

Monahans-Wickett-Pyote Independent School District Extracurricular/Athletic Drug Screening Policy

STUDENT ACTIVITIES (Policy FM-Legal)

APPLICABILITY

A student enrolled in the District or who participates in an extracurricular activity or a University Interscholastic League (UIL) competition is subject to district policy and UIL rules regarding participation only when the student is under the direct supervision of an employee of the school or district in which the student is enrolled or at any other time specified by resolution of the Board. *Education Code 33.081(b)*

EXTRACURRICULAR ACTIVITY

An extracurricular activity is an activity sponsored by the UIL, the Board, or an organization sanctioned by Board resolution. The activity is not necessarily directly related to instruction of essential knowledge and skills, but may have an indirect relation to some areas of the curriculum. Extracurricular activities, include, but are not limited to: public performances, contests, demonstrations, displays, and club activities. In addition, an activity is subject to this policy if any one of the following criteria apply:

1. The activity is competitive.
2. The activity is held in conjunction with another activity that is considered extracurricular.
3. The activity is held off-campus, except in a case in which adequate facilities do not exist on campus.
4. The general public is invited.
5. An admission is charged.

ALCOHOL/DRUG SCREENING POLICY

PURPOSE

Drug abuse is a significant health problem for students, detrimentally affecting overall health, behavior, learning ability, and the total development of the individual student. Furthermore, it is harmful to other students, teachers, family members and those

who may be collaterally affected. The District, in planning, implementing and enforcing the drug screening policy, shall attempt to maintain a safe and drug-free environment that promotes academic excellence and social responsibility in all students. Additionally, consistent enforcement of a lawful policy that recognizes the privacy rights of students, but effectively deters violation of important school rules shall provide all students with a valid reason to reject drugs and alcohol and to resist peer pressure that often leads to drug and alcohol abuse.

OBJECTIVES

1. To provide a deterrent to the use of illegal drugs/alcohol by students in grades 7-12.
2. To give students a valid reason to resist peer pressure to use illegal drugs/alcohol.
3. To prevent injury, illness, and harm as a result of the use of illegal drugs/alcohol.
4. To maintain a school environment free of drug/alcohol use and its effects; and
5. To educate students as to the serious physical, mental, and emotional harm caused by the use of illegal drugs/alcohol.

RECEIPT OF COPY

Before this policy is enforced and annually thereafter prior to the beginning of each school year in which this policy is in effect, all participating students and their parents or guardian or person with lawful control shall be required to sign an acknowledgement form indicating receipt of a copy of this policy and an understanding of the terms and provisions of the policy.

SELECTION FOR TESTING

At the time a student in grades 7-12 declares their intention to participate in any extracurricular activity, they will be subject to the drug/alcohol screening program, as adopted by the Monahans-Wickett-Pyote Independent School District, for the entire school year or for as long as they participate in the extracurricular activity.

DRUGS TO BE TESTED FOR

The drugs that students will be tested for are as follows:

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, cocaine, opiates, amphetamines, methaqualone, benzo-diazepines, phencyclidine (PCP), methadone, barbiturates, and propoxyphene.

All prescription drugs upon reasonable suspicion that they were obtained without authorization.

All prescription and over-the-counter drugs upon reasonable suspicion that they are being used in an abusive manner.

RANDOM TESTING

Student participants in any extracurricular activity shall constitute a pool of candidates from which randomly selected participants will be required to participate in drug screening. Student participants in athletic extracurricular activities shall also constitute a pool of candidates from which randomly selected participants will be required to participate in screening for anabolic steroids, as directed by the University Interscholastic League (UIL).

At least five percent and not more than ten percent of student participants shall be randomly selected to be tested for drug use during a six-weeks grading period. The principal and athletic director shall determine the percentage of students to be tested and the date of each test. Students shall not receive prior notification of the testing date or time.

Students who are selected to be tested during one test period will be eligible for future tests and, if selected, may be tested in consecutive tests.

REASONABLE SUSPICION

Upon reasonable suspicion by a district employee that a student involved in an extracurricular/athletic activity is under the influence of drugs/alcohol while at school or a school-related activity, that student may, at any time, be required by the principal or athletic director to submit to a drug/alcohol screening.

Reasonable suspicion may be defined as any of the following:

Personal observation by a district employee concerning the appearance, speech, or behavior of a

student that indicates the effects of drug or alcohol use.

Information provided by a reliable source based on personal knowledge indicating drug/alcohol use by a student.

An alert by a drug dog, sanctioned by the school district for finding illegal drugs/alcohol, on a student's personal property, a student's vehicle or a student's assigned locker.

Truancy by a student from any scheduled practices or meetings could constitute reasonable suspicion.

TESTING PROCEDURES

The Monahans-Wickett-Pyote Independent School District will follow the "Procedural Safeguards" established for students in extracurricular and/or athletic activities. A copy of these "Procedural Safeguards" will be provided to the students and their parents/guardians at the time that consent for drug/alcohol screening is requested.

REFUSAL TO TEST OR TAMPERING WITH A TEST

A student who refuses to be tested when randomly selected or through reasonable suspicion or who is determined to have tampered with a sample shall be deemed to have a positive test result and shall be subject to the appropriate consequences depending on previous positive results, if any.

If a student is absent on the day of the random test, a sample shall be collected on the next random testing date.

POSITIVE TEST RESULTS

Upon receiving results of a positive drug test, the District shall schedule a meeting with the student, the student's parent if the student is under the age of 18, and the coach or sponsor of the extracurricular activity to review the test results and discuss consequences.

The student or parent shall have three (3) school days following the meeting to provide a medical explanation for a positive result. Suspension from extracurricular activities shall be effect until a medical explanation is provided.

