

# China Spring ISD

## Mandatory Drug Testing Program for Students Participating in Extracurricular Activities

**“One is too many!”**



Board Policy FNF (Local)	Pages 1-4
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Para recibir información en español, favor de ponerse en contacto con la escuela de su hijo/hija.

The China Spring Independent School District does not discriminate on the basis of race, color, national origin, sex, age or disability in the admission to the educational programs, services or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of its operation. The China Spring Independent School District also does not discriminate in its hiring or employment practices and is an equal opportunity employer. Questions, complaints, or requests for additional information may be forwarded to the compliance coordinator: .

El Distrito Escolar Independiente de China Spring no discrimina personas de acuerdo con su raza, color, nacionalidad, sexo, edad o incapacidad para la admisión a programas educacionales, servicios, o actividades, en el acceso a éstos, en el trato a individuos con incapacidades o en ningún aspecto de su modo de operar. El Distrito Escolar Independiente de China Spring tampoco discrimina en cuanto a su manera de contratar empleados, o a sus métodos de trabajo, y contrata de acuerdo con la oportunidad equitativa de empleo. Favor de dirigir preguntas, protestas o pedidos de información a la coordinadora de nivel de calidad:.

Approved by China Spring ISD School Board: Monday, May17, 2004  
Revisions approved by China Spring ISD School Board: Monday, July 14, 2008

FNF (Local) – Drug testing addition:

Drug Testing for Students Participating/Attending Extracurricular Activities

The District shall implement a mandatory drug testing program for all students participating and attending extracurricular activities in grades 7-12. For the purposes of this policy, extracurricular activities are any activities sponsored by the UIL and/or listed in the Administrative Procedures for the China Spring ISD Mandatory Drug Testing Program for Students Participating or attending Extracurricular Activities. Students competing for future offices, positions, or team/squad memberships shall be considered to be students participating in extracurricular activities. Students who wish to drive and park on campus must participate in the testing program as well. Any other student in grades 7-12 may participate in the drug testing program if parental consent is provided.

Program Admittance

A student must be enrolled in the Student Drug Testing Program by September 15 each school year to be eligible to attend or participate in any school related activity. If a student enrolls in the district after the September 15 deadline they have 10 days from the day they enroll to sign up for the program.

Release from the Program

Once a student is signed up for the Drug Testing Program they must remain in the program until the last day of school for the current year enrolled.

Goals

The goals of the drug testing program are described below:

1. Encourage students to avoid illegal and life-threatening substance abuse by holding students who voluntarily participate or attend extracurricular activities accountable through a drug testing program and its consequences.
2. Prevent the detrimental effects of illegal drug use on the health and safety of China Spring ISD students.
3. Ensure that our school community and educational environment are free of illegal drugs.

Process

Students selected for each testing occurrence will be determined by use of a computerized method that insures randomization. A representative of the district may request that a specific student be selected for testing based on criteria developed by the district.

The testing shall be conducted by a laboratory certified for administering drug testing by the Substance Abuse and Mental Health Administration (SAMHSA). Participating students will be divided into 2 pools; one pool for students not yet tested and another pool for students that have been tested at least once. Testing may be conducted up to 15 times per year. The superintendent or designee will determine the percentage of students to be tested from each pool. The superintendent or designee will provide a list of available testing dates for selection by the contracted service provider.

The testing sample shall be documented through a “chain of custody” program to ensure the identity and integrity of the sample throughout the collection, transportation and testing process. A medical review officer will investigate the use of over-the-counter and prescription drugs in the validation of a positive test.

Drugs that may be tested for include, but are not limited to:

1. Alcohol

2. Amphetamines – methamphetamines
3. Opiates - morphine and codeine
4. Cocaine
5. Phencyclidene – PCP
6. Steroids
7. Tobacco
8. Delta 9 – tetrahydro-cannabinol (marijuana)
9. MDMA (Ecstasy)

Any student who refuses to submit the District’s consent form for drug testing will not be permitted to attend or participate in any District extracurricular activity. Any student who refuses to submit the District’s consent form for drug testing will not be permitted to drive or park on campus. If a student refuses to submit to a drug test after signing the consent form, the refusal shall constitute a positive test. The failure to produce a sample or a medical written explanation from a physician when selected for testing shall constitute a positive test. Tampering or adulteration of samples will be considered a positive test.

