and extracurricular athletic program. This policy applies to all non-graded co-curricular and extracurricular student athletes from grade 9-12, as well as any student who applies for and accepts a high school parking permit.

The Co-Curricular Code of Conduct and Drug Testing Policy, approved by the North Olmsted Board of Education, establishes the standards expected for participants in all non-graded co-curricular and extracurricular activities. Failure to conform to the Co-Curricular Code of Conduct and Drug Testing Policy will result in appropriate referrals and disciplinary action.

Parents/guardians and the school community need to work together to provide these activities for our children. This code is not meant to usurp or restrict the responsibility of parents. The North Olmsted School District feels very strongly that parents must monitor their own children's behavior and impose their own discipline measures beyond those consequences outlined in this document.

### PURPOSE OF THE DRUG TESTING POLICY SHALL BE:

- A.** To provide a healthy and safe environment to students at North Olmsted High School.
- B.** To discourage students from using drugs and alcohol. Students will assume all responsibility for regulating their personal lives in ways that will result in their becoming worthy representatives of the school and community.
- C.** To provide students with the opportunity to become leaders in the student body for a drug-free school.
- D.** To provide solutions for the student who does use drugs and alcohol.
- E.** To provide North Olmsted High School and its students, staff, and community positive guidelines and disciplinary policies for violations of the drug free policy.
- F.** To encourage those students who participate in the non-graded co-curricular and extracurricular activities to remain drug and alcohol free.
- G.** To reflect the North Olmsted community's desire to have its youth live drug and alcohol free lives.

## **ENFORCEMENT OF CO-CURRICULAR CODE AND DRUG TESTING POLICY**

The Co-Curricular Code of Conduct is enforced while participant is enrolled in a high school non-graded co-curricular or extracurricular activity.

## **IN-SEASON AND OFF-SEASON CO-CURRICULAR PARTICIPATION**

In-season participation in co-curricular activities is defined as follows:

- A.** For student athletes, beginning with the Ohio High School Athletic Association starting practice date through the latter of awards night, or completion of the activity by the student.
- B.** For students requesting and accepting a parking permit, signing of a waiver saying you agree to be randomly tested and if found positive, to abide by the consequences of that positive test.
- C.** For all other clubs and organizations, beginning with the first meeting through the end of the school year, including all activities scheduled during summer.

A participant whose activity is not in-season at the time of the participant's violation of this Code shall be considered an off-season participant. A student is not considered an "off-season" athlete until they have been a member of an interscholastic sport.

## **DRUG AND ALCOHOL POLICY**

Any person participating in the North Olmsted High School non-graded co-curricular and athletic program and/or athletic contests under the control and jurisdiction of the North Olmsted Schools and/or the Ohio High School Athletic Association (OHSAA).

## **NORTH OLMSTED ATHLETIC PARTICIPATION HANDBOOK**

The intention of the Drug and Alcohol Policy is to keep students safe, as are the guidelines in the Athletic Participation Handbook. These two policies will work in conjunction with each other for the benefit and safety of the student as determined by the review panels of each policy, which include the student and the parent/guardian.

## **TYPES OF TESTING**

### **A. REQUIRED TESTING**

All student athletes at the start of his/her athletic season may be required to take a drug test.

### **B. RANDOM TESTING**

In-Season random testing may be conducted during each sports season (i.e. fall, winter, spring) and the summer. Random testing may be conducted more than one (1) time per sports season. A student athlete may be tested more than once per sports season, or calendar year. Random testing will be unannounced. The Athletic Director in conjunction with the building principal will select the day and date.

Students involved in non-graded co-curricular activities plus students who request and attain a North Olmsted High School parking permit are subject to random testing.

