

# BELTON ISD: FNF (REGULATION)

## **Random Drug Testing Program Definition and Scope**

The Belton Independent School District requires the random drug testing of any student in grades 9 -12 who chooses to participate extracurricular activities offered. This Administrative Regulation establishes the process for the implementation of the District's random student drug-testing program, which is designed to:

- Serve as a deterrent to the use of alcohol, nicotine, and illegal drugs among the students;
- Offer students a vehicle by which to resist peer pressure regarding the use of alcohol, nicotine, and illegal drugs;
- Provide a source of support and assistance to students trying to avoid the use of alcohol, nicotine, and illegal drugs;
- Teach students self-responsibility for one's decisions and actions; and
- Ensure the health and safety of students who might represent the school in an extracurricular activity

## **Campus Drug Testing Administrator**

Each high school campus shall appoint a Campus Drug Testing Administrator to coordinate the program. The Campus Drug Testing Administrator may assign an assistant or other school staff to assist him/her in the coordination and administration of the drug testing program.

## **Distribution of Policy**

The District shall provide each parent and student in grades 7–12 a copy of the random drug-testing policy and consent form at the beginning of each school year. A newly enrolled student shall receive a copy of this policy when he or she registers at his or her campus. This policy shall also be made available on the District's Web site.

## **Orientation Meetings**

The District shall conduct meetings with parents and interested student participants each school year prior to the beginning of the drug-testing program. Students new to the District shall receive an orientation as part of the registration process.

District employees shall explain the random drug-testing program and review the policy and consent form.

Student attendance at an orientation meeting is mandatory.

Parent attendance at the orientation meeting is recommended but not mandatory.

## **Consent**

Before a student is eligible to participate in a practice or competition for any extracurricular activity, the student shall be required annually to sign a consent form agreeing to be subject to the rules and procedures of the random drug-testing program. If the student is under the age of 18, the student's parent or guardian shall also sign a consent form. If appropriate consent is not given, the student shall not be allowed to participate in the covered extracurricular activity practices or competitions.

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<b>Use of Results</b>	<p>Drug test results shall be used only to determine eligibility for participation in extracurricular activities. Positive drug test results shall not be used to impose disciplinary sanctions or academic penalties.</p> <p>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.</p>
<b>Grades</b>	<p>A positive drug test shall not affect the student's grade in any course associated with the extracurricular activity. However, if participation in the extracurricular activity is required for the course or affects the student's grade, the student may be required to satisfy participation requirements in alternative ways.</p>
<b>Confidentiality</b>	<p>Drug test results shall be confidential and shall be disclosed only to the student, the student's parents, designated District officials who need the information in order to administer the drug-testing program, and other District officials with a legitimate interest in the information. Drug test results shall not be maintained with a student's academic record. Results shall not be otherwise disclosed except as required by law. Upon written request of parents/guardians or a student of legal age, the student's test results may be released to treatment facilities.</p> <p>All test results shall be destroyed at the conclusion of the student's graduation year or when the student's eligibility to participate in extracurricular activities expires. The test results shall not be transferred to another district.</p>
<b>Testing Laboratory</b>	<p>The District shall contract with a certified drug-testing laboratory to conduct testing of students' urine samples. Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District.</p>
<b>Substances for Which tests are Conducted</b>	<p>The substances the drug-testing laboratory shall test for may include, but are not be limited to: amphetamines, barbiturates, benzodiazepines, phencyclidine, marijuana and cannabinoids, cocaine, methaqualone, methamphetamines, opiates, propoxyphene, alcohol, and cotinine.</p>
<b>Collection Procedures</b>	<p>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.</p>

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## **Random Testing**

Random tests may be conducted on as many as 15 dates throughout the school year.

Up to ten percent of the students participating in extracurricular activities shall be randomly selected for each test date. Random selections are made by the drug-testing laboratory and submitted to the District prior to the scheduled test date.

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.

## **Refusal to Test or Tampering**

A student who refuses to be tested when selected or who is determined to have tampered with a sample shall be deemed to have a positive test result and shall be subject to the appropriate consequences depending on previous positive test results, if any.

## **Student Absence**

If a student is absent on the day of the random test, a sample shall be collected on the next random testing date.

## **Positive Test Results**

An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive.

In those cases where the test result indicates the presence of a prohibited substance that could have a medical explanation, the student or the student's parent, if the student is under the age of 18, will be contacted by a medical review officer (MRO) employed by the testing entity.

The MRO will confer with the student or parent and determine if there is a medical explanation for the positive test result. If the student, or parent, if the student is under the age of 18, provides a medical excuse with documentation within five working days after the conference, the MRO will 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 or student's parent.

Upon receiving results of a positive drug test, the principal or administrative designee shall schedule a meeting with the student, or the student's parent if the student is under the age of 18, and the coach or sponsor of the extracurricular activity to review the test results and discuss the consequences.

## **Second Confirmation Test**

A parent or student who has been notified of a positive test result may request a second confirmation test. A request for a second confirmation test must be submitted in writing to the Superintendent or the Superintendent's designee within 48 hours from the time the student and/or parent was notified of a positive test result. Students and/or parents shall bear the expense for any second confirmation test.

The parent or student may select the second testing entity from a list of nationally certified independent laboratories identified by the District. A list of approved laboratories may be obtained upon request.

