

INTRODUCTION

Shamrock Independent School District is committed to providing our youth a safe and drug free environment in which to grow and flourish. Research shows that people who make it through their teenage years without using drugs are much less likely to start using them when they are older. This program will cover students grades 7-12 participating in extra-curricular activities. If testing these students can keep them off drugs; 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.

Shamrock ISD has not implemented our drug-testing program to identify or 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 good reason not to. For those students who have already made bad decisions, this program will allow us to begin an intervention program that can be implemented to prevent future drug use.

PURPOSE OF THE DRUG TESTING PROGRAM

Shamrock ISD has a vital interest in maintaining a positive learning that is safe and healthy for all students. By adopting a random drug testing policy the District desires to:

1. Prevent injury, illness, and harm from the use of illegal drugs.
2. Help enforce a drug-free educational environment.
3. Deter student use of illegal drugs.
4. Educate students regarding the harm caused by the use of illegal drugs.

STUDENTS SUBJECT TO DRUG TESTING PROGRAM

- A. Students participating in Extracurricular Activities (7-12)
 - a. Athletics
 - b. Band
 - c. Cheerleading
 - d. FCCLA
 - e. FFA/4H
 - f. NHS
 - g. OAP
 - h. Student Council
 - i. UIL Academic and Literary Contest
 - j. Yearbook
 - k. Any other school sponsored extracurricular activity

Participation includes involvement of extracurricular activities. Participation does not include attendance at school events such as athletic contest, drama productions or social functions.

B. Voluntary Drug Testing

With prior written parental or guardian consent, students in grades 7-12 that do not participate in extracurricular activities may participate in the random drug testing program at any time at no cost to the student or parent. 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 drug testing program at any time upon presentation of a completed written withdrawal form signed by the parent or guardian. If the student is of legal age (18 or older), he or she may withdraw from the drug testing program upon completing a withdrawal form. The parent or guardian shall be notified of the student's withdrawal from the drug testing program.

Test results for voluntary participants shall be provided to the parents or guardian and the District by the testing entity. In addition the testing entity shall notify parents or guardians and the District when a student refuses or fails to take a scheduled/random drug test.

C. Self-Referral (Cannot be on a Random Test Day)

Any student asking for assistance with a substance abuse problem will be considered a positive test. The self-referral must be made to a sponsor, coach, administrator, and it cannot occur on a random test day. The following consequences will occur.

- Students must show proof of receiving drug counseling, completed at his or her own cost within thirty (30) days.
- Suspension from participating in extracurricular activities for five (5) calendar days.
- Mandated random testing for one calendar year.
- Self-Referral shall not be considered as a first offense or subsequent offense, and the student shall not suffer any additional consequences unless he/she tests positive on a subsequent test as set forth under this self-referral provision. A positive test thereafter shall result in the consequences as stated on the policy.
- If written proof of drug counseling is not provided within thirty (30) days, the self-referral automatically becomes a first offense.

INFORMED CONSENT FOR TESTING

A. Students Participating in Extracurricular Activities

Written parental or guardian consent to random drug testing must be completed before a student is allowed to participate in a competition. No student may participate in a competition until the consent form is executed and on file with the designated school official. If the student is of legal age (18 or older), he or she must also sign the permission form. Consent forms are only valid for the current school year. Because participation in extracurricular activities is a privilege and not a right, refusal to consent to random drug testing will result in the denial of participation in the defined activities.

B. Distribution of Policy

The District shall provide each parent or guardian and student a copy of the drug testing policy and consent form prior to the student's participation in a defined activity.

C. Orientation Meetings

The District shall conduct meetings with parents or guardians and students at the beginning of the school year. Student attendance is mandatory. Parent or guardian attendance is not mandatory. District employees shall explain the drug testing program, policy and consent forms. An educational presentation on the harmful effects of drugs shall be provided.

TESTING PROCEDURES

A. Frequency

At the beginning of each school year, an initial baseline test will be administered (100%) to be tested:

1. Students in grades 7-12 participating in extracurricular activities.
2. Those students who are on the Voluntary Drug Testing Program.
3. Those students that move in or join an extracurricular activity during the school year must be tested prior to participating.

Note: The baseline test is a non punitive test. The student, the student's parents or guardians if the student is under 18 and the appropriate administrator will meet to discuss a positive test result. The student and his/her parent or guardian will be given some information to provide help for the student. No disciplinary sanctions will be administered. However the student will automatically be put on mandatory testing for the remainder of the school year.

The percentage of students to be random tested will be 10% (approximately 8-10 students) plus those students who are on a mandatory testing program because of a previous positive test result. The Board of Trustees or its designee may determine that up to 100% of the identified participants will be tested.

The testing entity will select the dates for conducting the random test; the selections dates will follow no recognizable pattern. Test will be conducted 2-3 times per semester.

B. Random Selection of Students

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

C. Testing Standards

Testing will be conducted through accepted scientific means using 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 drug test will be performed by urinalysis.

D. Collection of the Sample

Upon arrival at the school, the testing entity will give the randomly selected students names to the designated school official, who will arrange for these students to report to the collection area. The names of the selected students will not be called over the public address. Students will be tested in an isolated facility under the supervision of a school official of the same sex. Students will provide a urine sample in a restroom or behind a closed stall. Neither the testing representative nor the school official will directly observe the students providing the sample. Facilities will be secure with only one student providing a sample at a time. The student providing the sample, the school official, and the testing representative will confirm the student's identification information and the collection container will be sealed and witnessed by the student. The testing representative will take all specimens to the laboratory for analysis.

E. Refusal to Test or Tampering

Refusal to provide a sample or noncompliance with the testing procedures by any student will be considered a positive test and will be reported to the appropriate school official. Similarly, any student who is determined to have tampered with a sample shall be deemed to have a positive test result.