Out of Season testing shall be conducted during each sports season (i.e. fall, winter, spring) when other random tests occur. Any member of an athletic team from the previous academic year and/or season may automatically be entered in the random pool, including any self-

referral. If a student refuses to participate in the random out of season test he/she may be prevented from joining a team/activity for the remainder of the year. When determining consequences for refusal, the AD may take into account the following including, but not limited to:

1. History
2. Reason(s) for not taking the out of season test
3. Personal appeal

The names of all participants listed on team rosters will be provided to the testing company by the Athletic Director. The testing company will select, at random, a representative sample up to 50% of all participants in grades 9-12 for testing. The testing company MAY use one of the following methods for selecting the random sample: computer generated random numbers/names or drawing numbers from a pool of numbers equal to the number of student-athletes listed on rosters.

### **C. DRUGS FOR WHICH ATHLETES MAY BE TESTED:**

LSD, Alcohol, Marijuana, Amphetamines, Methadone, Anabolic Steroids, Methaqualone, Barbiturates, Nicotine (Tobacco) Benzodiazepines, Opiates, Cocaine, Propoxyphene (Darvon) or any substance included in U.S.C. 802 (6), which an individual may not sell, offer to sell, possess, give, exchange, use, distribute, or purchase under State or Federal Law. This definition also includes all prescribed and over-the-counter drugs being used in any way other than for medical purposes in accordance with directions for use provided for in the prescription or by the manufacturer.

### **COLLECTION PROCESS (Urine Screening)**

The student will be notified to report to the collection site. A specimen from the student will be collected as follows and all students must follow this process:

1. All students must have available a picture ID or be identified by the Athletic Director or Principal or designated school personnel. No exceptions will be allowed.
2. Drug testing area must be secured during the testing.
3. Only technicians and students will be witness to the test.
4. Privacy must be kept for all athletes.

The Athletic Director or designee is responsible for ensuring that all of the forms are completed and signed by both a parent or guardian and the student athlete. No student is to enter the collection site until forms and proper ID are completed.

1. When students arrive and cannot give a sample, they will need to start drinking water, pop or juice. Students will be required to remain in the testing area until they complete the test.
2. No bags, backpacks, purses, cups, containers, or drinks will be allowed to enter the collection area.
3. All coats, vests, jackets, sweaters, hats, scarves or baggy clothing must be removed before entering the collection site. Only pants and T-shirts or dresses may be worn in the collection

area. Testing Center may provide alternative clothing. Any infringement of the rules will result in the student taking the test over in a monitored designated area.

4. Students processed by the technician who cannot produce a sample will be kept in a secured area to wait until they can provide a sample. If they leave this area, it will be treated like a refusal. They are not to have contact with anyone until after the sample is given.
5. Students will be asked to hold out their hands and a sanitizer will be put on their hands. The bathroom personnel will add a dye to the toilet.
6. Students will be asked to urinate directly into the collection cup given to them by the technician. The technician will stand outside the stall and listen for normal sounds of urination.
7. The lab checks every sample for adulteration; such as additives you drink or add to urine to change the sample. They are not called positives but may have the same consequences. Any and all adulteration of the specimen or diluted specimens may be detected and considered the same as a test refusal or first-time violation.
8. Any suspicion of tampering with the sample will be brought to the student's attention. The sample will be sent to the lab for immediate confirmation of tampering.
9. The sample must be taken in one attempt and be at least 30 ml. in size. The student must hand the cup to the technician.
10. Students are not to flush the toilets or urinals until directed by the technician. In the event that a student flushes the toilet s/he will be required to give a new sample immediately or the sample may be invalid.
11. With student watching, the technician will recap the sample and hand it to the student who must then return it to the intake technician. In the event that the student does not hand the cup directly to the intake technician, the sample is invalid and a new sample must be taken. If the student leaves the collection area or walks out to talk to anyone, the sample will be invalid and the student will have to give another sample.
12. This collection procedure is subject to change because of procedural requirements by the testing agency. The North Olmsted City School District reserves the right to change the collection procedure to coincide with the testing guidelines set forth by the testing agency.
13. Any student who tests positive may be tested during the term of a five-week program with drug counseling.

