



## **POLICY 5.615**

**4-E** I recommend that the Board adopt the proposed new Policy 5.615, entitled “Drug and Alcohol Testing of Student Athletes.”

[Contact: Dr. Alison Adler, PX 50900; Kim C. Williams. PX 81540.]

### **Adoption**

### **CONSENT ITEM**

- The Board approved development of this new Policy at the development reading on January 7, 2009.
- This proposed Policy has been drafted to conform to the U.S. Supreme Court rulings (*Board of Education Independent School District No. 92 of Pottawatomie County v. Earls, et al.*, 536 U.S. 822 (2002), and *Vernonia School District 47J v. Acton*, 515 U.S. 646 (1995) which upheld drug testing of student athletes, students participating in extra-curricular activities, or students with parking passes. From these and other case law, the proposed Policy has been drafted to encompass the successful components identified from the cases and a review of the school board policies at subject in the cases.
- The Policy provides for the below recommended changes from the Development Meeting.
  - “Athletic Director” has been replaced with “school administrator designated by the principal” in Section 6c (*Random Drug Testing Process*) and 6d (*Sample Collection Process*).
  - Non-prescription medication has been added to 6f (*Medication*) to read “taking prescription or non-prescription medication.”
  - The Department of Safe Schools in conjunction with the head coach is responsible for the orientation of the student athletes regarding the policy and testing program. See 6b (*Orientation Session*).
  - To include the last sentence and last two paragraphs under the student’s consent in Section 10.
- The Policy also provides the following:
  - A safety rationale for the drug and alcohol testing program with the goal of reducing drug use by student athletes. See sections 1(Findings and Purpose) and 2 (Applicability of the Policy).
  - The program is non-punitive, resulting only in suspension from the

interscholastic athletic activity. See sections 2B, 5A and 8.

- To protect the privacy of individual students, the third party testing coordinator assigns students random numbers for the selection and testing and reporting. See section 6c.
- Use of a Medical Review Officer and no requirement that the student reports medications taken to anyone other than the Medical Review Officer. See section 6F.
- Student and Parental Consent Form. See sections 6A and 10.
- Minimal intrusion during the collection process, affording the maximum privacy possible to the student (with no observed collections). See section 6D.
- Progressive consequences only if more than one positive drug test result for a student. See section 8 (Consequences).
- Test results are not to be used to provide a source of information to law enforcement agencies or for the prosecution of a student. See sections 2D and 7.
- A confirmatory testing process. See section 6E and G.
- Establishment of specific and strict confidentiality procedures such as keep drug test results separate from students' educational records and information on results restricted to a "need to know" basis. See section 7 (Confidentiality).
- Services shall be provided to any applicable student through the District's Alternative to Suspension Program for Alcohol, Tobacco and Other Drugs, and/or the student/parents may elect for the student to receive the services of an approved licensed substance abuse treatment provider. See section 8 (Consequences).
- Destruction of drug testing records upon graduation or departure of the student from the school district. See 7 (Confidentiality).

