

FNF (LOCAL)

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STUDENT DRUG-TESTING PROGRAM RATIONALE

The District has determined that the use or misuse of illegal drugs, performance-enhancing drugs, and/or alcohol among students in grades 7-12 is a problem within the schools and community. Information gathered from the student body and from other reliable sources within the community would indicate that such use is prevalent within all segments of the student population, including those who participate in competitive afterschool extracurricular activities and those who drive to school. The District has determined a need to implement a program of random testing of students in grades 7-12 as a condition of their participation in competitive afterschool extracurricular activities and/or as a condition of obtaining/maintaining a permit to park on campus. This provision becomes effective August 1, 2006.

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OBJECTIVES

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 competitive afterschool 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;
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.

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APPLICABILITY

This policy shall apply to all District students in grades 7-12 as a condition of participation in any competitive afterschool extracurricular activities and/or as a condition of obtaining/maintaining a permit to park on campus.

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STUDENT AND PARENT CONSENT

Before a student may be allowed to participate in any competitive afterschool extracurricular activities and/or obtain/maintain a permit to park on campus, the student and the parent and/or person otherwise in lawful control of the student must present written consent to the testing. The failure to provide consent will result in the student not being eligible to participate in afterschool extracurricular activities and/or to hold a parking permit.

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TESTING REQUIREMENTS

All students in grades 7-12 who intend to participate in competitive afterschool extracurricular activities and/or obtain/maintain a permit to park on campus during the course of the school year are subject to random drug testing. This pool of students shall be subject to random drug testing at a frequency and at a rate to be determined by the school administration.

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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 (SAMHSA), 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 or other acceptable 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.

In the case of a confirmed positive test, the MRO or an authorized representative shall contact the parent or person otherwise in lawful control of the student within one school day of having the results. 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.

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CONFIDENTIALITY

The collection and coding of specimen samples shall be executed in a manner that ensures proper identification and confidentiality, to the extent permitted by law.

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 case of a confirmed positive test shall be notified only with respect to the level of the offense.

Unless required by law, 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 as permitted by law.

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, the media, or any other third party. The vendor shall, however, provide the District with a report, at least once a 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.

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SCREENING PARAMETERS

For purposes of this policy, the term drug shall be defined as any substance considered illegal or impermissible by federal law, local policy and/or Texas law or as defined 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. Xanax
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.

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SANCTIONS – FIRST OFFENSE

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

NOTIFICATION – The student, parent, or person otherwise in lawful control of the student shall be notified by the vendor/MRO to determine whether there is an alternative medical or other acceptable explanation for the positive test result. If not, the positive result shall stand. If it stands, the vendor will contact the district representative.

CONFERENCING – 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 competitive afterschool extracurricular practices, performances, competitions, and activities and/or parking permit privileges.

COUNSELING – The student shall be required to participate in a District-provided student counseling program or show proof of external counseling.

EXTRACURRICULAR ACTIVITIES – There will also be a conference with the student, his/her parent, the person responsible for administering the extracurricular activity the student participates in and a campus administrator. The student will subsequently agree to be tested for one calendar year.

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SANCTIONS – SECOND OFFENSE

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

NOTIFICATION – The student, parent, or person otherwise in lawful control of the student, and the principal or designee shall be promptly notified by the vendor/MRO to determine whether there is an alternative medical explanation for the positive test result. If not, the positive result shall stand. If it stands, the vendor will contact the district representative.

CONFERENCING – The student and parent or person otherwise in lawful control for 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 competitive afterschool extracurricular practices, performances, competitions, and activities and/or parking permit privileges.

COUNSELING – The student shall be required to participate in a District-provided counseling program or show proof of external counseling.

SUSPENSION – The student testing positive for a second time in a random screening shall be suspended from all competitive afterschool extracurricular games, performances, competitions, and/or activities and/or parking permit privileges for 15 school days. Students testing positive are still permitted, at the coach's discretion, to attend practice. During this period, the student shall undergo drug testing each month for one calendar year. If the results of these tests are negative, the student shall be eligible to practice and participate in performances, competitions, and/or activities and/or resume parking permit privileges on the Monday following the end of the 15 school day period.

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SANCTIONS – THIRD OFFENSE

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

NOTIFICATION – The student, parent, or person otherwise in lawful control of the student, and the principal or designee shall be notified by the vendor/MRO to determine whether there is an alternative medical explanation for the positive test result. If not, the positive result shall stand. If it stands, the vendor will contact the district representative.

CONFERENCING – 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 competitive afterschool extracurricular practices, performances, competitions, and/or activities and/or parking permit privileges.

COUNSELING – The student shall be required to participate in a District-provided student counseling program or show proof of external counseling.

SUSPENSION – The student testing positive for the third time in a random screening shall be suspended from all competitive afterschool extracurricular activities and/or parking permit privileges for a period of one calendar year from the date of the confirmation of the third positive test.

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MISCELLANEOUS

FAILURE OR REFUSAL TO SUBMIT TO DRUG-TESTING – Any student identified for random testing on a given date but 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 ineligible to participate in afterschool extracurricular activities and/or for a parking permit.

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STUDENT SUPPORT SERVICES – The District shall support and assist any student who may desire to participate in a District-provided student assistance or 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 person otherwise in lawful control of the student.

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SUSPENSION – For purposes of this policy, any suspension from competitive afterschool extracurricular activities and/or parking permit 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 afterschool extracurricular activities is permitted to attend practice at the coach's discretion, even though participation is not permitted.

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APPEALS PROCEDURE – 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 laboratory mutually agreed upon by the student/parent and District at the student/parent's expense. Positive specimens are kept by vendor for 12 months. A written request to appeal a positive test result may be submitted to the Superintendent or designee within three days of receiving oral notice from the MRO/vendor of the results. Retesting must be completed within 7 calendar days. An appeal does not negate the implementation of the policy.

A student and/or parent or person otherwise in lawful control of the student may appeal a suspension under this policy to the Superintendent's 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.

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