Privacy and Confidentiality

All aspects of the drug testing program, including the collection of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize the intrusiveness of the procedure. Testing results shall be kept confidential and disclosed only to the student, his or her parent(s) / guardian(s), and school officials designated by the superintendent. Confidentiality shall be maintained at all levels. Results shall not be placed in student permanent records.

Results of Tests

All positive results shall be confirmed by a second, more definitive test before being reported as positive. When there is a confirmed positive test result, the following steps shall be taken:

1. The student and his/her parent(s)/guardian(s) will have the opportunity to provide any information on currently or recently used prescription or non-prescription drugs or other relevant medical information.
2. The medical review officer shall determine whether there may be a legitimate medical explanation for the positive test. In the event the medical review officer concludes that the positive test is the result of a legitimate medical cause, the result of the test shall be reported as negative.
3. The medical review officer shall notify the superintendent’s designee of any confirmed positive results.
4. The superintendent’s designee shall notify the student and the student’s parent(s) / guardian(s) of the confirmed positive results of the test.

Sanctions for Positive Test

The first confirmed positive test will result in the following consequences:

1. The student and parent(s) / guardian(s) will participate in a mandatory conference with the campus principal.
2. The student and parent(s) / guardian(s) will participate in a mandatory conference with a district-employed counselor.
3. The student must agree to mandatory testing during the next three random periods.
4. The student will be suspended from attending and competing and/or publicly performing in all extracurricular activity(ies) for six school

weeks from the date that he/she is first informed of the confirmed positive test results. If a student tests positive within the final six weeks of the school year, the six-week suspension will continue into the summer for as many weeks as performances or competitions occur, with any remainder of the six weeks to continue the following school year. The six weeks suspension shall not prevent students from competing for future offices, positions, or team/squad memberships. The student may not drive or park on campus for the duration of the suspension.

The second confirmed positive test will result in the following consequences:

1. The student will be suspended from attending and participating in all extracurricular activities for 12 months from the date that he/she is first informed of the second confirmed positive test results. Students will not be allowed to compete for future offices, positions, or team/squad memberships during the 12-month suspension. The student may not drive or park on campus for the duration of the suspension.
2. The student must successfully complete, at the expense of the parent(s) / guardian(s), a drug counseling program approved by the superintendent's designee.
3. The superintendent's designee shall re-admit the student into extracurricular participation after the student has successfully completed the one-year suspension and the drug counseling program.
4. If the student is re-admitted, the student must agree to mandatory testing during the next six random testing periods.
5. The student will serve a 30 day placement in the DAEP.

The third confirmed positive test and any subsequent confirmed positive test will result in permanent suspension from all extracurricular participation and attendance and a 90 day placement in DAEP. The student may not drive or park on campus.

Prior Violations

Confirmed positive test results are cumulative from grades 7-12. Previous violations, regardless of elapsed time / years, shall be a precursor for determining penalties for subsequent violations.

Appeal

The parent(s) / guardian(s) may appeal for a retest, within 10 calendar days, of the original sample. The laboratory conducting the retest must be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA). The cost of the retest shall be at the expense of the parent(s) / guardian(s).

Parent(s) / guardian(s) may appeal the consequences of a positive test as outlined in board policy FNG (legal) and FNG (local). Any sanctions imposed will remain in effect during the appeal.

Nothing in this policy limits or prohibits the application of other District policy, including the District Student Code of Conduct, regarding student possession, use, or distribution of illegal drugs or alcohol on school property or at school activities or events.

# **Administrative Procedures for the China Spring ISD Mandatory Drug Testing Program for Students Participating and Attending Extracurricular Activities**

## **Purpose:**

The purpose of the China Spring ISD mandatory drug testing program is to insure the health and safety of our students and to serve as a deterrent to the use of drugs by those students. It is recognized that drug abuse is a major health problem in adolescents across this country. By participating in the drug testing program, the student will be subjected to the risk of detection and its consequences to help offset the ordinary pressures concerning drug abuse. Implementing this program is intended to send a message to the students that we do care about them as individuals and what they do to their bodies. It is a clear indication that the China Spring Independent School District will not tolerate drug abuse in any of its extracurricular programs.

This program requires that any student in grades 7-12 desiring to participate and attend any District extracurricular program consent to mandatory random drug testing as described in this document. This program also allows any student not participating or attending extracurricular activity(ies) to participate in the drug testing program if parental consent is provided. Any student wishing to drive or park on campus must participate in the drug testing program.