POLICY 5.615

DRUG AND ALCOHOL TESTING OF STUDENT ATHLETES

- 1  
2  
3 1. Findings and Purpose.-- Although the School Board desires that no student use or  
4 possess alcohol and illegal or performance enhancing drugs, we recognize that an  
5 increasing a number of students in the School District and throughout our nation are  
6 involved in the illegal use of drugs and alcohol. Such illegal use of drugs and alcohol by  
7 students, during school hours and at other times, continues to have a direct detrimental  
8 impact upon students' behavior, academic performance and safety and may cause  
9 permanent physical and mental harm. The School Board also finds that some students  
10 who participate in interscholastic athletics and who are popular role models among their  
11 peers at school are also involved in the illegal use of drugs and alcohol. Student athletes  
12 involved in such conduct will also experience other harmful affects including but not limited  
13 to: interference with athletic and academic performances, which affects athletic eligibility;  
14 increased risk of injury to themselves and to their teammates, athletic opponents or others  
15 with whom they participate in athletic events; impairment of judgment; decrease of  
16 reaction time and reflexes; inability to adequately perceive pain; and reduction of  
17 motivation and level of discipline necessary to any athletic program.
- 18 a. State and federal laws authorize school districts to conduct drug testing of student  
19 athletes, as the participation in school-sponsored interscholastic athletics is a  
20 privilege. Students who participate in athletics are representing the school district  
21 and the community. Accordingly, students electing to participate in athletics have a  
22 responsibility to themselves, their fellow students, their parents and their school to set  
23 the highest possible example of conduct, sportsmanship, and training, which includes  
24 avoiding the use or possession of controlled substances, the unauthorized use of  
25 prescription medication and/or illegal drugs.
- 26 b. In order to accomplish its purposes, this Policy establishes a program of education  
27 and counseling to deter the unlawful use of alcohol and other drugs and provides for  
28 the suspension or termination of participation in interscholastic athletics when  
29 deterrence is unsuccessful. To determine compliance with the Policy, a testing  
30 program is provided to identify student participants who are unlawfully using alcohol  
31 and other drugs. For these students, the Policy provides incentives for rehabilitation  
32 through possible reinstatement to the designated interscholastic athletic activity.
- 33 c. Based upon the above factors, the School Board has a vital interest in maintaining a  
34 positive learning environment that is safe and healthy for all of its students and to  
35 deter the illegal use of drugs and alcohol by student athletes. For the safety, health  
36 and well being of student athletes, this Policy is for all participants in interscholastic  
37 athletics in grades 9-12. The purposes of this Policy include:
- 38 i. to provide for the health and safety of student athletes;
- 39 ii. to educate student athletes concerning the problems and detrimental effects of  
40 illegal drug and alcohol use;

- 41           iii. to prevent injury, illness, and harm for student athletes that may arise as a result  
42           from illegal drug use;
  
- 43           iv. to establish standards of conduct for District student athletes, with the goal of  
44           eliminating alcohol or drug use by student athletes;
  
- 45           v. to identify those student athletes who may be misusing drugs and alcohol and  
46           identify those substances being used, to encourage and facilitate appropriate  
47           intervention counseling and treatment for any identified drug and alcohol use  
48           and provide reasonable assurances that students wishing to participate in  
49           interscholastic athletics are medically and physically competent to do so;
  
- 50           vi. to encourage any student athlete with a dependence on, or addiction to, alcohol  
51           or other drugs to seek help.
  
- 52           vii. to work cooperatively with parents by assisting them in keeping their children  
53           free from drug and alcohol abuse; and
  
- 54           viii. to protect the reputation of the school system and its students.

55   2.   **Applicability of Policy**

- 56           a. This Policy applies to all students who choose to participate in interscholastic athletics  
57           in the School District.
  
- 58           b. No student shall be penalized academically for testing positive for alcohol or drugs  
59           pursuant to this Policy.
  
- 60           c. Confidentiality of the drug and alcohol test results shall be maintained at all times.  
61           Such results and information obtained in the course of administering this Policy shall  
62           not be utilized by the School District for disciplinary purposes other than as set forth  
63           in this Policy.
  
- 64           d. This Policy is not designed to be used, nor shall it voluntarily be used, in any manner  
65           to provide a source of information for law enforcement agencies or for the prosecution  
66           of the student. Without specific authorization from the student athlete or  
67           parent/guardian if the student is not of legal age, the Principal or designee shall not  
68           release test results of any student athlete to any person other than as required by law  
69           or by a lawfully issued subpoena or court order.
  
- 70           e. In order to accomplish its purposes, this Policy establishes a program of education  
71           and counseling to deter the illegal use of drugs and alcohol and provides for the  
72           suspension or termination of participation in interscholastic athletics when deterrence  
73           is unsuccessful. To determine compliance with this Policy, a testing program is  
74           provided to identify student athletes who are unlawfully using drugs and alcohol. For  
75           these students, the Policy provides incentives for rehabilitation through possible  
76           reinstatement to the designated interscholastic athletic activity.

