

ZEPHYR I.S.D.

Student Drug Testing Policy

INTRODUCTION

Zephyr Independent School District is committed to providing our youth a safe and drug free environment in which to grow and flourish. Because of this commitment, Zephyr ISD has implemented a drug-testing program for all students in grades 9 through 12 participating in extra-curricular and co-curricular activities, as well as students in grades 9 through 12 who park their vehicles on school property during the school day. Research shows that people who make it through their teenage years without using tobacco, alcohol, or drugs are much less likely to start them when they are older. If testing can keep students off drugs and alcohol, if it can help free young minds for learning and allow growing bodies to escape the devastating cycle of dependence or addiction, it will be a valuable and important tool against drugs.

Zephyr ISD has not implemented a drug-testing program to identify and punish students who have made bad decisions about drugs. This program has been established to give students who face daily pressure from their peers to experiment with drugs a better alternative. If a student has already made a bad decision about drugs, this program will identify them so that a drug intervention program can be implemented to prevent future drug use.

REQUIRED TESTING

A. Students competing in extra-curricular or co-curricular activities.

The District shall require all students in grades 9 through 12 who participate in extra-curricular and co-curricular activities to undergo random drug testing. The following activities:

- Athletics- all UIL recognized competitive sports, including:
 - Basketball
 - Cross Country
 - Football
 - Golf
 - Tennis
 - Track
 - Volleyball
- Cheerleading/Drill Team
- Family Career and Community Leaders of America (FCCLA)
- Future Farmers of America (FFA)/4H
- National Honor Society
- One Act Play (Drama Club)
- Student Council
- Robotics
- UIL – Academic and Literary Contest
- Yearbook

Any other school-sponsored activity that includes competition. Participation includes practice, competition, and involvement in events of extra-curricular or co-curricular activities. Participation does not include attendance at school events such as athletic contests, drama productions, or social functions.

B. Students parking on school property.

Since drug use can increase the risk of injury to students driving to and from school, the District shall require all students in grades 9 through 12 who park their vehicles on school property during the school day to undergo random drug testing.

C. Senior Activities

Students that are going to participate in the senior trip must participate in a drug test prior to the trip, and it is possible for multiple test to occur prior to the trip.

D. Administrator discretion

Any student may be subject to testing if there is a suspicion of drug use.

VOLUNTARY DRUG TESTING

With prior written parental consent, students in grades 9 through 12 may participate in the random drug-testing program at any time at no cost to the student. Students participating voluntarily shall be included in the same pool for random testing under the same procedures as students participating in the mandatory program. Students may withdraw from the voluntary drug-testing program at any time upon presentation of a completed written withdrawal form signed by the parent or legal guardian. If the student is of legal age (age 18 or older), he or she may withdraw upon completing a withdrawal form. The parent or guardian shall be notified of the student's withdrawal from the voluntary drug-testing program.

TESTING PROCEDURE

Frequency.

The District will conduct testing based on the following criteria:

- All students in 9-12 new to the district.

- A random sampling of a minimum of 10 high school students. (9-12)

Random testing will occur no less than 5 times and no more than 10 times per school year. There will be no expense to the individual student or his/her parents for the testing. Names of all students will be placed in a pool from which a computer will randomly select a minimum of 10 students for testing. Those selected will be notified and tested the same day. If a student is absent the day of testing, he/she will be tested at the next available testing. Once tested, the student will be returned to the pool; hence, a student could be selected again at the next testing.

Random selection of students.

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

Testing standards.

Testing will be conducted through accepted scientific means using approved practices and procedures established by the testing laboratory selected by the District. The testing parameters shall be set at industry standards as defined by the National Institute for Drug Abuse. The testing laboratory will be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and have greater than five (5) years experience in toxicology testing and chain-of-custody procedures.

The drug test is performed by urinalysis. The specimen is analyzed using immunoassay methodology. All presumptive positive results are confirmed by a second test of the same specimen using a gas chromatography/mass spectroscopy methodology.

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 the illegal drug from the body. If the testing laboratory feels the quantitative levels do not reflect current use, then a declining quantity may be reported.

Collection of the sample.

Upon the testing entity's arrival at school, the randomly selected student names will be given to the designated school official, who will arrange for these students to report to the collection area. The names of selected students will not be called over the public address system. Students will be tested in an isolated facility under the supervision of a school official who will assist the testing entity representative. Students will provide a urine sample in a restroom or other private facility behind a closed stall. Neither the supervising school official nor the testing entity representative will directly observe the students providing their urine sample. Facilities are secure with only one student testing at a time to assure security and confidentiality. The urine sample will be collected in a sealed specimen collection container provided by the testing entity. The student will provide the collected sample to the testing entity representative and the supervising school official will confirm that the student's identification information on the sample is correct. The sealed specimen collection container 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.

Refusal.

Refusal to provide a sample or noncompliance with the testing procedures by any student will be considered a positive test result and will be reported to the appropriate school representatives.

Substances.

The District reserves the right to test for amphetamines, anabolic steroids, barbiturates, benzodiazepines, cocaine, K2, LSD, marijuana, methadone, opiates, and phencyclidine.

TEST RESULTS**Confidentiality of results.**

Student privacy will be protected in accordance with all applicable laws. Records of test results will 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 are kept separate from other school records. School personnel are only allowed to view the information if they have a legitimate educational

interest in the results. Results will not be shared with law enforcement except as required by law. Upon written request of a parent/guardian or a student of legal age, test results may be released to treatment facilities.

