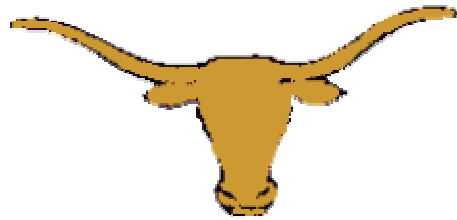


# **Tarkington I.S.D.**



## **Drug Testing Policy**

***2005 - 2006***

## **Tarkington ISD Drug Testing Policy**

**RATIONALE:** Tarkington I.S.D. has a vital interest in maintaining a safe and healthy environment for all of its students. In order to meet this goal, the District has implemented this Random Drug Testing Policy and practice. The Random Drug Testing program is intended to be part of the over all physical and mental education program of the District. Substance abuse is inconsistent with successful participation in school; therefore, this program includes appropriate measures for dealing with such challenges. Being under the influence of illegal drugs and / or alcohol poses serious health and safety risks both to the user and all those associated with the user. The District understands that its own health and welfare is dependent on the health and welfare of the individual students within the District. This policy is therefore an effort by the district to ensure a safe and healthy environment for all T.I.S.D. students.

**OBJECTIVES:** The drug testing program is not intended to be a punitive measure. Rather, the following objectives shall serve as the foundation for the program:

1. to promote the health and safety of all students,
2. to undermine the effects of peer pressure by providing a legitimate reason for students involved in extra curricular activities to refuse to use illegal drugs, and
3. to encourage students who use drugs to participate in drug treatment programs.

## **Tarkington ISD Drug Testing Policy**

Scope	<p>The District shall require all students in grades 7 – 12 who participate in school-sponsored, competitive, activities approved by the board that are subject to UIL guidelines, extracurricular activities or any student who drives on campus to undergo an initial drug test and participate in random drug testing throughout the year. The initial drug test will be completed prior to any participation in school-sponsored, competitive, activities approved by the board that are subject to UIL guidelines, extracurricular activities. Any student who plans to drive on campus must have an initial drug test prior to receiving a parking pass.</p> <p>Participation shall include practice, competition, and involvement in events of these extracurricular activities and those students who drive on campus. Participation shall not include attendance at school events, such as athletic contests, drama productions, or social functions.</p>
Definition of Extracurricular	<p>An extracurricular activity is an activity sponsored by the University Interscholastic League (UIL), the Board, or an organization sanctioned by resolution of the Board. The activity is not necessarily related to instruction of the essential knowledge and skills but may have an indirect relation to some areas of the curriculum. Extracurricular activities include, but are not limited to, public performances, contests, demonstrations, displays, and club activities, with the exception of public performances specified in paragraph two below.</p> <ol style="list-style-type: none"><li>1. In addition, an activity shall be subject to the provisions for an extracurricular activity if any one of the following criteria apply:<ol style="list-style-type: none"><li>a. The activity is competitive;</li><li>b. The activity is held in conjunction with another activity that is considered to be extracurricular;</li><li>c. The activity is held off campus, except in a case in which adequate facilities do not exist on campus.</li><li>d. The general public is invited; or</li><li>e. The activity is the result of being elected or appointed to a position of honor.</li></ol></li></ol>
Definition of Co-curricular	<ol style="list-style-type: none"><li>2. Students who must participate in co-curricular activities are not subject to the terms of this program. An activity is considered to be co-curricular if it is the result of being enrolled in a state-</li></ol>

approved course that requires demonstration of mastery of the essential knowledge and skills in a public performance, subject to the following requirements and limitations:

- a. Only the criterion listed in paragraph 1.d. above applies to the performance.
- b. The requirement for student participation in public is stated in the essential knowledge and skills of the course.

Definition of Student Driver

A student driver, for purposes of this policy, is any student who drives any motorized vehicle on a District campus or who is enrolled in a drivers' education course offered through the school.

Prior Written Permission

Written parental or guardian consent to random drug testing shall be submitted before a student is allowed to 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 shall be valid only for the school year in which they are signed.

Because participation in extracurricular activities and driving on campus is a privilege and not a right, refusal to consent to random drug testing shall result in denial of participation in the extracurricular activities and driving on campus as identified in this policy.

