

## *S&S Consolidated Independent School District*

### *Mandatory Drug Testing Program*

#### **Mandatory Drug Tests**

Participation in school district extracurricular activities is a privilege. All University Interscholastic League (UIL) participants, students in all extracurricular activities in grades 7-12, and students who are issued permits to park in the high school parking lot shall be subject to mandatory and random testing for the presence of alcohol and/or illegal drugs. This policy is separate from the school district policy regarding testing based on individualized suspicion.

#### **Purpose of Random Drug Testing**

1. S&S CISD has recognized that observed and suspected drug use and abuse has increased among the S&S CISD student population, including students participating in extracurricular activities and those driving to and from school and school events.
2. S&S CISD seeks to provide a safe, drug-free school.
3. S&S CISD seeks to deter the use of illegal and prohibited drugs among students.
4. S&S CISD recognizes that students who use illegal and prohibited drugs pose a threat to the health and safety of themselves, other students, teachers, administrators, and other persons.
5. S&S CISD has a zero-tolerance policy regarding the use of illegal drugs and other prohibited substances.
6. Schools are held accountable for the academic well being of its students. By current day standards, schools are also held accountable for student's emotional, physical, and social well being. Teachers and administrators cannot experience success in any of these areas when children are not mentally or physically at their best. Students who regularly or periodically use drugs or alcohol cannot and do not come to school with the proper physical or mental attitude to participate successfully in learning. Teachers in S&S CISD feel that drug and alcohol use among students has a negative impact on their ability to concentrate and excel in their schoolwork.

#### **Participants/Selection For Testing**

All extracurricular participants and their parents/guardians shall annually sign a random drug testing consent form at the beginning of each school year. Any refusal by the parent or the student to sign the consent form shall be treated as a forfeiture of participation in extracurricular activities.

Each student in grades 7-12 participating in extracurricular activities shall be subject to random drug and alcohol testing for the entire school year or until they discontinue participation in extracurricular activities.

All individuals who seek permission to park on campus will secure a parking permit. Because of the need to insure a safe transfer of students to and from school, S & S Consolidated Independent School District will not issue parking permits to individuals if the student and his/her parents/guardians do not sign a random drug testing consent form at the beginning of each school year. Any refusal by the parent or the student to sign the consent form shall be treated as a forfeiture of the student's privilege of parking on school property

Any students in grades 7-12 may volunteer to be a part of the district drug testing program. All volunteer participants and their parents/guardians shall annually sign a random drug testing consent form at the beginning of each school year.

A student shall also be required to provide breath, saliva, or urine samples as deemed appropriate when there is reasonable suspicion that the student who derives or is involved in extracurricular activities is under the influence of illegal drugs or alcohol at school or at a school-related event, whether such event occurs on or off campus.

#### **Drugs To Be Tested For:**

1. Drugs which an individual may not buy, possess, use, sell, or distribute under either Federal or Texas law. Such drugs include, but are not limited to, marijuana, opiates, cocaine, phencyclidine, amphetamines, barbiturates, benzodiazepines, methadone, methaqualone, propoxyphene, hallucinogens, steroids, alcohol and/or their metabolites.
2. Performance-enhancing drugs (i.e. steroids)
3. All prescription drugs upon reasonable suspicion that they were obtained without proper authorization.
4. All prescription and over the counter drugs upon reasonable suspicion that they are being used in an abusive manner.

#### **Consent Form**

All students who are participants in extracurricular or UIL activities or competitions, park on campus, or wish to be a part of the voluntary drug-testing program must sign a consent form to participate in the activity, and/or park on campus, or voluntarily participate in the drug-testing program. The consent form must also be signed by the student's parent/guardian and witnessed by a school official or an official notary before the student shall be eligible to participate in these activities.

All participants in the drug testing program and their parents/guardians shall receive copies of the procedures for the drug testing program and the consent forms.

## **Testing**

All students participating in the program will be placed in the population from which random samples will be selected. Testing shall be done in accordance with accepted practices and procedures as established by the drug testing laboratory selected by the District.

Students involved in the S&S CISD drug testing program will submit to a drug/alcohol breath, saliva, or urine screen test as deemed appropriate. Student privacy shall be protected to the maximum extent reasonably possible during collection. All positive results from a drug screen shall be verified by Gas Chromatography Mass Spectrometry. Records of test results shall be kept confidential and provided only to District administrators and personnel responsible for administering the program.

Each student, at the time of testing, shall be asked if there is any legitimate reason he or she has been in contact with illegal drugs or if there are medications he or she has taken that could affect the test results. If the student is taking or has recently taken prescribed medication, he or she may be required to provide proof of his or her prescription. The student is not required to disclose any medical condition and any medical condition and any medical information revealed by disclosing use of medication shall be kept strictly confidential by the District, unless lawfully compelled to disclose.

Any student who has tested positive for an illegal drug as a result of properly taking prescribed medication shall be deemed to have a negative test.

