

RANDOM DRUG TESTING

Effective August 10, 2005, the District shall implement a program of random drug testing of students in grades 7-12 as a condition of participation in extracurricular activities and/or as a condition of obtaining/maintaining a permit to park on campus.

PURPOSE

The purpose of the drug-testing program is to help enforce a drug-free educational environment for the students of the District. The drug-testing program shall not be designed as a punitive measure with the intent of identifying and punishing those who may use illegal drugs, performance-enhancing drugs, and/or alcohol. Rather, the following objectives shall serve as the foundation for the program:

1. To ensure the health and safety of all students who represent the District in any school extracurricular activities and students who desire parking permit privileges;
2. To serve as a deterrent to the use of illegal drugs, performance-enhancing drugs, and/or alcohol among the student body;
3. To offer students a credible means to resist peer pressure as it relates to the use of illegal drugs, performance-enhancing drugs, and/or alcohol; and
4. To provide a ready resource for support and assistance to any student who may be using illegal drugs, performance-enhancing drugs, and/or alcohol.

VOLUNTARY PARTICIPATION

Any student who does not participate in any extracurricular activities or does not wish to park on campus may request in writing to participate in the drug-testing program.

CONSENT

Before a student may be allowed to participate in any extracurricular activities and/or obtain/maintain a permit to park on campus, written parental consent to random drug testing shall be submitted. No student shall participate in a practice or competition or drive a vehicle on campus until the consent form is executed and on file with the designated District official. If the student is 18 years of age or older, he or she shall be required to sign the permission form. Consent forms are valid only for the school year in which they are signed.

DISSEMINATION OF INFORMATION

A copy of this policy shall be distributed to all students in grades 7-12 during the official registration period at the beginning of each school year. Students enrolling at a time other than the official registration period shall be given a copy of the policy at the time the students are registered. District employees shall conduct meetings during official registration for students and interested parents. District employees shall

explain the drug-testing program and review the policy and consent form. Student attendance is mandatory; parent attendance is not mandatory.

USE OF RESULTS

Drug test results shall be used only to determine eligibility for participation in extracurricular activities or parking on campus. Positive drug test results shall not be used to impose disciplinary sanctions or academic penalties. Drug test results shall not be documented in the student's academic records. Nevertheless, nothing in this policy shall limit or affect the application of state law, local policy, or the Student Code of Conduct. A student who commits a disciplinary offense shall be subject to consequences in accordance with the Student Code of Conduct.

TESTING FREQUENCY

Random tests shall be conducted at a range of frequency from as few as one time to as many as three times per month as determined by the District. No less than five percent and no more than 80 percent of students participating in the program shall be randomly selected for each random test date.

RANDOM SELECTION

The drug-testing laboratory shall use a random selection method to identify students chosen for random testing. Students shall not receive prior notice of the testing date or time.

TESTING PROCEDURES AND PROTOCOL

The District shall contract for drug-screening services through an independent laboratory that has met all standards for certification as established by the Substance Abuse and Mental Health Services Administration (SAMSA), and all testing shall be conducted by qualified laboratory personnel in accordance with accepted practices and procedures established by the contracted laboratory. Testing shall be accomplished by urinalysis using accepted immunological screening procedures. Chain-of-custody documentation shall be maintained throughout the collection and testing processes. Any specimens that test positive shall be confirmed by Gas Chromatography/Mass Spectrometry (GC/MS) testing methodology. All initial screening shall be performed at District expense.

The vendor with whom the District contracts for drug testing shall provide the services of a medical review officer (MRO) who is certified by the Medical Review Officer Certification Council or by the American Association of Medical Review Officers as having proven by examination to have the appropriate medical training to properly interpret and evaluate the results of any drug testing authorized by the District. The MRO shall, as well, agree to abide by the procedures established by the District for the evaluation and timely

reporting of any positive tests.

