

STUDENT RIGHTS AND RESPONSIBILITIES
DRUG TESTING

FNF
ADMINISTRATIVE REGULATION

**Drug-Testing
Program**

Scope

The District may implement a mandatory drug-testing program for all students in grades 7–12 participating in extracurricular school-sponsored athletics, band, cheerleading, dance, choir, and UIL academic activities. Participation in extracurricular activities is a privilege, not a right, and students must meet specific requirements in order to participate.

Purpose

The District has implemented a drug-testing program to protect District students and to deter the use of alcohol or illegal drugs. The intended purposes are:

1. To allow each student in programs subject to testing to make a commitment against drug use;
2. To give each student an effective tool against drug use;
3. To ensure the health and safety of each student during practices and performances;
4. To offer educational and counseling assistance to students who may be identified as having substance abuse problems; and
5. To deter drug use by students.

Consent Form

Each student and his or her parent shall be required to give written permission that will be effective as long as the student is enrolled at the District campus designated on the consent form. (See FNF (LOCAL)). If a student or parent refuses to sign a consent form or provides written notice of revocation of the consent to the principal, the student shall not be allowed to participate in the school-sponsored extracurricular activities for which such testing is required.

Use of Results

The results of any drug test shall be used only to determine eligibility for participation in extracurricular secondary school-sponsored athletics, band, cheerleading, dance, choir, and UIL academic activities. The District shall take no action against a student except as provided in this policy, and no academic penalty shall be incurred by a student as a result of participation in this program.

Student Code of
Conduct

Nothing in the requirements of the drug-testing program shall limit or prohibit application of the District's Student Code of Conduct providing for disciplinary action involving students using, being under the influence of, possessing, or distributing alcohol or illegal drugs on school property or at school-related events, on or off school property. Consequences in the Student Code of Conduct shall not be invoked in the event a student tests positive in the student drug-testing program.

Confidentiality

Each Secondary Campus will designate an Administrator as the Campus Drug Testing Coordinator. All results of drug testing shall be

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confidential and shall be disclosed only to the student, the student's parents, and designated District officials. No drug test results shall be maintained in a student's records. All test results shall be destroyed when the student graduates from high school. If a student withdraws before graduation and does not return, records shall be destroyed when the student reaches 19 years of age.

Testing Laboratory The Board shall contract with a licensed medical facility or third-party administrator recommended by the Superintendent or designee to conduct the testing of students' urine samples for the presence of drugs in a Substance Abuse and Mental Health Services Administration (SAMHSA)-certified laboratory. The Superintendent or designee shall oversee the program conducted by the selected laboratory.

Procedures The District reserves the right to test for the following substances: alcohol, amphetamines, methamphetamines, barbiturates, benzodiazepines, cocaine metabolite, marijuana, methadone, opiates, phencyclidine, propoxyphene, hallucinogens, steroids, and all other illegal, addictive, or performance-enhancing drugs.

Samples shall be taken under conditions that are no more intrusive to students than the conditions experienced in a public restroom. The Superintendent, in cooperation with the selected testing laboratory, shall develop regulations for collection and testing.

Random Testing When random tests are conducted, ten percent of the students participating in the program shall be randomly selected for each random test date.

Using confidential student numbers, the testing laboratory shall generate a random list of students for each date. All students in the program shall be eligible for testing at each test date.

Students shall not be notified in advance of any drug test. When selected for testing, each student shall proceed to the testing site and shall remain under care and supervision of testing personnel until a sample has been provided. Student privacy shall be protected to the maximum extent possible during the collection of specimens.

Refusal or Failure to Submit to Testing A student shall be allowed two hours to provide the specimen. If a student agrees to be tested but is unable to provide a specimen within two hours, he or she shall be subject to consequences as if there had been a positive test result. A student who refuses to be tested on a designated test date, who tampers with any sample, or who assists others in tampering with any sample shall be subject to the same consequences as a student having a confirmed positive test result.

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Positive Results	Test All positive test results shall be confirmed by a second, more definitive test before being reported as positive. A confirmed positive laboratory test result shall be forwarded to a medical review officer (MRO) for an interpretation and evaluation in order to determine if there is a legitimate explanation for the result. The MRO shall be a licensed medical physician trained in substance abuse and certified by the American Association of Medical Review Officers. The MRO shall make the final determination in all confirmed positive laboratory test results, and if it is determined that a legitimate reason exists for the positive lab result, the result shall be reported to the District as negative. The District shall take the following steps upon receiving a confirmed positive test result from the testing laboratory. The parent shall be notified, and a meeting shall be scheduled. The parent shall be given an opportunity to offer an explanation and may request a retest of the original specimen, at the parent's expense. If the student is classified as an economically disadvantaged student according to District PEIMS records, consideration will be given for financial assistance to offset the cost of the retest. This second test must be done at an approved SAMHSA lab using specimen B from the initial sample. Such a request must be made in writing within 48 hours of the meeting and must include payment for the retest.
Consequences	Any consequences not completed by the end of the school year shall carry over to the following school year. Offenses shall be cumulative for grades 7 through 8 and for grades 9 through 12. When a student moves from middle school to high school, any consequences assigned during middle school must be completed before the grade 9–12 cumulative period begins. If a student withdraws from the District and later returns, the cumulative process for positive infractions will continue, not start over. If a student withdraws from the District or campus before completing assigned consequences and later reenrolls in the District or at the campus, all consequences must be completed to the District's satisfaction before the student will be reinstated to the extracurricular activity in which the suspension occurred. Following the first confirmed positive test result, the consequences shall be as follows: 1. The student and his or her parent or guardian shall be required to meet with appropriate school personnel, including the counselor. The student shall be required to complete a series of educational meetings with the counselor. 2. The student shall be retested on the dates of the next three random tests.

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Following a second confirmed positive test result, the consequences shall be as follows:

1. The student shall be removed from participation in applicable school-sponsored performances, games, or competitions for 30 school days. The student shall be allowed to continue to practice during the suspension.
2. The student shall attend a District-approved drug/alcohol counseling program. The student must present to appropriate school personnel evidence of successful completion of the program.
3. The student shall be retested on the dates of the next three random tests.

Following a third confirmed positive test result, the student shall be removed from the applicable school-sponsored activity for the remainder of the student's school career. After one calendar year from the determination of guilt, an appeal may be made for reinstatement contingent upon substantiated rehabilitation. If the student qualifies for reinstatement, any further positive tests shall result in permanent removal from the applicable program.

Appeals

A student or parent may appeal any decision made under the drug-testing program in accordance with FNG(LOCAL). The student shall be ineligible for participation in any applicable school-sponsored program until the appeal process has been completed.