## **Procedures**

THE WRITTEN POLICY SHALL BE DISTRIBUTED TO EVERY HIGH SCHOOL AND MIDDLE SCHOOL STUDENT WHO PARTICIPATES, OR SEEKS TO PARTICIPATE, IN ANY EXTRA-CURRICULAR ACTIVITY, STUDENT PARKING PROGRAM, AND VOLUNTARY DRUG TESTING PROGRAM. This policy shall also be included in the Student Code of Conduct.

The procedures for testing in accordance with this program shall be as follows:

1. Each sponsor/coach or principal of an applicable program shall submit a list of students to be consolidated into a master list.
2. The master list shall be submitted to the company employed by the District to conduct the testing.
3. The drug testing company shall computerize the master list.
4. Random drawings will be generated from a computerized program by the testing company.
5. The testing company shall administer the test. The sample to be tested shall be obtained in a District facility that provides reasonable privacy for the student.
6. The drug-testing administrator shall notify the designated campus administrator of any positive results. The designated campus administrator shall notify the parents

and staff members responsible for implementation of the consequences as outlined in this policy. That administrator will schedule the meeting with parents, student, and sponsor. (see Request for a Re-Test section below)

7. In the case of questions about the effects of prescription or other medications, a school designated physician, or a medical review officer from the testing laboratory will make a determination about the outcome of the test.

### Consequences for Testing Positive

#### First Offense Parking

All offenses are cumulative through grades 7-12.

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting the administrator shall explain the drug testing procedures and the policy of the district. The consequences shall be as follows:

1. The student shall remain ineligible for any ON CAMPUS PARKING for 14 calendar days beginning when the positive test results are revealed.
2. The student must complete an approved assessment by an approved counselor and complete the program recommended by the counselor. (see Assessment/Counselor Guidelines below) Attendance of these sessions will be monitored and attendance problems will result in ineligibility until the program is complete.
3. The student will be placed in the mandatory pool and will be included in each future sampling until the student has produced nine clean tests. At that time the student will return to the random pool. The cost of the tests administered to the student while he/she is in the mandatory pool will be at the expense of the student's parents/guardians.

**The student will be referred into the STUDENT ASSISTANCE PROGRAM.**

Students who test positive but choose not to go through the nine subsequent tests will be excluded from participation in ON CAMPUS PARKING until they satisfy the terms of the policy consistent with the offense.

#### Second Offense Parking

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting the administrator shall explain the drug testing procedures and the policy of the district regarding a second offense. The consequences shall be as follows:

1. The student will be ineligible for any and all ON CAMPUS PARKING for 30 calendar days beginning when the positive test results are revealed.
2. The student must complete an approved assessment by an approved counselor (see Assessment/Counselor Guidelines below) and complete the program recommended by the counselor.
3. The student will be placed in the mandatory pool and will be included in each future sampling until the student has produced nine clean tests. At that time, the student will return to the random pool. The cost of the tests administered to the student while he/she is in the mandatory pool will be at the expense of the student's parents/guardians.

Students who test positive but choose not to go through the nine subsequent tests will be excluded from participation in ON CAMPUS PARKING until they satisfy the terms of the policy consistent with the offense.

**The student will be referred into the STUDENT ASSISTANCE PROGRAM.**

### Third Offense Parking

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting the administrator shall explain the drug testing procedures and the policy of the district regarding a third offense. The consequences shall be as follows:

1. The student will be ineligible for any and all ON CAMPUS PARKING for one calendar year beginning the day of the test.
2. The student must complete an approved assessment by an approved counselor (see Assessment/Counselor Guidelines below) and complete the program recommended by the counselor.
3. The student will be placed in the mandatory pool and will be included in each future sampling until the student has produced nine clean tests. At that time, the student will return to the random pool. The cost of the tests administered to the student while he/she is in the mandatory pool will be at the expense of the student's parents/guardians.

Students who test positive but choose not to go through the nine subsequent tests will be excluded from participation in ON CAMPUS PARKING until they satisfy the terms of the policy consistent with the offense.

**The student will be referred into the STUDENT ASSISTANCE PROGRAM.**

### **All Other Offenses**

Any further offenses will result in the same consequences as the third offense.

### Each Offense Voluntary Pool

1. A campus administrator shall hold a confidential meeting with the student and parent/guardian. It will be strongly recommended that the student participate with parent approval in an approved assessment by an approved counselor and complete the program recommended by the counselor. (see Assessment/ Counselor Guidelines below) Attendance at these sessions will be voluntary and will be at the expense of the student's parents/guardians.

### First Offense Extracurricular

All offenses are cumulative through grades 7-12.

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting, the administrator shall explain the drug testing procedures and the policy of the district. The consequences shall be as follows:

1. The student shall remain ineligible from any and all extracurricular competition activities for 14 calendar days beginning when the positive test results are revealed.
2. The student must complete an approved assessment by an approved counselor and complete the program recommended by the counselor. (see Assessment/Counselor Guidelines below) Attendance of these sessions will be monitored and attendance problems will result in ineligibility until the program is complete.
3. The student will be placed in the mandatory pool and will be included in each future sampling until the student has produced nine clean tests. At that time, the student will return to the random pool. The cost of the tests administered to the student while he/she is in the mandatory pool will be at the expense of the student's parents/guardians.