Voluntary Participation

The parents or guardian of a student who does not participate in any extracurricular activity and is not a student driver may request in writing that the student participate in the drug-testing program. Such request may be withdrawn; however, consent may not be withdrawn during the pendency of the test.

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 as they register. Some students may receive a copy of this policy prior to the registration period if they participate in extracurricular activities that begin prior to the start of school.

Testing  
Procedures  
Frequency

Periodically a specified number of students in grades 7-12 whose parents have consented to their child's participation in the drug testing program (or student consent if the student is 18 years of age or older) shall be randomly selected for testing. Prior to the beginning of the school year the Board shall determine the number of students to be tested periodically at both the high school and middle school campuses.

The testing laboratory contracted by the District shall select the dates for conducting the periodic random drug test; the selection of dates shall not follow any recognizable pattern.

Random  
Selection

The District shall provide the testing laboratory with a list of students by grade and gender of all students identified as having given prior written consent to be tested. From these lists the specified number of students shall be chosen for testing by computer generated random selection conducted by the testing laboratory.

Testing  
Standards

Testing shall be conducted through accepted scientific means. The testing parameters shall be set at industry standards as defined by the National Institute of Drug Abuse. The testing laboratory shall be certified by the Substance Abuse and Mental Health Services Administration and have greater than five years experience in toxicology testing and chain-of-custody procedures.

The drug test shall be performed by urinalysis using immunoassay methodology. All presumptive positive results shall be confirmed by a second test of the same specimen using a gas chromatography/mass spectroscopy methodology or technology that exceeds such methodology on both detection and reliability.

The testing laboratory 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 an illegal drug from the body. If the testing laboratory believes the quantitative levels do not reflect current use, a negative result shall be reported.

Substances

The District reserves the right to test for, but not limited to, amphetamines, barbiturates, benzodiazepines, cocaine, marijuana, opiates, hallucinogens, LSD, alcohol, and any other illegal or legal substance.

Collection of Samples

Students shall be tested in an isolated facility under the supervision of a District official of the same sex. Each student shall provide a urine sample in a restroom or other private facility behind a closed stall door. The supervising District official shall assist the testing laboratory representative in testing the temperature of the specimen and ensuring an accurate chain of custody. Neither the supervising District official nor the testing laboratory representative shall directly observe a student while he or she is providing a urine sample. Facilities shall be secure, with only one student testing at a time, to assure security and confidentiality for each student.

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 parents of student upon request.

**Test Results**

Student Privacy

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 activities, other District 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 District records, and District personnel shall be allowed to view the information only if they have a legitimate interest in the results. Results shall not be shared with law enforcement officials except as required by law. Upon written request of a student's parent or guardian or of a student of legal age, test results may be released to a treatment facility.

Notification	<p>When a student's test indicates the presence of a prohibited substance identified in this policy, and within one school day of the laboratory receiving the confirmed positive result, the parent shall be contacted by a medical review officer (MRO) employed by the testing laboratory. 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, the MRO shall report the test result as negative. Without medical documentation, however, the MRO shall report as confirmed a positive test result to the designated District administrator within one school day after conferring with the parent.</p>
Retest	<p>A student who tests positive may request a second test. A request for a retest must be made in writing to the superintendent or designee within 72 hours from the time the parents are notified by the MRO of a positive test result. The student/parent shall bear any expense for a requested retest. The student or parent or guardian may select the second laboratory from a list of independent laboratories identified by the District. The list of approved laboratories may be obtained from the superintendent's office upon request. No result shall be accepted from a laboratory not on the District's list of approved laboratories.</p> <p>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.</p>
Consequences	<p>The following consequences shall apply to any student who tests positive for a drug in a test conducted under the provisions of this policy and who wishes to continue participation in school-sponsored, competitive, extracurricular activities and driving a vehicle in the District. This drug testing policy is effective for any student while enrolled at T.I.S.D. at any time. Students who may withdraw from a T.I.S.D. school and at a later date re-enroll are subject to previous drug testing results.</p>
First Offense	<p>The student testing positive testing will be suspended from all competitive after school extracurricular practices, performances, competitions, activities, and/or driving privileges for 20 school days. The District official will arrange for a conference between the student, parent/guardian, appropriate sponsor(s) or designee, and a campus administrator to discuss the offense. The student will be required to participate in a district approved substance</p>

