

# Atlanta ISD School Drug Testing Policy

Atlanta Independent School District believes that any student who represents Atlanta High School, the community of Atlanta, their classmates, and their families has an obligation to perform at the highest level of their ability and to behave in a manner that casts a positive light on everyone and everything they represent. Implementation of 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. Drugs and/or mood altering chemicals have a negative effect on behavior and learning. They are a health problem to many students and adults and have proven to be destructive to the total development of an individual and team concept. They affect not only the person using these chemicals but every other person who plays a significant part in their lives. Thus, we will not place any student, teacher, or administrator at risk of physical or mental harm because of a student on drugs or mood altering chemicals.

The drug testing program requires that any student in grades 9-12 desiring to participate in any district extracurricular program, co-curricular programs, and/or park on district property or within 300 feet of district property consent to mandatory random drug testing as described in this document.

This program also allows any student in the school district to participate voluntarily in the drug testing program if parental consent is provided.

## Process

All students in grades 9-12 who participate in the extracurricular program 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 parent/guardian. The vendor used by the District operates a non-regulated laboratory and works in conjunction with three Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratories to administer drug testing. 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. The percentage of students tested during each random sampling can represent up to 10% of the student population.

## Extracurricular Activities

“Extracurricular Activities” TEC 76.1(a)(1) An extracurricular activity is an activity sponsored by the University Interscholastic League (UIL), the school board of trustees, or an organization sanctioned by resolution of the board of trustees. The activity is not necessarily directly related to instruction of the essential knowledge and skills but may have an indirect relation to some areas of the curriculum. Extracurricular activities include, but not limited to, public performances, contests, demonstrations, displays, and club activities, with the exception of public performances specified in paragraph (2) of this subsection.

In addition, an activity shall be subject to the provisions for an extracurricular activity if any one of the following criteria applies:

- A. the activity is competitive;
- B. the activity is held in conjunction with another activity that is considered to be extracurricular;
- C. the activity is held off campus, except in cases in which adequate facilities do not exist on campus;
- D. the general public is invited; or
- E. an admission is charged.

A student ineligible to participate in an extracurricular activity, but who is enrolled in a state approved course that required demonstration of the mastery of the essential knowledge and skills in a public performance, may participate in the performance subject to the following requirements:

- A. only the criterion listed paragraph (1)(D) of this subsection applies to the performance
- B. the requirement for student participation in public is stated in the essential knowledge and skills of the course

## Biological Drug Testing Procedures

### Random Selection:

- The District shall provide the approved vendor with a list of all identified testing pool participants. Students shall be chosen for testing by a federally approved computer-based random number generator that is matched with students’ student ID numbers, first and last names, or designations as per District Policy.
- The vendor will collaborate with Atlanta ISD on choosing screening dates approved by the district. Randomly selected dates will not conflict with holidays, Federal, State or local student assessment dates.
- It is understood that all students listed on the testing pool are eligible for unannounced drug testing throughout the year in an objective, random selection process. To assure that this process is random, all eligible students, whether or not they have been chosen for testing in the past, will remain in the pool of students for each subsequent selection period unless otherwise specified by the District.
- AISD will provide the approved vendor with updated student information as follows: When new students come into the District or leave the District, the approved vendor will be notified via e-mail, phone call or U.S. Postal Service. This practice will assure that students on the monthly list are accurate and always up to date.

### Collection of Samples:

- Each student shall provide a urine sample in a restroom or other private facility. Facilities shall be secure, with only one student testing at a time, to assure security and confidentiality for each student.

- The urine sample shall be collected in a sealed split specimen collection container provide by the vendor. The student shall provide the collected sample to the testing laboratory representative and the assigned District official shall confirm that the student's identification information on the sample is correct. The split specimen container shall be sealed by the vendor's representative and witnessed by the student. The vendor's representative shall transport all collected specimens directly to the laboratory for analysis.
- The vendor will use the laboratory split sample method in accordance with Department of Health and Human Services (DHHS).
- The vendor will collect samples under conditions that are no more intrusive than the conditions experienced in a public restroom.
- A copy of the specimen collection and chain-of-custody procedures used by the District and the vendor shall be made available to any parent or student upon request.