## **SELF-REFERRALS**

A student may give a self-referral one (1) time during their tenure at North Olmsted High School. A student can only self-refer BEFORE the test is taken, or before information is brought to the administration that could lead to student athlete code violation. The student will also be required to participate in an Alcohol and Drug Education/Intervention Program beginning with an assessment from a certified chemical dependency counselor; then following the counselor's recommendations plus future drug testing are required. No other punitive action is taken upon the student's referral. If another violation occurs, the next offense goes to level 2.

## **RESULTS OF A POSITIVE TEST**

The testing company, after verification of a positive test by their certified laboratory, will be responsible to determine if the urine or oral sample testing positive for drugs is the result of illicit use or from prescribed medications showing up in the urine or oral sample. If the student is taking a prescribed medication, it must be documented on the informed consent agreement or verified by the student or parents. Whenever a student's confirmed test result indicates the presence of illegal drugs or banned substances, a parent or guardian will be promptly notified.

## **IF A POSITIVE TEST OCCURS**

**A.** Upon the first violation, the student and family will be notified and required within five days of notification to attend a meeting with the North Olmsted High School Principal. At this meeting, the circumstances of the situation will be discussed, and the student and family will be given the opportunity to accept or refute the findings. The student and parent/guardian must attend this meeting in order to remain eligible for continued participation. Upon completion of the meeting, the student will be encouraged to meet with his/her North Olmsted Guidance Counselor to review opportunities for assistance both within and outside of the school. The student will also be recommended to make contact with an Alcohol and Drug Education/Intervention Program beginning with an evaluation from a licensed chemical dependency counselor being the goal. A list of area resources to complete this recommendation will be provided by the school district, but the choice of which provider to use is decided by the parents and the student. All costs associated with the Alcohol and Drug Education/Intervention Program are the responsibility of the parent of the student. The student will be required to take part in all future drug tests that occur at NOHS. All consequences for non-graded co-curricular activities plus parking permits under this policy will also be applied.

**B.** Upon a second violation the student shall lose eligibility for a number of games equal to 20% of the regular season's scheduled contests. The athlete must report to practice during this time. These events shall be consecutive starting with the first scheduled event after the confirmation of the violation. In the event that an athlete cannot serve out the twenty percent (20%) of the season suspension, the remaining balance will be served in the next athletic season. The student will also be required to participate in an Alcohol and Drug Education/Intervention Program beginning with an evaluation from a licensed chemical dependency counselor. A list of area resources to complete this requirement will be provided by the school district, but the choice of which provider to use is decided by the parents and the student. All costs associated with Alcohol and Drug Education/Intervention Program are the responsibility of the parent of the student. The total duration of the evaluation process is not to exceed five (5) weeks. The student will need to complete the evaluation and any/all of the counselor's recommendations to be successfully reinstated. The student will be required to meet with his/her North Olmsted High School Guidance Counselor at least once to remain eligible for continued participation. The student must successfully complete the Alcohol and Drug Education/Intervention Program or else she/he will be deemed in violation of the Code of Conduct and will be ineligible to participate until the program has been completed. The student will be required to take part in all future drug tests that occur at NOHS. Parents are encouraged to attend counseling sessions with their child. All consequences for non-graded co-curricular activities plus parking permits under this policy will also be applied.

**C.** Upon confirmation of the third violation, the student athlete shall lose eligibility for a number of games equal to fifty percent (50%). These events shall be consecutive starting with

the first scheduled event after the confirmation of violation. The student will also be required to participate in an Alcohol and Drug Education/Intervention Program beginning with an assessment from a certified chemical dependency counselor; then following the counselor's recommendations plus possible submission to future drug testing not to exceed five (5) weeks. The student must successfully complete the Alcohol and Drug Education/Intervention Program or else she/he will be deemed in violation of the code of conduct and will be ineligible to participate until the program has been completed. Parents are encouraged to attend counseling sessions with their child. The student will again be required to meet with his/her North Olmsted High School Guidance Counselor at least once to remain eligible for continued participation. The student will be required to take part in all future drug tests that occur at NOHS. All consequences for non-graded co-curricular activities plus parking permits under this policy will also be applied.