## **List of Extracurricular Activities Requiring Drug Testing:**

Students who attend or participate in any extracurricular activities/organizations in grades 7-12 will be required to participate in China Spring ISD's mandatory drug testing program. Activities or organizations include but are not limited to:

- All UIL extracurricular activities, including Academic, Music, and Athletics
- Art Club
- Band - Marching, Concert, and Jazz
- National Honor Society
- Cheerleading, Junior Varsity and Varsity
- Class Officers
- Dance Team
- FCCLA
- LEO Club
- Industrial Tech
- International Thespian Society
- Newspaper
- PAL's
- Powerlifting
- Science Club
- Spanish Club
- Student Council
- Yearbook
- Driving and parking on campus

## **Process:**

All students in grades 7-12 who attend or participate in extracurricular activity(ies) will be subjected to mandatory random drug testing throughout the school year and will be required to provide the District with written consent signed by both the student and a parent/guardian. In addition, a representative of the district may request that a specific student be selected for testing based on criteria developed by the district.

The laboratory used by the District will be certified to administer drug testing by the Substance Abuse and Mental Health Services Administration (SAMHSA). The vendor will determine the students to be tested for each testing occurrence by use of a computerized method that insures randomization. Under no circumstances will human interference be allowed to alter the randomized nature of student selection.

Through the use of urine samples, the drug testing vendor will be able to detect the presence of drugs taken prior to the test. If a student has been taking medication, he/she will be given the opportunity to indicate the type of medication being taken. A "chain of custody" procedure will be used to monitor the identity and integrity of the sample throughout the collection, transportation, and testing process. The drug testing vendor will provide the personnel to conduct the collecting, transportation, and testing as well as randomly selecting the student participants to be tested.

The percentage of students to be tested will vary between 10-20% of the student testing population. Results from the testing laboratory will be available no later than 4:00 p.m. on the third day after samples are collected.

**Definitions:**

**"Confirmation Test"**

A drug test conducted to substantiate the results of a prior drug test on the same specimen. The confirmation test must use an alternative method of equal or greater sensitivity than that used in the previous drug test.

**"Consent"**

All students desiring to participate in or attend the District's extracurricular programs will be required to provide the China Spring Independent School District with written consent signed by both the student and parent. If the student or his/her parent(s)/guardian(s) refuse to provide written consent to be tested, the student will be denied participation.

**"District"**

The China Spring Independent School District, including an authorized representative acting on its behalf.

**"Drug"**

1. Drugs that an individual may not buy, possess, use, sell, or distribute under either federal or Texas law. Such drugs may include but are not limited to: alcohol, amphetamines-methamphetamines, opiates (morphine-codeine), cocaine, phencycline (PCP), Delta 9-tetrahydro-cannabinol (marijuana), and MDMA (Ecstasy);
2. All prescription drugs upon reasonable suspicion that they were obtained without authorization;
3. All prescription and over-the-counter drugs upon reasonable suspicion that they are being used in an abusive manner.

**"Drug Test"**

A chemical test administered for the purpose of determining the presence or absence of a drug or metabolite in a person's urine.

**"Medical Review Officer"**

A Medical Review Officer (MRO) is a licensed physician who has additional training and certification in the area of drug testing. Specifically, they have detailed knowledge in how drug testing is done, how testing is affected by foods and medications, and the various methods used to adulterate specimens to give a false negative result. The medical review services of the drug testing vendor will be used.

**"Prescription or Non-Prescription Medication"**

A drug prescribed for use by a duly licensed physician, dentist, or other medical practitioner licensed to issue prescriptions or a drug that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

**"Random Testing"**

Between 10-20% of students attending or involved in the extracurricular programs will be selected for testing each testing period. The students selected for each testing occurrence will be determined by use of a computerized method that insures randomization. Participating students will be divided into 2 pools; one pool for students not yet

tested (pool A) and another pool for students that have been tested at least once (pool B). The student selection process will be designed to create the likelihood that all students are tested at least once each school year. Testing may be conducted up to 15 times per year. The superintendent or his designee will determine the percentage of students to be tested from each pool. The superintendent or designee will provide a list of available testing dates for selection by the contracted service provider. A representative of the district may request that a specific student be selected for testing based on criteria developed by the district.

“Specimen”

A product of human physiology chemically capable of revealing the presence of drugs in the human body. As referred to in this procedure, the product will be urine or breathe.

