

Use of Alcohol, Drugs and Other Controlled Substances

DRUGS AND ALCOHOL

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

1. Alcoholic beverages;
2. Controlled drugs substances and drug paraphernalia;
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.
4. Unauthorized prescriptions.

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

DRUGS DEFINED

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by the Kentucky Department of Health Services under regulations pursuant to [KRS 218A.010](#).

AUTHORIZED MEDICATION

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

PENALTY

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams/extracurricular activity and/or other school-sponsored activities. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event

DRUG TESTING PROGRAM PURPOSE

In this day and time alcohol and other forms of drug abuse have grown to major proportions in our society. The middle- and high-school settings are not exempt from this phenomenon. Therefore, it is critical that educators and parents continually look for ways to institute programs that encourage a drug-free lifestyle for their students/children. It is to that end that this program is created to provide the appropriate action plan to address and foster a drug-free environment for the entire County middle- and high-school community.

The program consists of two components:

1. Education and Prevention Plan
2. Drug Testing Policy

Use of Alcohol, Drugs and Other Controlled Substances**DRUG TESTING PROGRAM PURPOSE (CONTINUED)****EDUCATION AND PREVENTION PLAN**

Educational Seminars. Each semester at least one (1) educational seminar on alcohol and drug abuse shall be conducted by qualified substance abuse educators. These seminars shall be accessible to all County middle and high-school students but shall be required for all athletic and extracurricular team members and for students who will be driving or parking on school property. Each seminar participant shall be administered an assessment over the content of the seminar upon completion.

Training in Drug Awareness. County middle and high-school teachers will be given an opportunity to receive training in drug awareness. Part of the training will enable each teacher to incorporate drug awareness information into his/her current curriculum. A keener teacher awareness of drug abuse signs and symptoms, as well as methods of referral, will be a direct result of the training. Instructional units on drug abuse, such as those currently taught in our health courses, will be enhanced by this teacher education component.

Seminars for Parents/Guardians. Educational seminars for parents/guardians that will address alcohol and other forms of drug abuse will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information to parent toward drug prevention.

ALCOHOL AND DRUG SAFETY POLICY

All student athletes/extracurricular participant/drivers and their parents/guardians must read this policy and accompanying procedures and must acknowledge, in writing, that they have read the policy and procedures, understand the policy and procedures, and agree to be bound by the terms and conditions contained in the policy and procedures.

Statement of Need. All athletic and extracurricular team coaches/sponsors and the administration of County middle and high school recognize that the unlawful use of alcohol and other drugs seriously impairs the health, safety, education, and future success of middle- and high-school students engaged in that use. It is also recognized that the unlawful use of alcohol and other drugs is a potential problem for all middle- and high-school students.

Students engaged in interscholastic athletics and extracurricular activities often are viewed by fellow students as holding or enjoying positions of notoriety and are confronted by unique pressures and risks that make them particularly vulnerable to the harms presented by that use. Because of the potential notoriety derived from athletic and extracurricular participation, students also potentially impact or influence the attitudes and actions of other members of the student body. Finally, in order to deal effectively with drug and alcohol pressures and health risks, we believe that it is imperative to adopt a mandatory drug testing policy governing the illegal use of drugs by student participants in the County middle- and high-school athletic teams and extracurricular activities.

Athletic teams and extracurricular activities covered by this policy shall apply to all grades seven (7) and above varsity and subvarsity athletic and extracurricular activities, including, but not limited to, band, baseball, boys' basketball, girls' basketball, bowling, boys' cheerleading, girls' cheerleading, cross-country, dance, fishing, football, soccer, softball, tennis, track, and wrestling. The subsequent addition of any extracurricular activity, varsity or subvarsity sport shall immediately be subject to this policy.

Use of Alcohol, Drugs and Other Controlled Substances**ALCOHOL AND DRUG SAFETY POLICY (CONTINUED)**

Statement of Purpose. This policy is intended to support the comprehensive educational policies and programs of the District in educating students and their parents/guardians as to the dangers inherent in the unlawful use of drugs. The policy is further intended to provide encouragement to middle- and high-school students who voluntarily choose to participate on athletic teams, in extracurricular activities, and/or to drive or park on school property to avoid such use and to strive to benefit from effective rehabilitation when such use has occurred.