COLLECTION PROCEDURES

Personnel from the drug-testing laboratory shall collect urine samples under conditions that are no more intrusive than the conditions experienced in a public restroom. When selected for testing, a student shall be escorted to the school's testing site by a District employee and shall remain under employee supervision until the student provides a sample. Samples shall be produced by a student from behind a closed restroom stall. A District employee of the same gender as the student shall be present when any samples are collected. The urine sample shall be collected in a sealed split specimen collection container provided by the testing laboratory. The student shall provide the collected sample to the testing laboratory representative and the District official shall confirm that the student's identification information on the sample is correct. The split specimen container shall be sealed and witnessed by the student. The testing laboratory representative shall take all specimens to the laboratory for analysis.

A copy of the specimen collection and chain-of-custody procedures used by the District and the testing laboratory shall be made available to any parent or student upon request.

NOTIFICATION

In the case of a confirmed positive test, the MRO or an authorized representative shall attempt to contact the parent or person otherwise in legal control of the student, within one school day of having received the results. Should the MRO be unsuccessful in initial attempts to contact the parent within the time specified, the District shall provide assistance in locating the parent or person otherwise in lawful control of the student. In such cases, the parties should only assume that the contact is for the purpose of responding to routine questions associated with the follow-up of any test. The MRO shall confer with the parents to determine whether there is a medical explanation for the positive test result. If the parent provides the medical excuse with documentation within five days, the MRO shall report the test result as negative. If not, the positive result shall stand. Upon verification of a positive test, the MRO or representative shall report the result to the Superintendent or designee within one school day after confirmation with the parent or person otherwise responsible for the student.

RETEST

Should a student and/or parent or person otherwise in lawful control of the student elect to appeal a positive test result, the second half of the specimen in question may be tested by a second laboratory selected from a list of nationally certified independent laboratories identified by the District. In such

cases, the student/parent shall assume responsibility for payment of all fees related to the second test. A written request to appeal a positive test result must be submitted to the Superintendent or designee within 48 hours of receiving oral notice from the MRO or authorized representative of the results. No result shall be accepted from a laboratory not on the District-approved list.

Once a request for retest has been made, the District's testing laboratory shall send the second container of the split specimen directly to the second laboratory for testing. The results of the test conducted by the second laboratory shall be used in lieu of the results generated by the District's testing laboratory for determining any consequences for the student.

CONFIDENTIALITY

The collection and coding of specimen samples shall be executed in a manner that ensures proper identification and total confidentiality.

Test results shall be made known to the Superintendent or designee, the student, and the parent or person otherwise in lawful control of the student. All other parties involved in a case of a confirmed positive test shall be notified only with respect to the level of the offense.

Test results shall be released only upon written request of a parent or person otherwise in lawful control of the student or to a student who is of legal age. Test results shall be destroyed within 60 days of when the student graduates or is no longer of school age.

The vendor, laboratory, and MRO shall be prohibited from releasing any statistical information relating to the nature or rate of any positive tests that result from the testing program to any person, organization, news publication, or the media without the expressed written consent of the District. The vendor shall, however, provide the District with a report, at least once per semester, that includes the number of tests performed during the specified period, the rate of both positive and negative results, and a list of the substances identified from any positive specimens.

SCREENING PARAMETERS

For purposes of this policy, the term "drug" shall be defined as any substance considered illegal by either federal or Texas law or that is controlled by the United States Food and Drug Administration including but not limited to the following:

1. Amphetamines/methamphetamines (speed, uppers, diet pills)
2. Barbiturates (downers, sleeping pills)
3. Benzodiazepines (Valium, Librium)
4. Cannabinoid (marijuana)

5. Cocaine metabolite
6. Ethanol (alcohol)
7. Hallucinogens (LSD)
8. Methadone
9. Opiates (heroin, morphine, codeine)
10. Phencyclidine (PCP, angel dust)
11. Propoxyphene (Darvon)
12. Steroids (performance-enhancing drugs)

The District shall reserve the right to test for any and all illegal or controlled substances as determined at the discretion of the District.