- 77 3. Effective Date.-- This Policy shall become effective as a pilot project at the beginning of  
78 the second semester of the 2008/2009 school year and shall be initiated in Fall 2009 at all  
79 Palm Beach County public high schools with interscholastic athletics programs.
- 80 4. Definitions.-- For purposes of this Policy, the following terms and phrases shall be defined  
81 as follows:
- 82 a. Alcohol means any beverage, mixture or preparation, including any medications or  
83 other products, containing alcohol or ethanol.
- 84 b. Chain of custody refers to the methodology of tracking specified materials or  
85 substances for the purpose of maintaining control and accountability from initial  
86 collection to final disposition for all such materials or substances and providing for  
87 accountability at each stage in handling, testing and storing specimens and reporting  
88 test results.
- 89 c. Confirmation test, confirmed test, confirmed drug test means a second analytical  
90 procedure used to identify the presence of a specific drug or metabolite in a  
91 specimen, which test must be different in scientific principle from that of the initial test  
92 procedure and must be capable of providing requisite specificity, sensitivity, and  
93 quantitative accuracy.
- 94 d. Drugs mean any substances or drugs identified in Schedules I through V of 21 United  
95 States Code Section 202 (Controlled Substances Act) and as further defined by 21  
96 CFR 1300.11 through 1300.15 and Section 893.03, Florida Statutes, and shall include,  
97 without limitation, cannabinoids (marijuana), amphetamines, benzodiazepines,  
98 ethanol (alcohol), cocaine, opiates, and Propoxyphene.
- 99 e. Medical Review Officer or "MRO" is a licensed physician who has agreed to provide  
100 services for the purpose of reviewing drug test results and communicating with the  
101 parents/legal guardian and the student athlete concerning any positive drug test result  
102 as more specifically described herein.
- 103 f. Parent shall mean the parent(s) or legal guardian(s) of a student athlete.
- 104 g. Performance-enhancing drugs include anabolic steroids and other natural or synthetic  
105 substance use to increase muscle mass, strength, endurance, speed or other athletic  
106 ability. The term does not include dietary or nutritional supplements such as vitamins,  
107 minerals and protein which can be lawfully purchased in over-the-counter  
108 transactions.
- 109 h. Positive test results refer to a drug test administered pursuant to this Policy will be  
110 deemed to have rendered a positive result indicating the presence of a prescription  
111 drug used without medical authorization, an illegal or performance drug as  
112 determined by an initial laboratory analysis followed by a confirmation analysis of the  
113 remaining portion of a split sample.
- 114 i. Random selection basis means a mechanism for selecting student athletes for drug

- 115           testing that:
- 116           i.   results in an equal probability that any student from a group of students (pool)  
117           subject to the selection mechanism will be selected, and
- 118           ii. does not give the School District discretion to waive the selection of any student  
119           athlete selected under the mechanism.
- 120           j.   Student athletes are any high school students enrolled in the School District who are  
121           participating in or applying for participation in any interscholastic athletic program or  
122           any student who has participated in any interscholastic athletic program during the  
123           current or during the prior school year as indicated by the Florida High School Athletic  
124           Association rolls, including practices and contests under the control and jurisdiction of  
125           the School District.

126   5.   Policy. -- It is the policy of the School Board that any student who participates in  
127   interscholastic athletics shall be subject to drug testing in accordance with this Policy.

128           a.   Standard of Conduct for Student Athletes. -- The use or possession of a drug, as  
129           defined herein, by a student athlete at any time is both illegal and detrimental to that  
130           student athlete's ability to participate in interscholastic athletics and is hereby  
131           prohibited. Any student athlete determined to be in violation of this Policy is subject to  
132           the intervention measures and disciplinary action related to his or her participating in  
133           interscholastic athletics, which may include suspension or removal from athletic  
134           participation as provided herein.

135           b.   Standard of Conduct for Student Athletes. -- The use or possession of a drug, as  
136           defined herein, by a student athlete at any time is both illegal and detrimental to that  
137           student athlete's ability to participate in interscholastic athletics and is hereby  
138           prohibited. Any student athlete determined to be in violation of this Policy is subject to  
139           the intervention measures and disciplinary action related to his or her participating in  
140           interscholastic athletics, which may include suspension or removal from athletic  
141           participation as provided herein.