The results of the second test conducted by an approved second testing entity shall be used in lieu of the results generated by the District's testing entity. However, test results from a nonapproved second testing entity shall not be considered.

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<b>Consequences</b>	A student who has a confirmed positive drug test shall be subject to the following consequences:
<b>First Offense: Drugs or Alcohol</b>	<p>The student shall be suspended from all covered extracurricular activity performances, scrimmages, and/or competitions for 30 calendar days following the date the student and parent are notified of the test results.</p> <p>During the period of suspension, the student may participate in practices but not in any competitive activities.</p>
<b>Retesting</b>	If the student wishes to return to participation in extracurricular activities, the student must be retested at the next random testing occurrence and have a negative test result; the student shall be retested during subsequent random test dates for a period of three school months.
<b>Counseling</b>	The student shall attend a licensed/certified substance abuse counseling program, selected by the parents/guardians, in order to resume participation in a covered District activity. The student shall produce proof of participation in the substance abuse counseling program to the campus principal prior to the resumption of the activity. The District shall provide a list of cost-free counseling programs to the student and parent.
<b>Failure to Comply</b>	Failure to meet these requirements within the time lines specified shall result in the student being suspended from participation in all identified extracurricular activities until all the requirements are satisfied.
<b>Second Offense: Drugs or Alcohol</b>	The student shall be suspended from all covered extracurricular activities, including, but not limited to practices, travel, performances, scrimmages, and/or competitions for the remainder of the school year.
<b>Retesting</b>	If the student wishes to return to participation in extracurricular activities, the student must be retested at the end of the period of suspension and have a negative test result; the student shall be retested during subsequent random test dates for a period of six school months.
<b>Counseling</b>	The student shall attend a licensed/certified substance abuse counseling program, selected by the parents/guardians, in order to resume participation in a covered District activity. The student shall produce proof of participation in the substance abuse counseling program to the campus principal prior to the resumption of the activity. The District shall provide a list of cost-free counseling programs to the student and parent.
<b>Failure to Comply</b>	Failure to meet these requirements within the time lines specified shall result in the student being suspended from participation in all covered extracurricular activities until the requirements are satisfied.

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<b>Third Offense: Drugs or Alcohol</b>	The student shall be suspended from all covered extracurricular activities, including, but not limited to practices, travel, performances, scrimmages, and/or competitions for the remainder of his or her enrollment in the District.
<b>First Offense: Cotinine (Nicotine)</b>	The principal or administrative designee shall schedule a meeting with the student, or the student's parent if the student is under the age of 18, and the coach or sponsor of the extracurricular activity to review the consequences.
<b>Community Service</b>	The student will complete 10 hours of community service for a 501(c)(3) non-profit organization approved by Coach/Director. The hours will be verified by Coach/Director prior to acceptance. Documentation of completion must be turned in within 30 days from the date of the meeting for the athlete to be eligible to participate in extracurricular programs. After 30 days, students will be suspended from extracurricular programs until documentation has been turned in.
<b>Second Offense: Cotinine (Nicotine)</b>	The principal or administrative designee shall schedule a meeting with the student, or the student's parent if the student is under the age of 18, and the coach or sponsor of the extracurricular activity to review the consequences.
<b>Community Service</b>	The student will complete 20 hours of community service for a 501(c)(3) non-profit organization approved by Coach/Director. The hours will be verified by Coach/Director prior to acceptance. Documentation of completion must be turned in within 45 days from the date of the meeting for the athlete to be eligible to participate in extracurricular programs. After 45 days, students will be suspended from extracurricular programs until documentation has been turned in.
<b>Retesting</b>	If the student wishes to return to participation in extracurricular activities, the student must be retested at the end of the period of suspension and have a negative test result; the student shall be retested during subsequent random test dates for a period of three school months.
<b>Education</b>	The student will complete a District approved online nicotine education class within 45 days from the date of the meeting for the athlete to be eligible to participate in extracurricular programs. After 45 days, students will be suspended from extracurricular programs until documentation has been turned in.
<b>Subsequent Offenses: Cotinine (Nicotine)</b>	The principal or administrative designee shall schedule a meeting with the student, or the student's parent if the student is under the age of 18, and the coach or sponsor of the extracurricular activity to review the consequences.
<b>Suspension</b>	The student shall be suspended from all covered extracurricular activity performances, scrimmages, and/or competitions for 7 calendar days following the date the student and parent are notified of the test results.

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**Community Service** The student will complete 10 hours of community service, for a 501(c)(3) non-profit organization, for each positive cotinine test result approved by Coach/Director. The hours will be verified by Coach/Director prior to acceptance. Documentation of completion must be turned in within 90 days from the date of the meeting for the athlete to be eligible to participate in extracurricular programs. After 90 days, students will be suspended from extracurricular programs until documentation has been turned turned in.

**Retesting** If the student wishes to return to participation in extracurricular activities, the student must be retested at the end of the period of suspension and have a negative test result; the student shall be retested during subsequent random test dates for a period of six school months.

**Appeals** A student or parent may appeal a decision made under the random drug-testing program in accordance with FNG(LOCAL). The student shall be ineligible for participation in extracurricular activities while the appeal is pending.