F. Substances

The District reserves the right to test for Alcohol, Methaqualone, Benzodiazepines, Propoxyphene, Barbiturates, Amphetamines, Steroids, Cocaine, LSD, Marijuana, Methadone, Opiates, and Phencyclidine.

TEST RESULTS

USE OF RESULTS

Test results shall be used to determine eligibility for participation in defined activities. Test results will not be used to impose disciplinary sanction or academic penalties.

CONFIDENTIALITY

Test results shall be confidential and shall be disclosed only to the student, the parents or guardian, and designated school official. Test results will not be maintained with the student's academic record. Results shall not be otherwise disclosed except as required by law.

TESTING LAB

The Board will contract with a certified drug testing laboratory to conduct testing of student's urine samples. The testing lab shall not release statistics regarding the rate of positive drug test to any person or organization without consent of the District.

POSITIVE TEST RESULTS

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

Upon receiving a positive test result, the District shall schedule a meeting with the student, the student's parents or guardians if the student is under 18, and the coach or sponsor of the defined activity to review the test results and discuss consequences.

The student, parent or guardian has five school days following the meeting to provide a medical explanation for a positive result. However, the appropriate suspension will begin immediately following the meeting with the parent/guardian.

CONSEQUENCES:

FIRST OFFENSE

Following the date the student and parent/guardian are notified of the test result, the student shall be suspended for 10 school days and the students must receive drug counseling, completed at his or her own cost within thirty (30) days. If written proof of drug counseling is not provided within thirty (30) days, then the student is suspended from all defined activities until he or she completes a drug counseling program.

*During the suspension the student may participate in practices but not in competitive activities.

DRUG ASBUSE PREVENTION

The District shall notify the parent/guardian and student of drug abuse prevention resources available in the area.

RETESTING

The student shall be retested on every random test date for the remainder of the school year.

SECOND OFFENSE

Following the date the student and parent/guardian are notified of the test result, the student shall be suspended for 30 school days and the students must receive drug counseling, completed at his or her own cost within thirty (30) days. If written proof of drug counseling is not provided within thirty (30) days, then the student is suspended from all defined activities until he or she completes a drug counseling program.

*During the suspension the student may participate in practices but not in competitive activities.

DRUG ASBUSE PREVENTION

The District shall notify the parent/guardian and student of drug abuse prevention resources available in the area.

RETESTING

The student shall be retested on every random test date for the remainder of the school year.

THIRD OFFENSE

Following the date the student and parent/guardian are notified of the test result, the student shall be suspended for 180 school days and the student must receive drug counseling, completed at his or her own cost. If written proof of drug counseling is not provided, then the student is suspended from all defined activities until he or she completes a drug counseling program.

*During the suspension the student may not participate in practices or in competitive activities.

DRUG ASBUSE PREVENTION

The District shall notify the parent/guardian and student of drug abuse prevention resources available in the area.

RETESTING

The student shall be retested on every random test date for the remainder of the student's school career.

END-OF-YEAR SUSPENSIONS

If a student's suspension from participation is not completed by the end of the semester, the student shall complete the assigned period of suspension during the following semester or during the firsts semester of the following school year.

APPEALS

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

Shamrock ISD Random Student Drug Testing Permission Form

Campus: _____ Activity: _____ Grade: _____
Print Student Name: _____ ID #: _____

We, _____ as the parents or guardians of student, _____ acknowledge our child participates in extracurricular activities at Shamrock Independent School District and such is required to participate in the **Mandatory Random Drug Testing Program**. We understand and agree that participation in extracurricular activities is a privilege that may be withdrawn for violations of Shamrock ISD Policies. The District shall reserve the right to test for any and all illegal or controlled substances as determined at the discretion of the District. We acknowledge that we have received a copy of the Shamrock ISD Local Policy on the Mandatory Random Drug Testing Program for Shamrock ISD extracurricular activities. We understand and agree that we are bound by all the provisions in said program as it now exists and may hereafter, be amended. We have read and understand the drug testing program as set forth in the policy. We hereby consent and agree to the testing of our child as provided in said program. We understand participation in extracurricular activities at Shamrock ISD is conditioned upon the voluntary consent and participation of the drug testing policy. We grant permission for the Testing entity to contact the student and parents if a drug test is positive. The purpose of the contact with the Testing entity is to find out if there is a potential reason that the Testing entity should determine the positive test to be negative. We are aware that the Testing will contact us in reference to a positive test. In consideration of the benefits afforded our child and us from this activity, we hereby grant permission for our child to participate in this program. We further authorize the officers, employees, and agents of the lab SISD chooses to use to communicate our child's drug/alcohol test results both orally and in writing to the Shamrock ISD designated administrators. We understand that this information will **not** become part of the child's medical record. We understand no physician/patient relationship is established by the collection of this urine sample by the Certified Laboratory. We further release and discharge Shamrock ISD, its employees, trustees, and officials from any liability relating to the administration of the drug testing program. Also, we sign this release at our own freewill and without coercion.

THIS IS A LEGAL CONSENT AND RELEASE FORM. PLEASE READ IT CAREFULLY AND BE SURE YOUR QUESTIONS HAVE BEEN ANSWERED BEFORE SIGNING.

Executed this _____ day of _____, 20__ at Shamrock, Wheeler County, Texas.

Parent/Guardian Signature

Parent/Guardian Signature

Daytime Phone Number

Daytime Phone Number

I, the student mentioned above, acknowledge that I have read the foregoing consent and release and I understand it and agree to be bound by its terms and the terms of the drug testing program.

Date

Student Signature

• In the event that the student is over the age of 18 years, the student is agreeing to be contractually bound by the release as an adult.

Student Signature