142   6.   Drug Testing Procedures

143           a.   Consent Form. -- Each student athlete shall be provided with a copy of the  
144           "Student Athlete Drug and Alcohol Testing Consent Form" which shall be read,  
145           signed and dated by the student athlete and the parent or legal guardian before such  
146           student shall be eligible to practice or participate in any interscholastic athletics. Such  
147           consent form shall be completed by student athletic participants each school year.  
148           The consent form requires the student athlete to provide a urine sample: (a) when the  
149           student athlete is selected by the random selection basis to provide a urine sample;  
150           and (b) at any time the head coach believes there is reasonable suspicion to test for  
151           illegal or performance-enhancing drugs. No student shall be allowed to practice or  
152           participate in any extracurricular activities involving interscholastic athletics unless the  
153           student has returned the properly signed "Student Athlete Drug and Alcohol  
154           Testing Consent Form."

- 155 b. Orientation Session.-- Each year prior to the commencement of practice sessions  
156 for the interscholastic athletic activity, an orientation session will be held with the  
157 student athletes to educate them about the Policy and the sample collection process,  
158 privacy arrangements and drug testing procedures. At such session, each student  
159 athlete shall be provided a copy of this Policy. The [Department of Safe Schools in](#)  
160 [conjunction with the head coach](#) of the interscholastic athletic activity shall be  
161 responsible for the orientation session and explaining the Policy, and for preparing an  
162 educational presentation to acquaint the student athlete with the harmful  
163 consequences of drug and alcohol use and abuse.
- 164 c. Random Drug Testing Process
- 165 i. A confidential testing schedule shall be devised by the testing coordinator  
166 approved and authorized by the School District. Drug testing of student athletes  
167 shall occur monthly throughout the school year where such athletes shall be  
168 selected at random using a numerical selection process [where each student](#)  
169 [athlete's name and identity remain confidential throughout the testing and](#)  
170 [reporting of results to the school](#). Retesting of student athletes following a first  
171 offense or first positive drug test result shall occur as specified in paragraph (6)  
172 (g) below.
- 173 ii. Group Size. -- A total of five (5) students from each high school shall be  
174 randomly selected for testing each month, to allow specimen collections to be  
175 carried out quickly, and to minimize the student's loss of class time during the  
176 testing process. Upon selection of the student athletes, the testing coordinator  
177 and the school administrator designated by the principal shall ensure, without  
178 exception, that the selected student athlete is tested. It shall be the responsibility  
179 of the testing coordinator and the [school administrator designated by the](#)  
180 [principal](#) to ensure that all students on the athletic activity roster have submitted  
181 the consent form.
- 182 d. Sample Collection Procedure.-- Those student athletes who are selected for drug  
183 testing shall be required to produce a urine sample under the supervision of such  
184 person or vendor authorized by the School District and [school administrator](#)  
185 [designated by the principal](#) in a manner which will minimize intrusiveness and  
186 embarrassment to the student athlete while also insuring that there is no tampering  
187 with the urine sample by the student athletes or others. Male student athletes shall be  
188 required to produce a urine sample at a restroom urinal while being observed from  
189 behind by a male lab technician or [school administrator designated by the principal](#).  
190 Female student athletes shall be required to produce a urine sample while in a  
191 restroom stall while a female lab technician or female [school administrator designated](#)  
192 [by the principal](#) remains outside the stall. The monitor shall not observe the student  
193 while the specimen is being produced, but the monitor shall be present outside of the  
194 stall to guard against tampered specimens and to insure an accurate chain of  
195 custody. Each urine sample container will be checked for appropriate temperature  
196 and for any signs of tampering and will be sealed and labeled with a number or other  
197 means of identification which does not disclose the student athlete's name.
- 198 e. Sample Analysis Procedures. -- The sealed urine sample containers will be delivered

199 to the testing laboratory through a verifiable chain of custody. A portion of the urine  
200 sample will then be analyzed. If that initial analysis renders a negative result, then no  
201 further analysis will be conducted. If the initial analysis renders a positive result, then  
202 a second analysis of the remaining portion of the urine sample will be conducted for  
203 the purpose of confirmation of the positive result. If such confirmation analysis  
204 renders a negative result, then the drug test will be deemed negative and no further  
205 analysis or action will be taken. If the confirmation analysis renders a positive result,  
206 then the drug test result will be deemed positive and a report of such results will be  
207 delivered to the Medical Review Officer bearing only a number to identify the student  
208 without the student's name appearing on that report.

209 f. Medication.-- Student athletes who test positive for drugs and who are or have been  
210 taking prescription or non-prescription medication shall disclose that fact and provide  
211 verification (as by a copy of the prescription or by a physician's written authorization)  
212 at the request of the Medical Review Officer.

