

Revised 7-19-2004

***Van Alstyne Independent School District
Mandatory Drug Testing Program***

Mandatory Drug Tests

Participation in school district extracurricular activities is a privilege. All University Interscholastic League (UIL) participants and students in all extracurricular activities in grades 9-12 shall be subject to mandatory and random testing for the presence of alcohol or illegal drugs. This policy is separate from the school district policy regarding testing based on individualized suspicion.

Purpose of Random Drug Testing

1. VAISD has recognized that observed and suspected drug use and abuse has increased among the VAISD student population, including students participating in extracurricular activities.
2. VAISD seeks to provide a safe, drug-free school.
3. VAISD seeks to deter the use of illegal and prohibited drugs among students.
4. VAISD recognizes that students who use illegal and prohibited drugs pose a threat to the health and safety of themselves, other students, teachers, administrators, and other persons.
5. VAISD has a zero-tolerance policy regarding the use of illegal drugs and other prohibited substances.
6. Schools are held accountable for the academic well being of its students. By current day standards, schools are also held accountable for student's emotional, physical, and social well being. Teachers and administrators cannot experience success in any of these areas when children are not mentally or physically at their best. Teenagers who regularly or periodically use drugs or alcohol cannot and do not come to school with the proper physical or mental attitude to participate successfully in learning. High school teachers in VAISD feel that drug and alcohol use among students has a negative impact on their ability to concentrate and excel in their schoolwork.

Drugs To Be Tested For:

- A. drugs, which an individual may not buy, possess, use, sell, or distribute under either federal or Texas law. Such drugs include, but are not limited to: marijuana, opiates, cocaine, phencyclidine, amphetamines, barbiturates, benzodiazepines, methadone, methaqualone, propoxyphene, hallucinogens, steroids, alcohol and/or their metabolites;
- B. performance-enhancing drugs (i.e. steroids)
- C. all prescription drugs upon reasonable suspicion that they were obtained without proper authorization.
- D. all prescription and over the counter drugs upon reasonable suspicion that they are being used in an abusive manner.

Consent Form

All students in grades 9-12 who are participants in extracurricular or UIL activities or competitions must sign a consent form to participate in the activity, and thus will be included in the drug-testing program. The consent form must also be signed by the student's parent/guardian before the student shall be eligible to

participate in these activities.

Testing

Every student will be tested in order to participate in any extracurricular activity. After the completion of the initial mandatory testing, all students participating in the program will be placed in the population from which random samples will be selected. Students entering the district following the initial mandatory testing will receive their initial mandatory testing the first time the random testing is offered. These students will be eligible to participate in extracurricular activities prior to first available testing. Testing shall be done in accordance with accepted practices and procedures as established by the drug testing laboratory selected by the District.

Students involved in the VAISD drug testing program will submit to a drug/alcohol urine screen test. Student privacy shall be protected to the maximum extent reasonably possible during collection. All positive results from a drug screen shall be verified by Gas Chromatography Mass Spectrometry. Records of test results shall be kept confidential and provided only to District administrators and personnel responsible for administering the program.

Procedures

THE WRITTEN POLICY SHALL BE DISTRIBUTED TO EVERY HIGH SCHOOL STUDENT WHO PARTICIPATES, OR SEEKS TO PARTICIPATE, IN ANY EXTRA-CURRICULAR ACTIVITY. This policy shall also be included in the Student Code of Conduct.

The procedures for testing in accordance with this program shall be as follows:

1. Each sponsor/coach of an applicable program shall submit a list of students to be consolidated into a master list.
2. The master list shall be submitted to the company employed by the District to conduct the testing.
3. The drug testing company shall computerize the master list.
4. Every student will be tested annually upon entrance into the program. After initial testing, random drawings will be generated from a computerized program by the testing company.
5. The testing company shall administer the test. The sample to be tested shall be obtained in a District facility that provides reasonable privacy for the student.
6. The drug-testing administrator shall notify the designated campus administrator of any positive results. The designated campus administrator shall notify the parents and staff members responsible for implementation of the consequences as outlined in this policy. That administrator will schedule the meeting with parents, student, and sponsor. (see Request for a Re-Test section below)
7. In the case of questions about the effects of prescription or other medications; a school designated physician, or a medical review officer from the testing laboratory will make a determination about the outcome of the test.