**D.** Upon confirmation of the fourth violation, the student-athlete shall be permanently denied participation in athletics in the North Olmsted School District.

Violations are accumulative throughout the student's high school career, grades 9-12.

## **STUDENT AND PARENT**

A meeting to review the Code of Conduct and Drug Testing Policy may be held by the athletic department for parents and student participants. The Athletic Director and Co-curricular Director may utilize a presentation on the Co-Curricular Code of Conduct and Drug Testing Policy. It provides a standardized presentation for the student, parents, advisors and coaches. After the presentation, the athletic director may conduct a question, answer, and additional rules session, reemphasizing the responsibility of the participants, parents, and coaches. However, enforcement of the provisions of this Code does not depend on attendance at a review session, seeing the presentation or even whether or not such a review session is held.

## **STUDENT DRIVERS**

Students who elect to secure a parking permit from North Olmsted High School will be automatically entered into the random testing pool for that school year. Students testing positive for the first time will have the option of completing the five-week counseling program or having his or her parking permit suspended for 10% of the school year. A second offense will result in a prorated refund for the parking permit and the student shall be banned from parking for one (1) calendar year. A third offense will result in the student being banned from parking at the high school for the remainder of his/her high school career. Students electing to self-refer prior to the random test can keep his/her parking permit at the high school as long as he/she is enrolled in and completes an alcohol/drug evaluation and five-week counseling program. The student must also complete any/all recommendations from this evaluation and program.

## **REVIEW PANEL**

A Review Panel will be established annually by the North Olmsted High School Administration for the purpose of allowing the student an additional opportunity for due process. The Review Panel may include the following individuals: High School and/or Grade Level Administrator, Athletic Director, Resource Officer, Grade Level Guidance Counselor and/or Coach. The athletic director shall investigate suspected violations of this Code. Any violation that is admitted to by the student and/or parent and is clear-cut will be acted upon by the North Olmsted High School Principal. Any disputed violation, beginning with the second violation, will be taken to the Review Panel. The Panel may, in its discretion,

conduct further investigation, including requesting the appearance before it of the alleged violator and/or witnesses with information concerning the alleged violations. Decisions rendered by the Review Panel will require a simple majority vote based on the evidence presented. A student charged with a violation of this Code will be given a written notice of violation. The student may appear before, and be heard by, the Review Panel, with or without a representative. The student may appeal the decision by presenting a written request to the building principal within 24 hours after receiving the notice of violation. The Review Panel is not bound by formal rules of evidence or procedure in the conduct of its investigations and deliberations, and there is no right on the part of the participant to record the proceedings or to confront or cross examine witnesses. The Review Panel may withhold awards or honors pending its decision. A participant may request review by the Board of Education or its designee of a decision by the Review Panel finding a Code violation. Such a request must be in writing and given to the principal with 24 hours of being notified of the Review Panel's decision. The review shall occur no later than the Board of Education's next regularly scheduled meeting following receipt of the written request for review. The participant shall have the right to appear before the Board/designee, with or without a representative. The Board/designee's review shall be held in closed session, and the Board/designee, is not bound by formal rules of evidence or procedure. The participant shall not have to confront or cross-examine witnesses, or to make a record of the Board/designee's proceedings. The Board of Education/designee's decision in the matter is final. Pending the Board's review and decision, the decision of the Review Panel shall remain in full force and effect.

**Note:** The above-stated co-curricular code applies to any and all North Olmsted High School students who wish to be involved in extra-curricular and non-graded co-curricular activities offered by North Olmsted Schools, including all clubs, organizations and athletics. It also includes all students that request a parking permit to park an automobile on the campus of North Olmsted High School.