213 g. Medical Review Officer's Review.-- The Medical Review Officer ("MRO") will receive  
214 all reports of positive drug test results and will be supplied with information to  
215 determine the correct name of the student athlete whose identifying number appears  
216 on each positive test result report. The MRO shall have knowledge of substance  
217 abuse disorders and appropriate medical training to interpret and evaluate a student  
218 athlete's confirmed positive drug test result, together with his or her medical history or  
219 any other relevant biomedical information that the student athlete or his or her parents  
220 wish to provide. Prior to verifying a positive drug test result, the MRO shall contact the  
221 student athlete whose name coincides with the identifying number on the positive  
222 drug test report and that student athlete's parents to afford them the opportunity to  
223 confidentially discuss the test result with the MRO and provide the MRO with the  
224 student athlete's medical history and any other relevant biomedical information that  
225 would assist the MRO in determining whether he or she should verify the drug test  
226 result as positive or deem that result to be negative. If the MRO determines that the  
227 test result should be deemed negative, then no further action shall be taken and the  
228 student athlete's test result along with all other previous negative test results will be  
229 reported to the school principal as a negative result. If the MRO verifies that a positive  
230 drug test result as reported by the laboratory is indeed positive, then the MRO shall  
231 submit a report of that positive drug test result to the student athlete's school principal  
232 identifying that student athlete by name. If the student athlete is 18 years of age or  
233 will turn 18 years of age during the sports season, the student must agree to release  
234 all test results to the student's parent(s) or legal guardian(s).

235 h. Positive Test Conference.-- In the event of a positive test result, the principal, or his  
236 designee shall schedule a conference with the student and the student's parent(s) or  
237 legal guardian(s) to discuss the test results and to advise the student athlete and  
238 parent(s) or guardian(s) of the consequences and the procedural rights under this  
239 Policy.

240 i. Retesting.-- Retesting of student athletes who are on probation because of a previous  
241 positive drug test or other violation of this Policy shall be processed in the manner  
242 described above.

- 243 7. **Confidentiality.** -- The School District respects the privacy of its students and shall  
244 maintain confidentiality regarding any drug testing of athletes pursuant to this Policy. All  
245 tests, records and subsequent actions shall be kept by the principal, secured in a locked  
246 file and maintained separately from the student's regular educational file and in a secured  
247 area. Employees will not release records of drug tests or any resulting action to anyone  
248 other than the student and/or his or her parent or guardian without written authorization  
249 from the student and/or his or her parent or guardian. Such records and files of the student  
250 athlete shall be destroyed upon the student's graduation, or if no longer a student, upon  
251 the student's projected graduation. Information on a verified positive test will be shared  
252 with only the principal or personnel who "have a need to know". for the purposes of  
253 preventive treatment. Under no circumstances will results from a drug use test under this  
254 Policy be turned over to law enforcement authorities, [absent a court order or lawfully](#)  
255 [issued subpoena.](#)
- 256 8. **Consequences.** -- Any student athlete whose drug test administered pursuant to this  
257 Policy renders a positive test result or who otherwise violates this Policy shall be punished  
258 as follows:
- 259 a. **First Offense or First Positive Drug Test Result.**-- For a first positive drug test  
260 result, the student athlete shall be suspended for a period of ten (10) days from  
261 participation in all interscholastic athletic activities. However, the student athlete shall  
262 continue attending the school in which he or she is regularly enrolled, and, shall be  
263 allowed to resume practice and participation in interscholastic athletics under a  
264 probationary status [after the ten \(10\) day suspension period](#) provided the student  
265 complies with or has complied with the following conditions:
- 266 i. **Condition 1.**-- As a condition of probation the student athlete shall [attend](#) be  
267 referred to the District's Alternative to Suspension Program for Alcohol, Tobacco  
268 and Other Drugs, or elect to receive the services of an approved licensed  
269 substance abuse treatment provider approved by the Chief of Safety and  
270 Learning Environment, and be required to comply with all recommendations of  
271 the MRO resulting from the student's drug assessment and evaluation. Upon the  
272 student's presentation of documentation that s/he has commenced the  
273 recommendations, the student athlete [may return to team play if cleared by the](#)  
274 MRO pending a second drug test.'s probationary status shall terminate. If a  
275 student terminates active participation in the recommendations, he or she is no  
276 longer eligible to participate in school athletics for the remainder of the current  
277 sports season and may not participate in any future school athletics until all  
278 recommendations are complied with and completed:
- 279 ii. **Condition 2.** -- As a condition of probation the student athlete will be subject to  
280 recurring drug tests at times that would not be previously disclosed to the  
281 student athlete to deter the student athlete from committing a subsequent  
282 violation of this Policy.
- 283 b. **Subsequent Offense or Subsequent Positive Drug Test Results.**-- Upon a  
284 determination that a student athlete is guilty of a second or subsequent violation of  
285 this Policy or has a second or subsequent positive drug test result, the student athlete  
286 shall be prohibited from participation in all interscholastic athletics one full calendar