Consequences for Testing Positive

All offenses are cumulative through grades 9-12.

First Offense

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting, the administrator shall explain the drug testing procedures and the policy of the district. The consequences shall be as follows:

1. The student shall remain ineligible until he/she has gone through an approved assessment by an approved counselor. (see Assessment/Counselor Guidelines below) Attendance of these sessions will be monitored and attendance problems will result in ineligibility until the program is complete.
2. The student will be included in each future sampling until the student has produced six clean tests. At that time, the student will return to the random pool.

The student will be referred into the STUDENT ASSISTANCE PROGRAM.

Students who test positive but choose not to go through the six subsequent tests will be excluded from participation in extracurricular activities until they satisfy the terms of the policy consistent with the offense.

Second Offense

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting, the administrator shall explain the drug testing procedures and the policy of the district regarding a second offense. The consequences shall be as follows:

1. The student will be ineligible for any and all extra-curricular activities for 45 calendar days beginning the day of the test.
2. The student must complete an approved assessment by an approved counselor (see Assessment/Counselor Guidelines below) and complete the program recommended by the counselor.
3. The student will be included in each future sampling until the student has produced six clean tests. At that time, the student will return to the random pool.

Students who test positive but choose not to go through the six subsequent tests will be excluded from participation in extracurricular activities until they satisfy the terms of the policy consistent with the offense.

The student will be referred into the STUDENT ASSISTANCE PROGRAM.

Third Offense

A campus administrator shall hold a confidential meeting with the student, parent/guardian, and sponsor/coach. At the meeting, the administrator shall explain the drug testing procedures and the policy of the district regarding a third offense. The consequences shall be as follows:

1. The student will be ineligible for any and all extra-curricular activities for one calendar year beginning the day of the test.
2. The student must complete an approved assessment by an approved counselor (see Assessment/Counselor Guidelines below) and complete the program recommended by the counselor.
3. The student will be included in each future sampling until the student has produced six clean tests. At that time, the student will return to the random pool.

Students who test positive but choose not to go through the six subsequent tests will be excluded from participation in extracurricular activities until they satisfy the terms of the policy consistent with the offense.

The student will be referred into the STUDENT ASSISTANCE PROGRAM.

All Other Offenses

Any further offenses will result in the same consequences as the third offense.

Assessment/Counselor Guidelines

In order for a counselor to be approved, he/she must minimally be a Licensed Chemical Dependency Counselor. The assessment must include a written recommendation for treatment that is presented to the parents. The parents must present a copy of that recommendation to the school administrator. Any cost for the assessment or any treatment shall be the responsibility of the parents and/or the student. The district may

provide free or low cost counseling for those who qualify for the free and reduced lunch program for those students who must be assessed per this agreement.

Refusal to Test

Each time a student refuses a drug test, he or she shall be subject to the consequences of a positive test at the appropriate step.

Request for a Re-Test

At his/her expense, a parent/guardian may have a re-analysis of the original specimen performed by a certified drug-testing laboratory of his/her choice. The request for re-test must be made in writing and returned to the appropriate campus administrator indicating which laboratory no later than 10 days following receipt of the notification of a positive result. Accu-Chem of Richardson will provide the lab of choice with a portion of the original specimen. The student will remain ineligible to participate while the re-testing process occurs.

Maintenance of Records

All results of drug testing shall be confidential. Procedures for maintaining confidentiality will be developed by VAISD and the testing organization. The principal shall maintain records of positive tests in a secure location. This information will not be available to anyone other than appropriate school personnel and parents. Upon graduation, this information will be destroyed. Under no circumstances will this information become a part of the student's permanent file, nor will it be sent to another school when the student moves to another district or transfers to another school.

Notification to Parents

Parents will be notified in a confidential manner for all positive test results.

Parents will be notified when their student has been randomly tested and the result has been negative.

Severability

If any portion of this policy is deemed to be contrary to the law of the state of Texas or the United States by judicial decision or an act of congress, then only such portion or provision directly deemed to be unconstitutional shall be stricken, and the remainder of the policy shall remain in full force.