Medical Review Officer (MRO).

The testing entity will provide an MRO for interpreting and verifying test results. The MRO services will be provided by a licensed physician who is certified by the Medical Review Officer Certification Council or the American Association of Medical Review Officers.

Notification.

When a student's test result indicates the presence of a prohibited substance, the MRO shall contact the parent or guardian within 3 school days of receiving a confirmed positive test result.

The MRO shall confer with a parent or guardian and determine if there is a medical explanation for the positive test result. If the medical explanation is verified by the MRO, the test result shall be reported as negative. However, without verification by the MRO, a confirmed positive test result shall be reported to the designated school official within one school day of conferring with the student's parent or guardian.

If the MRO is unable to contact the parent or guardian within one school day, the MRO shall ask the designated school official for help in locating the student's parent or guardian. This request in no way implies a positive test result and only indicates that the MRO has questions for the student's parent or guardian.

Upon receiving notice from the MRO that a student has a confirmed positive test result; the designated school official shall contact the student and parent or guardian to discuss the consequences of the positive test result.

Retest.

Students that test positive may request a second test. A request for a retest must be made to the designated school official in writing within forty-eight (48) hours from the time the parents were first notified of a positive test result by the designated school official. Once a request for a retest is made, the District's testing laboratory will send bottle "B" of the split specimen directly to the second laboratory for retesting at the parent's or guardian's expense. The parent may select the second laboratory from a list of nationally-certified independent laboratories identified by the District.

The results of the retest shall be used in lieu of the results generated by the District's testing laboratory (i.e., the results of the retest control what consequences, if any, will apply under the student drug-testing policy). However, retest results from an unapproved second laboratory will not be considered.

CONSEQUENCES

Any student who tests positive for a drug in a test conducted under the provisions of this policy will face the following consequences. Offenses are cumulative for the duration of a student's attendance during grades 9 through 12.

First positive test result.

A conference must be held between the designated school official, personnel responsible for administering the extracurricular activities the student participates in (if applicable), the student, and the parent or guardian.

If applicable, the student will be suspended from participation in all competitive extracurricular and co-curricular activities and before and after practices,

identified in this policy and/or will relinquish all parking privileges for thirty (30) school days. Following the expiration of the suspension, the student shall be tested at the next three (3) random testing dates.

During the period of suspension, the student may continue to practice during the school day. In order to have parking and competitive extracurricular/co-curricular activity privileges reinstated, the student must provide documentation that he/she attended and successfully completed four (4) hours of substance abuse counseling from an approved provider during the suspension period.

Failure to meet these requirements within the specified time lines will result in continuation of the suspension until such time as the student completes the requirements outlined above.

Second positive test result.

A conference must be held between the designated school official, personnel responsible for administering the extracurricular/co-curricular activities the student participates in (if applicable), the student, and the parent or guardian.

The student will be suspended from participation in all competitive extracurricular/co-curricular activities identified in this policy and/or will relinquish all parking privileges for ninety (90) school days. The student will automatically be tested during each subsequent random drug testing event for one calendar year.

During the period of suspension, the student may continue to practice during the school day. In order to have parking and competitive extracurricular/co-curricular activity privileges reinstated, the student must provide documentation that he/she attended and successfully completed six (6) hours of substance abuse counseling from an approved provider during the suspension period.

Failure to meet these requirements within the specified time lines will result in continuation of the suspension until such time as the student completes the requirements outlined above.

Third positive test result.

A conference must be held between the designated school official, personnel responsible for administering the extracurricular activities the student participates in (if applicable), the student, and the parent or guardian.

The student will be suspended from participation in all competitive extracurricular/co-curricular activities identified in this policy and/or will relinquish all parking privileges for one calendar year. The student will automatically be tested during each subsequent random drug testing event for one calendar year.

During the period of suspension, the student may continue to practice during the school day. In order to have parking and competitive extracurricular/co-curricular activity privileges reinstated, the student must provide documentation that he/she attended and successfully completed twenty-four (24) hours of substance abuse counseling from an approved provider during the suspension period.

Failure to meet these requirements within the specified time lines will result in continuation of the suspension until such time as the student completes the requirements outlined above.

Fourth positive test result.

A conference must be held between the designated school official, personnel responsible for administering the extracurricular activities the student participates in (if applicable), the student, and the parent or guardian.

The student will be suspended from participation in all competitive extracurricular/co-curricular activities identified in this policy and/or will relinquish all parking privileges for the remainder of the student's attendance in the District.

Senior Trip

The senior trip is not a required activity and a student that has 2 positive test for any drug on this policy will not be allowed to go on the trip. This is an automatic penalty with a positive test.

End-of-the-year suspensions.

A student serving a suspension that is not completed at the end of the school year shall complete the suspension during the first semester of the following school year until the entire length of the suspension has been served.

Substance abuse counseling.

The District will approve 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 Addition Services. A list of approved substance abuse counseling providers may be obtained upon request. All counseling services will be at the expense of the student's parent or guardian.

Refusal.

Refusal to participate in a drug test after signing the consent form will result in the same consequences as if the student had received a positive test.

Academically non-punitive.

A positive drug test will not affect the student's grade in any curricular class associated with the extracurricular activities. However, if participation in the extracurricular activities is required for the class or affects the student's grade, the student may be required to satisfy participation requirements in alternative ways as approved by the sponsor and the campus administrator. The result of the drug tests will not be documented in the student's academic records.

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 will not be deferred pending the completion of the appeal process.