SANCTIONS

FIRST OFFENSE

For a first positive test result during a random screening, the following consequences shall be imposed:

1. The student, parent, or person otherwise in lawful control of the student shall be given an opportunity to participate in a conference with the principal or designee and any sponsors deemed appropriate to discuss the conditions for continued participation in extracurricular performances, competitions, and activities and/or parking privileges.
2. The student shall be required to attend and successfully complete a District-approved drug counseling/education program at the expense of the student/parent. A letter from the director of the program shall be required as proof of completion.
3. The student shall be suspended from participation in any extracurricular activities and/or parking privileges for 15 school days or nonschool days on which competitive extracurricular activities the student participates in are scheduled. During the period of suspension, the student may participate in practices but not in any competitive activities or performances.
4. The student must be retested at the end of the period of suspension and have a negative test result; the student shall be retested on the next three random test dates.

SECOND OFFENSE

For a second positive test result during a random screening, the following consequences shall be imposed:

1. The student and parent or person otherwise in lawful control of the student shall be given an opportunity to participate in a conference with the principal or designee and any sponsors deemed appropriate to discuss the conditions for the continued participation in extracurricular performances, competitions, and activities and/or parking privileges.

2. The student shall be required to attend and successfully complete a District-approved drug counseling/education program at the expense of the student/parent. A letter from the director of the program shall be required as proof of completion.
3. The student shall be suspended from participation in any extracurricular activities and/or parking privileges for 30 school days or nonschool days on which competitive extracurricular activities he or she participates in are scheduled. During the period of suspension, the student may participate in practices, but not in extracurricular activities or performances.
4. The student shall be retested before the end of the suspension period and have a negative test result; the student shall be retested on the next three random testing dates.

THIRD OFFENSE

For a third positive test result during a random screening, the following consequences shall be imposed:

1. The student and parent or person otherwise in lawful control of the student shall be given an opportunity to participate in a conference with the principal or designee and any sponsors deemed appropriate to discuss the conditions for continued participation in extracurricular performances, competition, activities and/or parking privileges.
2. The student shall be required to attend and successfully complete a District-approved drug counseling/education program at the expense of the student/parent. A letter from the director of the program shall be required as proof of completion.
3. The student shall be suspended from all extracurricular activities and/or parking permit privileges for 180 school days. The student shall not be permitted to participate in any practices or meetings.
4. After the suspension is completed, the student shall be retested monthly on random testing dates for a period of one year from the end of suspension.

REINSTATEMENT

Compliance shall be confirmed by the Superintendent or designee prior to the reinstatement of the student in extracurricular programs or for the student to resume parking privileges.

FAILURE OR REFUSAL TO SUBMIT TO DRUG TESTING

Any student identified for random testing on a given date but who is absent, or because of illness or any other legitimate reason leaves school before the test is performed shall be included in the next random screening. Refusal on the part of

any student to participate in a scheduled random drug test shall be considered as having tested positive.

**END OF SEMESTER
SUSPENSION**

If a student's suspension from participation in extracurricular activities and/or parking permit privileges is not completed by the end of the semester, the student shall complete the assigned period of suspension during the following semester or during the first semester of the following school year.

**WITHDRAWAL
FROM PROGRAM**

If a student wishes to withdraw from the drug-testing program, the student and parent or person otherwise in lawful control of the student must complete and submit the appropriate form to the principal or designee. A student who withdraws from the drug-testing program shall not be allowed to reenter the program for 18 school weeks. The principal or designee shall assure that the student is not participating in extracurricular activities and/or driving on campus for 18 weeks.

APPEALS

A written request to appeal a positive test result must be submitted to the Superintendent or designee within three days of receiving oral notice from the MRO or authorized representative of the results.

A student or parent may appeal a decision made under this policy in accordance with FNG(LOCAL). While the appeal is pending, the student shall be ineligible for participation in extracurricular activities and/or parking permit privileges.