Administrators shall not use information obtained in the course of administering the policy for disciplinary purposes other than those set forth herein. This policy is not designed to be used, nor shall it voluntarily be used in any manner, to provide a source of information for law enforcement agencies or for the prosecution of the student or to limit the student's participation in the school activities, other than the limitations imposed by this policy. Without a specific written authorization from the tested student or parent/guardian, if the student is under 18 years of age, the administrator shall not release any student's test results to any person other than those described within this policy or as required by law or a lawfully issued subpoena or court order.

In order to accomplish its purposes, this policy establishes a program for procedures to deter the unlawful use of drugs and alcohol and to provide for suspension and termination of participation on the teams when deterrence is unsuccessful. To determine compliance with the policy, it provides a testing program to identify student participants who are unlawfully using drugs. For these students this policy provides incentives for rehabilitation through possible reinstatement to the specific athletic team or extracurricular activity involved.

Consistent with its purposes, this policy also seeks to achieve the following objectives:

1. To protect District students from impairing their health, safety, education, and future success through the unlawful use of alcohol and other drugs.
2. To protect District students and their opponents from potential injury during competition resulting from the unlawful use of alcohol and other drugs.
3. To protect District students from the potential stigma of unsubstantiated allegations of unlawful use of alcohol and other drugs.
4. To assure students, parents, teachers, and the community that the health, safety, education, and future success of the student participants are the primary concerns of the District.

Implementation, Review, and Evaluation. All student participants and their parents/guardians must sign the "Student and Parent/Guardian Consent to Perform Urinalysis and/or Swab (saliva) for Drug Testing" form before the student shall be permitted to try out for any athletic team, become a member of an extracurricular activity at the middle- and high-school levels, or be authorized to drive or park on school property. A Substance Abuse Prevention Committee (Committee) shall be established and shall have the overall responsibility for implementing this policy. The Committee may consist of the school Principals, Head Coaches of the athletic teams, designated sponsors of extracurricular activities, Athletic Director, Title IV Coordinator, School Health Coordinator, Counselor, Superintendent, and Board Members.

Use of Alcohol, Drugs and Other Controlled Substances**ALCOHOL AND DRUG SAFETY POLICY (CONTINUED)**

The Committee shall establish procedures as needed to implement the policy fairly and efficiently. In addition, the Committee shall review and evaluate the effectiveness of the drug testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. The Committee shall not have access to any of the test results. The Committee's purpose is limited to procedures and evaluation of the policy.

Applicability. This policy applies to all students choosing to participate in any extracurricular activity, including students/players at the varsity and subvarsity levels, and to students who drive or park on school property.

Education. At least once each semester, all coaches/sponsors and appropriate certified staff shall require attendance at educational seminars on drug abuse for all student participants (as outlined in the Education and Prevention Plan section of this policy). These seminars shall be open to attendance by the student participants and their parents/guardians and shall be presented by qualified substance abuse educators. Those participating will be asked to demonstrate an understanding of the main components of the drug education seminar.

Testing Program. Testing shall be accomplished by the analysis of urine specimen or saliva obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered to ensure:

1. Randomness of selection procedures
2. Proper student identification
3. Identification of each specimen with the appropriate student participant
4. Maintenance of the unadulterated integrity of the specimen
5. Integrity of the collection and testing process, as well as the confidentiality of test results (The specific testing process shall be on file at the testing laboratory approved by the Board.)