287 year following the end of the athletic season during which the second offense or  
288 second positive drug test occurs. For example, if a basketball player has a second  
289 positive drug test result during the middle of the basketball season, he or she would  
290 be prohibited from participating in basketball and any other interscholastic athletics for  
291 the remainder of that basketball season and for one full calendar year thereafter. In  
292 addition, the student athlete must attend and complete the District's Alternative to  
293 Suspension Program for Alcohol, Tobacco and Other Drugs, or elect to receive the  
294 services of an approved licensed substance abuse treatment provider approved by  
295 the Chief of Safety and Learning Environment, and be required to comply with all  
296 recommendations resulting from the student's drug assessment and evaluation.

297 c. Adulteration of Sample.-- A student athlete who knowingly attempts to alter,  
298 adulterate, dilute or in any way manipulate a urine sample to change the outcome of  
299 the test results, shall be prohibited from participation in all interscholastic athletics for  
300 one full calendar year following the end of the athletic season

301 d. Refusal to Be Drug-Tested.-- A student athlete who declines or refuses to submit to a  
302 drug test as required under the provisions of this Policy or intentionally fails to report  
303 to the prescribed place at the prescribed time to be drug tested shall be prohibited  
304 from participation in all interscholastic athletics for one full calendar year following the  
305 end of the athletic season

306 9. Appeal Procedures.-- In addition to the opportunity afforded to the student athlete and his  
307 or her parents to discuss that student athlete's confirmed positive drug test result with the  
308 MRO, a student athlete whose positive test result has been verified and forwarded by the  
309 MRO to the school principal for the imposition of consequences as provided herein shall be  
310 entitled to procedural due process as follows:

311 a. Notice.-- The principal or his or her designee shall notify the student athlete and his or  
312 her parent that the student athlete's positive drug test result has been verified by the  
313 MRO or that the student athlete has otherwise violated this Policy, describe the  
314 disciplinary action to be taken and advise the student athlete and his or her parents of  
315 their right to schedule a due process hearing. The student, or the student's parent(s)  
316 or legal guardian(s), may contest the test result by informing the principal within 48  
317 hours of notice of the positive test results and consequences imposed on the student.

318 b. Hearing. -- If requested by the student athlete or his or her parents, the principal shall  
319 conduct a hearing within a reasonable period of time following notification to the  
320 student athlete and parents of the notice described in paragraph A above. The  
321 student athlete and parent must attend the hearing and may provide evidence and  
322 call upon witnesses or submit written statements, as they deem appropriate. The  
323 principal shall render a decision and provide the student athlete and parent with a  
324 written record of that decision at the hearing or within five (5) days of the hearing. The  
325 principal's decision shall be final and shall not be subject to any further administrative  
326 appeal.

327 10. Consent

328 School District of Palm Beach County, Florida

329 **Student Athlete Drug and Alcohol Testing Consent Form**

330 a. **Statement of Purpose and Intent**

331 i. Participation in school-sponsored interscholastic athletic activities at the School  
332 District is a privilege. Student athletes carry a responsibility to themselves, their  
333 fellow student athletes, their parents, and their school to set the highest possible  
334 examples of conduct, which includes avoiding the use or possession of illegal  
335 drugs or alcohol.