**The student will be referred into the STUDENT ASSISTANCE PROGRAM.**

Students who test positive but choose not to go through the nine subsequent tests will be excluded from participation in extracurricular activities until they satisfy the terms of the policy consistent with the offense.

### Second Offense Extracurricular

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting, the administrator shall explain the drug testing procedures and the policy of the district regarding a second offense. The consequences shall be as follows:

1. The student will be ineligible from any and all extra-curricular competition activities for 30 calendar days beginning when the positive test results are revealed.
2. The student must complete an approved assessment by an approved counselor (see Assessment/Counselor Guidelines below) and complete the program recommended by the counselor.
3. The student will be placed in the mandatory pool and will be included in each future sampling until the student has produced nine clean tests. At that time, the student will return to the random pool. The cost of the tests administered to the student while he/she is in the mandatory pool will be at the expense of the student's parents/guardians.

Students who test positive but choose not to go through the nine subsequent tests will be excluded from participation in extracurricular activities until they satisfy the terms of the policy consistent with the offense.

**The student will be referred into the STUDENT ASSISTANCE PROGRAM.**

#### Third Offense Extracurricular

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting, the administrator shall explain the drug testing procedures and the policy of the district regarding a third offense. The consequences shall be as follows:

1. The student will be removed from any and all extra-curricular competition activities for one calendar year beginning the day of the test.
2. The student must complete an approved assessment by an approved counselor (see Assessment/Counselor Guidelines below) and complete the program recommended by the counselor.
3. The student will be placed in the mandatory pool and will be included in each future sampling until the student has produced nine clean tests. At that time, the student will return to the random pool. The cost of the tests administered to the student while he/she is in the mandatory pool will be at the expense of the student's parents/guardians.

Students who test positive but choose not to go through the nine subsequent tests will be excluded from participation in extracurricular activities until they satisfy the terms of the policy consistent with the offense.

**The student will be referred into the STUDENT ASSISTANCE PROGRAM.**

### *All Other Offenses*

Any further offenses will result in the same consequences as the third offense.

### **Assessment/Counselor Guidelines**

In order for a counselor to be approved, he/she must minimally be a Licensed Chemical Dependency Counselor. The assessment must include a written recommendation for treatment that is presented to the parents/guardians. The parents/guardians must present a copy of that recommendation to the school administrator. Any cost for the assessment or any treatment shall be the responsibility of the parents/guardians and/or the student. The district may provide free or low cost counseling for those who qualify for the free and reduced lunch program for those students who must be assessed per this agreement.

### **Refusal to Test**

Each time a student refuses a drug test, he/she shall be subject to the consequences of a positive test at the appropriate step.

### **Request for a Re-Test**

Within (2) two school days of being notified of a positive test result, parents/guardians of any participant testing positive shall have an opportunity to schedule a conference with the principal, at which time the student or parents/guardians may offer an explanation of the positive result. Parents/guardians may provide any doctor's prescriptions of any drugs that the student was taking that might have affected the outcome of the test and may request a retest. The urine sample from the second bottle originally obtained shall be retested at the same lab and method of the previous test. If a parent/guardian fails to make a request for a retest within (2) two school days of receiving notice of a positive test result, the appeals process will be waived and the second sample will not be tested.

At his/her expense, a parent/guardian may have a re-analysis of the original specimen performed by a certified drug-testing laboratory of his/her choice. The request for retest must be made in writing and returned to the appropriate campus administrator indicating which laboratory no later than (2) two school days following receipt of the notification of a positive test. S&S CISD will provide the lab of choice with a portion of the original specimen. The student will remain ineligible to participate while the retesting process occurs.

### **Maintenance of Records**

All results of drug testing shall be confidential. Procedures for maintaining confidentiality will be developed by S&S CISD and the testing organization. The administration shall maintain records of positive tests in a secure location. This information will not be available to anyone other than appropriate school personnel and parents/guardians. Upon graduation this information will be destroyed.



Under no circumstances will this information become a part of the student's permanent file, nor will it be sent to another school when the student moves to another district or transfers to another school.

### **Notification to Parents/Guardians**

Parents/Guardians will be notified in a confidential manner for all positive test results.

If the initial test is positive, it will be confirmed by a second test on the same sample. A sample shall not be reported as positive unless both tests are positive. The laboratory shall return the test results of all students tested to the District as soon as possible. If a test result is positive, the appropriate principal will immediately contact the student and the student's parents/guardians.

Parents/Guardians will be notified when their student has been randomly tested, and the result has been negative.

### **Severability**

If any portion of this policy is deemed to be contrary to the law of the state of Texas or the United States by judicial decision or an act of congress, then only such portion or provision directly deemed to be unconstitutional shall be stricken, and the remainder of the policy shall remain in full force.