
DRUG TESTING FOR STUDENT ATHLETES

Veronia School District has one high school and three grade schools in the small logging community of Veronia, Oregon. In the mid-to-late 1980s school teachers and administrators observed a sharp increase in both drug use and disciplinary problems. School officials determined that student athletes were among the leaders of this “drug culture.” This caused special concern to the school, because student athletes in this town tended to be admired and served as role models and because school officials believed drug use could increase the risk of sports injuries.

The school district offered special courses and guest speakers, and even used drug-sniffing dogs in an attempt to solve its drug problem. However, the problem persisted. Frustrated by their lack of success, school officials sponsored a parents’ input night at which officials described a proposed drug testing policy. The parents in attendance were unanimous in their support of the policy. The schools decided to implement the policy.

The policy applied to all students participating in interscholastic athletics. Students and their parents had to consent in writing to the policy before the season began. Each athlete was to be tested at the start of the sports season. In addition, each week during the season 10 percent of the athletes were randomly selected for testing. Student athletes also had to provide information on any prescription drugs they were taking, as these could have an effect on the tests.

Careful controls on the testing were spelled out in the policy. These included watching or listening as students provided urine samples, hand-checking the specimens for temperature, sending the specimens to a reputable laboratory for testing, providing a second test if the first test was positive, and limiting knowledge of the test results to senior administrators in the school system. If the second test was positive, then the school scheduled a meeting with the student and the student’s parents. The student could choose to participate in a six-week drug rehabilitation program (with weekly testing) or be suspended from sports for the current and the next season.

Seventh grader Jason Acton signed up to play football at one of the grade schools, but he and his parents refused to sign the consent form. He was not allowed to participate. Acton and his parents sued the school district for violation of his constitutional rights.

The U.S. District Court dismissed his case, but the federal court of appeals reversed the trial court’s decision. The school district appealed to the U.S. Supreme Court.