“Student participating in or attending Extracurricular Activities”

A student enrolled in the China Spring Independent School District who is participating in or attending any extracurricular activity as defined previously in these procedures. Drug testing is mandatory for all students participating in or attending extracurricular activity(ies), whether the student is in the period of participation for his/her activity or in the off season of his/her activity. Also, students in grades 7-12 competing for future offices, positions, or team/squad memberships shall be considered to be students participating in extracurricular activity(ies).

**Drug Testing Procedures:**

1. The collection of specimens shall be performed under reasonable and sanitary conditions. Individual dignity and privacy shall be preserved to the extent practicable. The student will be directed to a private toilet area with instructions to void into an individually assigned collection cup. The collection technician will be the same gender as the student providing the specimen. The collection technician will remain in the area that provides visual security of the facility but will not enter the private toilet. Voiding of the specimen will not be observed by a collection technician under any circumstances.
2. All students chosen to be tested must report immediately to the test site upon notification. If the student is unable to produce a urine sample at that time, he/she will be given 2 hours and allowed to drink up to 40 oz. of liquid. If the student is again unable to produce a specimen, the parent may, at his or her own expense, take the student to a physician before the end of the business day. A written medical explanation from the physician will be required to explain why the student could not provide a specimen. The failure to provide a urine sample or a written medical explanation from a physician will be treated as a positive test result.
3. If at any time a student is found to be tampering with or attempting to adulterate the sample, the collector shall inform the superintendent or his/her designee. Tampering or adulteration of samples will be treated as a positive test result. If the collector suspects a student has tampered with or attempted to adulterate the sample, the student may be required to provide a new sample. The questionable sample shall be properly identified as such and sent to the laboratory with the second sample.
4. All samples will be identified with the student’s specific identification number, sealed, and submitted to the District’s testing laboratory.
5. Specimen collection, storage, and transportation to the testing site will be performed in a manner that will reasonably preclude specimen contamination, adulteration, or erroneous student-specimen identification.
6. Specimen testing for drugs shall conform to scientifically accepted analytical methods and procedures and shall be conducted by laboratories certified for drug testing by the Substance Abuse Mental Health Services Administration (SAMHSA).
7. A specimen for a drug test may be taken or collected by any of the following non-school personnel: A physician, a physician’s assistant, a registered professional nurse, a licensed practical nurse, a nurse practitioner, or a laboratory technician.
8. In the case of a positive test result, the Medical Review Officer shall contact the superintendent’s designee. The student and his/her parent(s)/guardian(s) will have the opportunity to provide any

- information on currently or recently used prescription or non-prescription drugs or other relevant medical information. The superintendent's designee will inform the student and the parent/guardian of the confirmed positive test result. Every attempt will be made to contact the student and his/her parent(s)/guardian(s) within twenty-four (24) hours of notification by the Medical Review Officer. The student is subject to the specified disciplinary actions from the date that he/she is first informed of the confirmed positive test results.
9. Every specimen that produces a confirmed positive test shall be preserved in a frozen state by the licensed laboratory that conducts the confirmation test for a period of one (1) year from the time the results of the confirmed positive test are mailed or otherwise delivered to the District. During this period, the student who has provided the specimen shall be permitted by the District to have a portion of the specimen retested. The cost of the re-test shall be at the student's expense. The laboratory conducting the re-testing will be chosen by the student's parent(s)/guardian(s), but must be certified for drug testing by the Substance Abuse Mental Health Services Administration (SAMHSA). The laboratory that has performed the test for the District shall be responsible for the transfer of the portion of the specimen to be re-tested and for the integrity of the chain of custody during such transfer. The results of the re-test will be forwarded to the Medical Review Officer representing China Spring ISD for evaluation. If a re-test yields a negative test result, the student will be reinstated to the China Spring ISD extracurricular program after a confirmation by the Medical Review Officer.
  10. A diluted drug test result will be referred to the Medical Review Officer for clarification. The result may be that the student will be re-tested at the request of the Medical Review Officer. An adulterated test sample will be considered as a positive result.
  11. Students designated for testing that are absent from school at the time the specimens are collected will be tested on the next random testing date. Truancy from school in order to avoid drug testing will be treated as a positive result.
  12. The student's parent(s)/guardian(s) may request and receive from the District a copy of the test result report.

### **Confidentiality:**

Testing results shall be kept confidential and disclosed only to the student, his or her parent(s)/guardian(s), and school officials designated by the Superintendent. Confidentiality shall be maintained at all levels. Results shall not be placed in student permanent records.