abuse/counseling program or show proof of private drug abuse counseling prior to regaining eligibility or driving privileges. Any costs associated with private counseling are the responsibility of the student and/or parent/guardian. During this period of suspension, the student may undergo additional drug-testing. If the results of the additional tests are negative, the student will be eligible to practice and participate in performances, competitions, activities, and/or regain driving privileges at the end of the 20 school day suspension period. If the student has a second or subsequent positive result in any additional drug-testing, this will count as a second offense and the proper campus personnel will be notified to determine the frequency of additional drug-testing and when the student can regain his/her eligibility.

#### Second Offense

The student testing positive for a second time will be suspended from all competitive after school extracurricular practices, performances, competitions, and/or activities, and/or driving privileges for a period of 45 school days. The designated official will arrange for a conference between the student, parent/guardian, counselors, appropriate sponsor(s) or designee and a campus administrator discuss the second offense. The student will be required to participate in District approved substance abuse/counseling program or show proof of private drug abuse counseling prior to regaining eligibility or driving privileges. Any costs associated with private drug abuse counseling are the responsibility of the student and/or parent/guardian. During this period of suspension, the student may undergo additional drug-testing. If the results of these tests are negative, the student will be eligible to practice and participate in performances, competitions, activities, and/or regain driving privileges following the end of the suspension period of 45 school days. If the student has another positive result during the 45 school day period from additional drug-testing, this will count as a third offense and the proper District personnel will be notified by the District designee to determine the frequency of additional testing and when the student can regain eligibility.

#### Third Offense

The student testing positive for the third time in a random drug-testing shall be suspended from all competitive after school extracurricular activities and/or driving privileges for a period of one (1) calendar year from the date of the confirmation of the third positive drug test result. The designated District official will arrange for a conference between the student, parent/guardian, a campus administrator, and other proper district personnel. The student will be required to participate in a district approved substance abuse program or show proof of private drug abuse

counseling. Any costs associated with private counseling are the responsibility of the student and/or parent/guardian. The student may also be required to continue to practice his/her sport/activity in the class period allotted. The student will be required to consent to a drug test at the end of the year of suspension in order to regain eligibility or driving privileges.

Failure or  
Refusal to  
Submit to  
Drug Testing

Any student identified for random testing on a given date who, because of illness or any other legitimate reason leaves school before the test is performed shall be included in the next random screen. Refusal on the part of any student to participate in a scheduled or random drug test shall be considered to have tested positive.

Student  
Support  
Services

The district shall support and assist any student who may desire to participate in a district approved substance abuse/counseling program. The District shall also provide information regarding external agencies that provide substance abuse education or counseling upon request. Any cost of such external services, however, shall be the responsibility of the student and/or parent or guardian.

Suspension

For purposes of this policy, any suspension from competitive after school extracurricular activities and/or driving privileges that is not completed during the course of the school year shall be extended to the following year. During the period of a suspension, the student involved in competitive after school extracurricular activities must still attend practice even though participation is not permitted.

Appeals

Should a student and/or parent or guardian elect to appeal a positive test result, the second half of the specimen in question may be tested by a laboratory mutually agreed upon by the student, parent/guardian and the District. In such cases, the student and/or parent/guardian shall assume responsibility for payment of all fees related to the second test. A written request to appeal a positive test must be submitted to the Superintendent or designee within three days of receiving notice from the MRO or authorized representative of the results.

A student and/or parent or guardian may appeal a suspension under this policy to the Superintendent or designee by filing a written complaint according to the provisions and time lines as set forth in policy FNG (LOCAL) as related to STUDENT AND PARENT COMPLAINTS.

# **Tarkington I.S.D. Drug Testing Policy**

## ***Initial Drug Screening Dates***

July 12, 2005	10:00 AM	Cross Country Cheerleaders Club Officers Band Leadership
July 27, 2005	9:00 AM	Football Volleyball Band
August 24, 2005	1:00 PM	Middle School Athletics Middle School Band Make-Ups
August 25, 2005	1:00 PM	High School Drivers Make-Ups
September 1, 2005	10:00 AM	New Students Make-Ups