CONSEQUENCES

If a student involved in extracurricular/athletic activities is found to be associated with any of the following actions, then he/she will receive the outlined consequences for each numbered offense as provided by this policy. The consequences shall be cumulative through the student's enrollment in junior high and shall begin anew for high school. High school consequences are cumulative for the four years of UIL eligibility.

- Under the influence of drugs/alcohol at school or school-sponsored activities
- Tests positive in a drug/alcohol screening administered by the school district
- Receives a citation for MIC (Minor in Consumption), MIP (Minor in Possession), DUI (Driving Under the Influence) or DWI (Driving While Intoxicated) – whether convicted, deferred prosecution, deferred adjudication or adjudicated of the misdemeanor

APPEALS PERIOD FOR LEGAL CHARGES

An extracurricular student that receives a MIC, MIP, DUI or DWI citation will be provided an appeals period of two business days to settle any legal issues associated with this charge before serving the consequences of the offense.

ATHLETE/ACADEMIC DEFINED

Athlete: Student involved in any of the athletic extracurricular activities provided through the school: cross country, cheerleading, volleyball, football, basketball, tennis, swimming, power lifting, track, golf, baseball, softball, etc.

Academic: Student involved in any of the academic extracurricular activities provided through the school: band, choir, drama, all UIL academic contests, VICA, PAL, student council, FCCLA, etc.

Precedence: For the sake of this policy, a student that is involved in both athletic and academic extracurricular activities will follow the consequences established for the athlete. The student will not have

to serve the consequences established for athletics and for academics.

FIRST OFFENSE

Athlete: Student will perform **twenty-five (25)** miles of running under the supervision of a coach and will miss a competition(s) equal to 10% of the games played during the season. For example, if the athlete is involved in a sport with 15-20 regular season games (pre-district and district), h/she will miss two competitions; 1-14 regular season games would equal one missed competition. The student must complete the running portion of this consequence before fulfilling the requirement of missing competitive contest(s). Scrimmages will not count as a competitive contest. The running requirement of this consequence must be satisfied within five (5) school days. If the student does not satisfy the consequence within the 5-day school day period, the athlete will be removed from extracurricular activities for one full calendar year.

Academic: Student will perform **fifteen (15)** hours of community service. The student will be responsible for completing the community service form indicating what community service will be performed, when, where and for how long and will seek approval from the academic sponsor before proceeding with the community service. The student can obtain permission from the sponsor to fulfill one-third (1/3) of the required hours through service to the school or the sponsor. The required hours of community service must be satisfied within a two-week period of time. If the student does not satisfy the requirements of this consequence within the two-week window, he/she will receive an additional hour for each day after the two-weeks for up to five additional hours. If the consequence has not been satisfied after the additional hours have been added, the student will be removed from extracurricular activities for one full calendar year.

Until all consequences for the first offense have been met, the student may not participate in any athletic competitions, dress-out for athletic competitions, travel to/from athletic competitions or participate in

any pep rallies or send-offs associated with the activity.

Any extracurricular student under the first offense must also seek mandatory substance abuse counseling from the counselor(s) employed by the M-W-P school district prior to returning to his/her activity. Documentation of this counseling must be provided by the student to the administrator or athletic director.

SECOND OFFENSE

Athlete or Academic: Student will be suspended from participating in any extracurricular activity for one full calendar year.

Any extracurricular student under the second offense must seek substance abuse counseling from a private individual or organization trained in this type of therapy outside of the school district. Documentation of the counseling by the private individual or organization must be provided to the administrator and/or athletic director. Any expenses related to this mandatory counseling will be the responsibility of the parents/guardians and/or the student.

SUBSEQUENT OFFENSES

The student will lose the privilege of participating in any extracurricular, athletic or academic, activity for the remainder of the student's educational career at the campus he/she is enrolled.

STERIOD OFFENSE

An athlete that tests positive for anabolic steroids will lose eligibility to participate in any UIL sanctioned activity for a minimum of 30 days.

FOLLOW-UP TESTING

Once a student has received consequences for violation of any part of this policy, he/she may be tested for drugs/alcohol at any time during the remainder of their educational career at the campus he/she is enrolled. These follow-up screenings will be at the discretion of the principal/athletic director.

COVERAGE PERIOD OF THE POLICY

This extracurricular/athletic policy will be in effect from the first day of the school year till the last day of the school year. However, if the extracurricular activity requires practice time before the first day of classes, such as volleyball/football two-a-days or summer

band practice, the policy is in effect from the time that these practices begin.

POSSESSION ON SCHOOL-RELATED TRIP

A student that chooses to possess drugs/alcohol on a school-sponsored trip will receive the following consequences:

An assignment to DAEP for a period of **30** days

The student must seek substance abuse counseling from a private individual or organization trained in this type of therapy outside of the school district. Documentation of the counseling by the private individual or organization must be provided to the principal and/or athletic director. Any expenses related to this mandatory counseling will be the responsibility of the parents/guardians and/or the student.

The student will lose the privilege of participating in any extracurricular/athletic activities for **one** (1) full calendar year.

Any subsequent offenses incurred after the full calendar year suspension will result in the loss of participating in all extra curricular activities for the remainder of the student's educational career at the campus he/she is enrolled.

APPEALS

Parents/guardians of any student testing positive will have an opportunity to request a second test using the original sample within 72 hours of the initial test.

The appeal for this second testing must be made by the parents/guardians to the principal and/or athletic director, as well as the extracurricular/athletic sponsor or coach.

The appealed test will be performed at a certified lab chosen by the parents/guardians and approved by the district. It will be the responsibility of the parents/guardians to schedule the appealed test, as well as incur any expenses associated with the test.

****Revised June 2017**