



## DRUG USE PREVENTION PROGRAM

### PHILOSOPHY

The District has a vital interest in maintaining a positive learning environment that is safe and healthy for all students. To fulfill that purpose, the District designed this random drug-testing program as a positive, proactive approach to promote a drug- and alcohol-free student body. The program is academically nonpunitive. However, it is designed to teach self-responsibility and that there are consequences for misbehavior. This program shall be in effect for a student's entire District extracurricular participation in grades 9–12.

By adopting this program, the District desires to:

1. Provide for the health and safety of all students,
2. Undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs,
3. Deter students from using drugs,
4. Prevent injury or harm to students that may arise as a result of drug use, and
5. Encourage students who use drugs to participate in a drug-treatment program.

### APPLICABILITY

Since drug use can increase the risk of injury to students participating in school-sponsored competitive extracurricular activities, and since these students are often role models to other students, the District shall require all students in grades 9–12 who participate in designated school-sponsored competitive extracurricular activities to undergo random drug testing.

Participation includes competition and involvement in events of the extracurricular activities. Participation does not include attendance at school events such as athletic contests, drama productions, or social functions.

### PRIOR WRITTEN PERMISSION

Written parental consent to random drug testing must be completed before a student is allowed to participate in a practice or competition of a school-sponsored competitive extracurricular activity. No student may participate in a practice or competition until the consent form is executed and on file with the designated school official. If the student is of legal age (age 18 or older), he or she must sign the permission form. Consent forms shall be valid for the current school year only.

Because participation in extracurricular activities is a privilege and not a right, refusal to consent to random drug testing will result in the denial of participation in the identified extracurricular activities.

## ORIENTATION

The students shall be informed of the sample collection process, privacy arrangements, drug-testing procedures, and other areas that may help to reassure the student participants and help avoid embarrassment or uncomfortable feelings about the drug-testing process.

This random drug-testing policy shall be distributed to all student participants in grades 9–12 at the beginning of each school year. Newly enrolled students shall receive a copy of the policy as they register at their campus.

## NOTIFICATION OF TEST RESULTS

### CONFIDENTIALITY

Student privacy shall be protected in accordance with all applicable laws. Records of test results shall be kept confidential and provided only to parents, administrators, personnel responsible for administering the extracurricular activity, other school officials with a legitimate interest in the information, or as otherwise required by law or overriding health and safety concerns. Test results shall be kept separate from other school records, and school personnel shall only be allowed to view the information if they have a legitimate interest in the results. Results shall not be shared with law enforcement except as required by law. Upon written request of parents/guardians or a student of legal age, test results may be released to treatment facilities.

All test results shall be destroyed when the student graduates or when the student's eligibility to participate in competitive extracurricular activities expires. The test results shall not be transferred to another district.

## NOTIFICATION

If a student tests positive for a prohibited substance identified in this policy, the designated administrator shall notify the parent/guardian or student of legal age within five school days of receiving a confirmed positive test result.

In those cases where the test result indicates the presence of the prohibited substance that could have a medical explanation, the parent/guardian or student of legal age will be asked to contact a medical review officer (MRO) employed by the testing entity within one school day of receiving a confirmed positive test result. The MRO will confer with a parent and determine if there is a medical explanation for the positive test result. If the parent provides a medical excuse with documentation, the MRO shall report the test result as negative. However, without medical documentation, the MRO shall report a confirmed positive test result to the designated school administrator within one school day of conferring with the student's parent.

CONSEQUENCES FOR FIRST POSITIVE TEST RESULT	The District has established the following consequences for the first positive test result.
CONFERENCE	Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.
COUNSELING	With a medical release from a physician, a student may continue to participate and must successfully complete six counseling sessions (one per week) within a six-week period.
ADDITIONAL TESTING	The student must submit to a new drug test and have a negative (clean) test result.
MAINTENANCE PROGRAM	A positive test shall result in mandatory testing for the next three consecutive testing dates. Three consecutive negative tests shall allow the student to return to random selection. A positive result during the maintenance program shall result in the next level of consequences.
FAILURE TO COMPLY	Failure to meet these requirements will result in the student being disciplined under the second positive test result protocol.
CONSEQUENCES FOR SECOND POSITIVE TEST RESULT	The District has established the following consequences for the second positive test result.
CONFERENCE	Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.
SUSPENSION	The student shall be suspended from all competitive extracurricular activities, including travel and competitions, for six calendar weeks from the parent meeting (the student will be allowed to continue to practice, pending a medical release from a doctor, for the duration of the suspension).
COUNSELING	As a prerequisite for returning to full participation, the student must successfully complete another six counseling sessions (one per week) within a six-week period.
ADDITIONAL TESTING	As a prerequisite for returning to full participation, the student must submit to a new drug test and have a negative (clean) test result.
MAINTENANCE PROGRAM	A positive test shall result in mandatory testing for the next three consecutive testing dates. Three consecutive negative tests shall allow the student to return to random selection. A positive result during the maintenance program shall result in the next level of consequences.