Substances Tested. Student participants' urine specimen shall be tested for the following, which include, but may not be limited to:

1. Amphetamines
2. Marijuana (THC)
3. Cocaine and its derivatives
4. Opiates
5. Phencyclidine (PCP)
6. Benzodiazepine
7. Propoxyphene
8. Other abused, illegal, or controlled substances as determined by the Committee

Use of Alcohol, Drugs and Other Controlled Substances**ALCOHOL AND DRUG SAFETY POLICY (CONTINUED)*****Sanctions:***

First Violation: After the first violation, a parent conference will be held and the student will be offered one of the following options:

1. The first option is for the student to attend and successfully complete a drug intervention and prevention program approved by the Principal. The program shall be for a minimum of six (6) weeks. If a student chooses this option, attendance at each meeting will take priority over participation in competitive extracurricular interscholastic events scheduled during the same period.

The second option is suspension for the next twenty-five percent (25%) of the season and/or revocation of the student's on-campus parking permit for the next thirty (30) school days. If necessary, the suspension shall carry over to the following season and the student's subsequent participation as a member of another team/organization.

After the first violation, the student will be drug tested the next time random drug-testing is administered. In that case, a positive result will be treated as a second violation.

2. Participation consists of practicing, dressing out, traveling with, or receiving recognition with or for the activity in which the student is involved. If a student is reinstated to the athletic team/extracurricular activity or driving privileges following the first violation, the student's participation in another activity shall not be restricted solely because of the existence of the first violation, as long as the student has completed the period of suspension and was appropriately reinstated to the prior activity. If the student elects not to seek reinstatement to the activity after a first violation (either because of the student's own election or because the season concluded prior to the expiration of the student's period of suspension), the student is still required to serve the unexpired portion of the suspension before becoming eligible for participation in any other extracurricular activity. A student serving a suspension for any sport may try out for a second sport if the student provides a negative drug test result from the testing laboratory under contract. If the student successfully makes the team or joins an extracurricular group, prior to participation, the student must serve the unexpired portion of the previous suspension. The student must complete all forms required for participation on another extracurricular activity, and the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.

Second Violation

1. For a second violation, the student shall be suspended from participation in competitive interscholastic events, including athletics, or from on-campus parking for the next fifty percent (50%) of the season and/or revocation of the student's parking permit for sixty (60) school days. After the second violation, the student will be drug tested again at the student/guardian's expense the next time random drug testing is administered.

Use of Alcohol, Drugs and Other Controlled Substances**ALCOHOL AND DRUG SAFETY POLICY (CONTINUED)**

2. If a student is reinstated to the activity following a second violation, the student's participation in another activity shall not be restricted solely because of the existence of the second violation, as long as the student has completed the period of suspension and/or the required chemical dependency program and was appropriately reinstated to the prior activity. If the student elects not to seek reinstatement to an activity after a second violation (either because of the student's own election or because the season concluded prior to the expiration of the student's period of suspension) the student is still required to serve the unexpired portion of the suspension before becoming eligible for any other extracurricular activity. A student serving a suspension for one sport/activity may try out for a second sport or join a second activity. If the student makes the team, prior to participation, the student must serve the unexpired portion of the previous suspension. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.

Third Violation

The student participant or driver shall be excluded from participation in any extracurricular activity for one calendar year.

A third violation shall disqualify the student's involvement in all extracurricular activities (varsity and subvarsity) or from driving/parking on school property for the one calendar year.

Notice to Participants. Prior to tryouts for an athletic team or joining an extracurricular activity, the Head Coach shall provide all students choosing to participate in the athletic team/extracurricular activity and their parents/guardians with a written copy of this policy. Parents of students wishing to take drivers education or to park on school property shall also be provided a copy. Each student who chooses to participate and a parent/guardian of that student shall be required to sign a statement indicating that they have received, read, and understand and fully agree to be bound by the terms, conditions, and procedures under this policy.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for drug/alcohol abuse violations.

Use of Alcohol, Drugs and Other Controlled Substances

REFERENCES:

[OAG 82-633](#); [OAG 93-32](#)

[KRS 158.150](#); [KRS 158.154](#); [KRS 158.155](#)

[KRS 160.290](#); [KRS 161.180](#); [KRS 218A.020](#); [KRS 217.900](#); [KRS 218A.1447](#)

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of Pottawatomie Cty. v. Earls, ___ U.S. ___, 242 F.3d 1264 (2002).

RELATED POLICY:

09.2241

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