#### **Documentation and Reporting:**

The approved vendor will process all documentation and submit completed reports within 72 hours. All reporting will be submitted to the appropriate campus administrator of the Atlanta ISD. Date of the receipt of the completed reports of positive testing will determine the onset of the appropriate period of suspension.

#### **Consequences for Positive Test**

No action shall be taken by the school against a student with a positive test result other than suspension from participating in extracurricular activities, co-curricular activities, and/or ability to park vehicle on school property. No school-related privileges will be withdrawn from students who are not participating in extracurricular activities, but choose to participate in the District's drug testing program by parental consent.

The results of any drug or alcohol test shall not be given to law enforcement authorities, and shall not be used for any disciplinary purposes other than as specified within this policy.

If a positive test results in a suspension in excess of the number of days remaining in the school year, the suspension period will run until the later of the last instructional day or the last extracurricular activity. Any remaining suspension time shall continue, beginning with the earlier of the first instructional day or the first extracurricular activity of the following school year.

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

#### **First Offense**

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

- Notice to the student's parent or other person having lawful control of the student;
- A conference between the campus principal, parent or other person having lawful control of the student, and the student, with the coach or sponsor of the student's extracurricular activity and the school counselor in attendance, if appropriate, and as determined by the campus principal; and
- The student must agree to mandatory testing during the all following random periods.
- The student shall be suspended from competition and/or public appearances in any extracurricular activity and school-sponsored organization, and shall not be eligible to park on District property or within 300 feet of district property for 30 (thirty) school days from the date that the school district is first informed of the confirmed positive test results.

#### **Second Offense**

Upon a second offense, the student shall be suspended from competition and/or public appearances in any extracurricular activity and school-sponsored organization, and shall not be eligible to park on District property or within 300 feet of district property for 30 (thirty) school days from the date that the school district is first informed of the confirmed positive test results.

#### **Third Offense**

Upon a third offense, the student shall be suspended from competition and/or public appearances in any extracurricular activity and school-sponsored organization, and shall not be eligible to park on District property or within 300 feet of district property for a period of 60 (sixty) calendar days from the date that the school district is first informed of the confirmed positive test results.

#### **Appeal**

A student or parent may appeal a decision made under this policy in accordance with FNG (LOCAL). The student shall be ineligible for participation in extracurricular activities while the appeal is pending.

#### **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's permanent record.

#### **Refusal to Submit to Drug Testing**

Students who are selected for drug-testing and refuse to participate will be treated as if they received a positive result and their parent/legal guardian shall be notified. The refusal shall result in immediate suspension from extracurricular activities/organizations, co-curricular activities/organizations, and parking privileges on or within 300 feet of the school. Students must comply with the appropriate consequences, depending on previous positive results and corresponding offense level, prior to regaining eligibility for these activities.

#### **Request for removal from program**

After a refusal, a parent/legal guardian can request that their student be removed from the drug-testing program with the understanding that their child will lose all privileges associated with it for the remainder of their enrollment in Atlanta ISD including; participation in extracurricular

activities/organizations, co-curricular activities/organizations, and parking privileges on or within 300 feet of the school. The student will no longer participate in any subsequent drug tests.

A student seeking reinstatement at any time during the remainder of their enrollment at Atlanta High School must have completed the suspension term for a positive test result, depending on previous positive test results and corresponding offense level. Once this term is completed and another permission slip has been submitted to the principal, the student will be reinstated immediately and allowed to participate in extracurricular activities/organizations, co-curricular activities/organizations, and parking privileges on or within 300 feet of the school. The student will be subject to all subsequent drug tests for the remainder of their enrollment at Atlanta HS. A second refusal by a student will result in permanent removal from the drug-testing program.

**Positive Test for Medical Reasons**

The student or parent shall have 5 school days following the meeting to provide a medical explanation for a positive result. Medical explanations / documentation must be provided by a duly licensed physician, dentist, or other medical practitioner licensed to issue prescriptions. Upon acceptance of the medical explanation, the offense is negated. In the event of a positive subsequent test, the offense is again considered to be the First Offense and the student or parent shall again have 15 school days following the meeting to provide a medical explanation.