336 ii. Drug use of any kind is incompatible with participation in interscholastic athletic  
337 activities on behalf of the School District of Palm Beach County (School District).  
338 For the safety, health, and well being of the student of the School District, the  
339 School Board has adopted the attached Student Athlete Drug and Alcohol  
340 Testing Policy, School Board Policy 5.615, and this consent for use by all student  
341 athletes in grades 9-12.

342 b. **Participation in Interscholastic Athletic Activities**-- Each student athlete, or  
343 student desiring to become an athlete, shall be provided with a copy of the above  
344 drug testing policy and this consent form which shall be read, signed and dated by  
345 the student and parent or legal guardian before such student shall be eligible to  
346 practice or participate in any interscholastic athletic activities. The consent shall be to  
347 provide a urine sample: a) as chosen by a random selection process; or b) at any  
348 time requested based upon reasonable suspicion to be tested for illegal or  
349 performance-enhancing drugs or alcohol. No student shall be allowed to practice or  
350 participate in any athletic activity governed by the policy unless the student has  
351 returned the properly signed Student Athlete Drug and Alcohol Testing Consent Form.

352 c. **Student's Consent**. -- I, \_\_\_\_\_ (print name of student),  
353 have read the "Drug and Alcohol Testing of Student Athletes Policy" and the "Student  
354 Athlete Drug and Alcohol Testing Consent", and I understand that, out of care for my  
355 safety and health and the health and safety of others, the School District enforces its  
356 rules applying to the consumption of illegal drugs and alcohol. As a student  
357 participating in a school-sponsored interscholastic athletic activity, I realize that the  
358 personal decision that I make daily about the use of illegal drugs and/or alcohol may  
359 adversely affect my health and well being, possibly endanger those around me, and  
360 reflect poorly upon any organization with which I am associated. If I choose to violate  
361 the School Board's policy regarding the illegal use of drugs and/or alcohol while I am  
362 involved in in-season or off-season athletic activities, I understand upon determination  
363 of that violation I will be subject to the consequences restricting my practice and  
364 participation as outlined in the Policy. I further agree that should I become 18 years  
365 of age during the sports season, my parent(s) or legal guardian(s) shall be informed  
366 of, or provided a copy of, my test results.

367 I hereby consent to have a sample of my urine collected and tested for the presence  
368 of certain drugs and alcohol in accordance with School Board Policy 5.615 at such  
369 time as urinalysis testing is required under the program.

370 I further authorize a confidential release to the school principal or his or her designee,  
371 and my parent(s) or legal guardian(s) all information and records, including testing  
372 results, created in accordance with the provisions of the above policy applicable to  
373 student athletes. To the extent set forth in this document, I waive any privilege I have  
374 in connection with such information.

375 \_\_\_\_\_  
376 Signature of Student \_\_\_\_\_ Date

377 \_\_\_\_\_  
Signature of the Parent/Legal Guardian

378 d. **Parental or Guardian Consent.** -- I (We) have read and understand the School  
379 District's "Drug and Alcohol Testing of Student Athletes Policy" and the "Student  
380 Athlete Drug and Alcohol Testing Consent". I (We) desire that the student named  
381 above participate in the school-sponsored interscholastic athletic programs of the  
382 School District and I (we) hereby voluntarily agree to be subject to its terms. We  
383 accept the method of obtaining urine samples, testing and analysis of specimens, and  
384 all other aspects of the program. I (we) further agree and consent to the disclosure of  
385 the sampling, testing and results as provided for in the Policy, by joining in the above  
386 statement.

387 \_\_\_\_\_  
388 Signature of Parent /Guardian (Print Name) \_\_\_\_\_ Date

389 \_\_\_\_\_  
390 Signature of Parent/ Guardian (Print Name) \_\_\_\_\_ Date

391 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32(2); 1001.41(2); 1001.42(25); and  
392 1001.43(1)

393 LAWS IMPLEMENTED: Fla. Stat. § 1001.43(1) (a); Family Educational Rights and Privacy  
394 Act (FERPA), 20 USC 1232 (g); Confidentiality of Alcohol and Drug Abuse Patient Recordings,  
395 42 CFR Part 2, §2.1(f)

396 HISTORY: \_\_\_/\_\_\_2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.615 and finds it legally sufficient for development by the Board.

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Attorney \_\_\_\_\_ Date \_\_\_\_\_