### **Sanctions for Positive Testing**

The first confirmed positive test will result in the following consequences:

1. The student and parent(s)/guardian(s) will participate in a mandatory conference with the campus principal.
2. The student and parent(s)/guardian(s) will participate in a mandatory conference with a district-employed counselor.
3. The student must agree to mandatory testing during the next three random periods.
4. The student will be suspended from attending and participating in competition and/or public performance in all extracurricular activity(ies) for six school weeks from the date that he/she is first informed of the confirmed positive test results. If a student tests positive within the final six weeks of the school year, the six-week suspension will continue into the summer for as many weeks as performances or competitions occur, with any remainder of the six weeks to continue the following school year. The six weeks suspension shall not prevent students from competing for future offices, positions, or team/squad memberships. They also may not drive or park on campus for the duration of the suspension.

The second confirmed positive test will result in the following consequences:

1. The student will be suspended from attending and participating in all extracurricular activity(ies) for 12 months from the date that he/she is first informed of the second positive test results. Students will not be allowed to compete for future offices, positions, or team/squad memberships during the 12-month suspension. They also may not drive or park on campus for the duration of the suspension.

2. The student must successfully complete, at the expense of the parent(s) / guardian(s), a drug counseling program approved by the superintendent's designee.
3. The superintendent's designee shall re-admit the student into extracurricular participation after the student has successfully completed the one-year suspension and the drug counseling program.
4. If the student is re-admitted, the student must agree to mandatory testing during the next six random testing periods.
5. The student will serve a 30 day placement in the DAEP.

The third confirmed positive test and any subsequent confirmed positive test will result in permanent suspension from all extracurricular participation and attendance and a 90 day placement in DAEP. The student may not drive or park on campus.

Confirmed positive test results are cumulative from grades 7-12. Previous violations, regardless of elapsed time/years, shall be a precursor for determining penalties for subsequent violations.

The parent(s)/guardian(s) may appeal for a retest of the original sample. The laboratory conducting the retest must be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA). The cost of the retest shall be at the expense of the parent(s)/guardian(s).

Parent(s)/guardian(s) may appeal the consequences of a positive test as outlined in board policy FNG (legal) and FNG (local). Any sanctions imposed will remain in effect during the appeal.

Nothing in this policy limits or prohibits the application of other District policy, including the District Student Code of Conduct, regarding student possession, use, or distribution of illegal drugs or alcohol on school property or at school activities or events.

**List of Extracurricular Activities Requiring Drug Testing:**

Students who attend or participate in the following extracurricular activities/organizations in grades 7-12 will be required to participate in China Spring ISD's mandatory drug testing program:

- All UIL extracurricular activities, including Academic, Music, and Athletics
- Art Club
- Band - Marching, Concert, and Jazz
- National Honor Society
- Cheerleading, Junior Varsity and Varsity
- Class Officers
- Dance Team
- FCCLA
- LEO Club
- Industrial Tech
- International Thespian Society
- Newspaper
- PAL's
- Powerlifting
- Science Club
- Spanish Club
- Student Council
- Yearbook
- Driving and Parking on Campus

Student Name: \_\_\_\_\_

**China Spring Independent School District  
Student Drug Testing Program  
Parental Notification and Consent Form  
2008-2009**

\_\_\_\_\_ I acknowledge that the student named above participates in or attends extracurricular activity(ies) at China Spring ISD and, as such, is required to participate in the student drug testing program.

\_\_\_\_\_ The student named above does not participate in or attend extracurricular activities at China Spring ISD. However, as parent/guardian, I give my consent for the student named above to participate in the District's drug testing program.

\_\_\_\_\_ The student named above does not have my consent to participate in the District's drug testing program. According to the China Spring ISD Student Drug Testing Policy I do understand that the student named above will not be able to do the following:

- Participate in any school related activity.
- Attend any school related extra-curricular function or activity
- Drive and park on campus

I acknowledge that I have received a copy of Board Policy FNF and the Administrative Procedures for the China Spring ISD Mandatory Drug Testing Program for Students Participating in or attending Extracurricular Activities. I have read and understand the purposes, requirements, and consequences of the drug testing program as described in those documents.

I acknowledge that the Medical Review Officer will contact the student's parent or adult student through the China Spring ISD contact person if a drug test is positive. The purpose of this contact with the Medical Review Officer is to determine if there is an acceptable reason for the positive test result, in which case the test result will be considered negative.

Parent / Guardian Signature: \_\_\_\_\_

Student Signature: \_\_\_\_\_

Date: \_\_\_\_\_