FAILURE TO COMPLY	Failure to meet these requirements will result in the student being disciplined under the third positive protocol.
CONSEQUENCES FOR THIRD POSITIVE TEST RESULT	The District has established the following consequences for the third positive test result.
CONFERENCE	Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.
LOSS OF ALL EXTRACURRICULAR PRIVILEGES	The student shall lose extracurricular participation privileges and shall be removed from the program for one calendar year.
COUNSELING	As a prerequisite for returning to full participation, the student must successfully complete another 18 counseling sessions.
FAILURE TO COMPLY	Failure to meet these requirements will result in the student being disciplined under the fourth positive test result protocol.
CONSEQUENCES FOR FOURTH POSITIVE TEST RESULT	The District has established the following consequences for the fourth positive test result.
CONFERENCE	Within five school days, the designated administrator shall schedule a conference between the designated administrator, the student, and the parent or guardian.
LOSS OF ALL EXTRACURRICULAR ACTIVITIES	The student shall lose all extracurricular participation privileges and shall be removed from the program for the remainder of the student's District education.
COUNSELING	Counseling may be set up at the parent's request.
REFUSAL TO SUBMIT TO TESTING	Refusal to submit to a drug test or noncompliance with the testing after signing the consent form shall result in the same consequences as if the student had received a positive test.
ADULTERATED SPECIMEN	If the testing entity determines that a student adulterated or tampered with a specimen, the student shall receive the same consequence as if the student had received a positive test.
SUBSTANCE ABUSE COUNSELING	The District shall provide substance abuse counseling or shall accept substance abuse counseling provided by a certified chemical dependency counselor or at any agency certified by the Texas Department of Health or the Texas Department of Alcohol and Drug Addiction Services.
ACADEMICALLY NONPUNITIVE	A positive drug test shall not affect the student's grade in any curricular class associated with the extracurricular activity. However, if participation in the extracurricular activity is required for

the class, the student may be required to satisfy participation requirements in alternative ways. Drug test results shall not be documented in the student's academic records.

POSITIVE TEST RESULTS

All positive test results shall be confirmed by a second, more definitive test before being reported as positive. The student or the parent or person otherwise in lawful control of the student may also request a retest of the original specimen, but the retest, if requested, shall be at the expense of the student or the parent or person otherwise in lawful control of the student. A request to retest shall be made in writing to the Superintendent within 48 hours of the meeting with the designated administrator, and payment for the retest shall be included with the request.

APPEAL PROCESS

A parent or student may appeal a positive result in accordance with District policy FNG(LOCAL) governing student and parent complaints. Consequences established in this drug-testing policy shall not be deferred pending the completion of the appeal process. If the conclusion of the appeal is not in the student's favor, the number of days the student was prohibited from participation during the appeal process will be deducted from the total days of suspension the student must serve as a consequence for the positive drug test. If the conclusion of the appeal is in the student's favor, the student shall be allowed to return to normal participation in all activities.

RELATIONSHIP TO THE STUDENT CODE OF CONDUCT

This drug-testing policy does not in any way modify the disciplinary provisions of the Student Code of Conduct or Chapter 37 of the Texas Education Code. If a student sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, the student shall be subject to the disciplinary provisions of the Student Code of Conduct. A positive drug test is not in and of itself proof that a student has violated the Student Code of Conduct. For more information on the District's disciplinary rules regarding drugs and alcohol, please refer to the Student Code of Conduct.

TESTING PROCEDURES

RANDOM SELECTION

The District shall provide the testing entity with a list of all identified competitive extracurricular activity participants. Students shall be chosen for the testing by computer-generated random selection conducted by the testing entity. The random selection process is intended to eliminate subjective factors from playing a role in the selection of the students to be tested.

FREQUENCY

A percentage of students in grades 9–12 participating in school-sponsored competitive extracurricular activities shall be randomly tested. Each school year, the administration shall determine the percentage of students to be tested based on the number of extracurricular activity participants.

TESTING  
STANDARDS

Testing shall be conducted through accepted scientific means using approved practices and procedures established by the testing entity selected by the District. The testing parameters shall be set at industry standards as defined by the National Institute for Drug Abuse. The testing entity will be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and have greater than five years of experience in toxicology testing and chain-of-custody procedures.

The drug test shall be performed by urinalysis. All presumptive positive results shall be confirmed by a second test of the same specimen.

The testing entity may use quantitative results to determine if positive results on repeat testing indicate recent use of illegal drugs or the natural decline of levels of the illegal drug from the body. If the testing entity feels the quantitative levels do not reflect current use, then a negative result may be reported.

COLLECTION OF  
SAMPLE

Upon arrival at the District, the testing entity will provide the names of the selected students to the supervising school official who will arrange for these students to report to the collection area.

Students will be tested in an isolated facility under the supervision of a school official of the same gender. Students will provide a urine sample in a restroom or other private facility behind a closed stall. The supervising school official will assist the testing entity representative in testing the warmth of the specimen and ensuring an accurate chain of custody. Neither the supervising school official nor the testing entity representative will directly observe the students providing their urine samples. Facilities shall be secure with only one student testing at a time to ensure security and confidentiality for each individual.

The urine sample will be collected in a sealed split specimen (parts A and B) collection container provided by the testing entity. The student will provide the collected sample to the testing entity representative, and the school official will confirm that the student's identification information on the sample is correct. The split specimen bottle will be sealed and witnessed by the student. The testing entity representative will 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 entity shall be made available to any parent or student upon request.

If a student fails to produce a specimen, the student's parent/guardian will be responsible for taking the student for testing

at an independent drug testing facility, at their expense, within 5 days of the failure to produce. Upon receipt of the results, the parent is responsible for submitting documentation to the program director.

SUBSTANCES  
ELIGIBLE FOR  
TESTING

The District reserves the right to test for:

Amphetamines	Barbiturates	Benzodiazepines
Steroids	Phencyclidine	Marijuana/cannabinoids
Cocaine	Methaqualone	Opiates
Propoxyphene	Alcohol	Inhalants/abusable volatile chemicals

STATISTICAL  
REPORTING

The District will receive a report showing the number of tests performed, the rate of positive and negative test results, and the substances found in the positive urine specimens. The report will not include the individual results of an identifiable student. The testing entity may not release any statistics on the rate of positive drug tests to any person, organization, news publication, or media without express written consent of the Board.