

**Newcastle Independent School District Student Drug Testing Policy
2013-2014**

Extracurricular Activity and Student Driver Drug Testing (Rationale)

The Board encourages students to participate in school-sponsored extracurricular activities, but believes the opportunity to participate is a privilege offered to eligible students on an equal opportunity basis. The use of alcohol or other drugs by students participating in extracurricular activities presents a hazard to the health, safety, and welfare of the student participant. The Board believes testing student participants in school-sponsored extracurricular activities serves the important purpose of detecting and preventing illegal drug and alcohol use among students. The purpose of the District's program is to:

1. Provide for the health and safety of all students.
2. To serve as a deterrent to the use of alcohol and/or illegal drugs among the student body.
3. Undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs.
4. Encourage students who use drugs to participate in drug treatment programs.

Definition

"School-sponsored extracurricular activity" means, without limitation, all interscholastic athletics, cheerleading, drill team, academic clubs, special interest clubs, musical performances, dramatic productions, student government, and any other activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the District. "Student drivers" shall be defined as District students parking on school property.

Required Testing

To be eligible to participate in any school-sponsored extracurricular activity or to be eligible to drive/park on campus, a secondary student (grades 9-12) must agree to participate in a drug-testing program that includes a mandatory test of all participants at the beginning of each school year, beginning of the second semester and random testing during the school year.

Use of Results

The results of any drug test administered under this policy will be used only to determine eligibility for participation in school-sponsored extracurricular activities and the privilege of driving/parking on school property.

Confidentiality

Results will be kept confidential and disclosed only to the student, his or her parents/guardians, and school officials designated by the Superintendent. Results will not be placed in student records. Students will not be penalized in any other way. Results will not be shared with law enforcement unless compelled by a lawful subpoena. No actions will be taken by the school against the student other than suspension from participating in extracurricular activities, as outlined below.

Prohibited Conduct

Student participants in school-sponsored extracurricular activities will not at any time during the school year use, possess, sell, distribute, or be under the influence of any illegal drug, anabolic steroid, or alcohol.

Consent Form

Student participants must sign a consent form agreeing to participate in the drug-testing program. The consent form must also be signed by the student's parent or guardian before the beginning of the school year, semester, or specific activity, *e.g.*, casting and production of a dramatic presentation. Consent forms are valid for the current school year only and must be renewed annually in order for the student to continue participating in school-sponsored extracurricular activities. Adult students will sign their own consent forms and parent signatures are not required.

If the student participant or his or her parent or guardian declines to sign the consent form, the student will not be permitted to participate in school-sponsored extracurricular activities.

Testing Procedure

A licensed medical facility or third party administrator selected by the Superintendent and approved by the Board will conduct all testing for the presence of drugs in student urine samples. The Superintendent is the program manager who will administer the program with the selected drug testing provider.

Substances specifically tested for will include substances that are illegal to buy, possess, use, sell, or distribute under state or federal law and alcohol, including prescription drugs. These substances include marijuana, cocaine, methamphetamine, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, amphetamines, opiates, and metabolites of any of these substances; and performance enhancing substances.

Samples will 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 drug testing provider, will develop administrative regulations for collection and testing.

Any student who refuses to be tested during a semester or who tampers with, or assists others in tampering with, any sample will be removed from extracurricular activities.

Initial Tests

All students desiring to participate in school-sponsored extracurricular activities or parking on campus must be tested before they begin participation each year. Students will be tested at the beginning of the school year and at the beginning of the second semester. If initial testing is missed the school will provide testing before participation begins. Testing will occur at a time, place, and date scheduled by the principal in cooperation with the testing agency.

Random Tests

Random tests will be conducted from time to time during the school year or semester. Students will be assigned numbers running consecutively. A record of the numbers and the students to whom they are assigned will be maintained under confidential conditions in the principal's office.

The testing agency, using random selection methods, will generate a list of numbers for each testing date. Students will not be notified in advance of any drug test. When selected for testing, students will be escorted to the school's testing site by a school employee and will remain under employee supervision until a sample is provided. If a student is in school and fails to report for testing at the appointed time, he or she will be removed from the activity.

Positive Test Results

All positive results must be confirmed by a second, more definitive test before being reported as positive. When there is a confirmed positive test result, the following steps will be taken:

1. The Medical Review Officer ("MRO") affiliated with the testing program will notify the parents and inform them of the opportunity to request a retest of the original specimen to confirm the results, at the parent's expense. A request to retest must be made in writing to the high school principal within five working days of the initial notification, and payment for the retest must be included with the request.
2. The high school principal to whom results are reported will notify the Superintendent and activity director.
3. The principal will schedule a meeting with the parent or guardian and the student to develop a plan of assistance for the positive testing student.

Consequences and Sanctions

Students that fail a drug test will automatically begin the sequence of sanctions. If a student is not currently involved in an activity then the sanctions will begin as soon as he/she begins the activity. Example: Positive test in fall for student that does not participate until spring event. Student's sanction will begin when spring event begins.

Sanctions (First Offense)

A first positive test shall result in the following sanctions for students in extracurricular activities and/or student drivers parking on campus.

1. The student shall be suspended from extracurricular activity and lose parking privileges for 15 calendar days. Practice will be permitted.
2. Satisfactory completion of a six-week counseling program, which shall be verified. The District shall provide a list of approved providers and the cost of the program is at student/parent expense. If student fails to complete the counseling program he/she is ineligible until completed.
3. The student shall be tested at each random testing date for the remainder of the school year.

Sanctions (Second Offense)

A second positive test shall result in the following sanctions for students in extracurricular activities and/or student drivers parking on campus.

1. The student shall be suspended from extracurricular activity and lose parking privileges for 30 calendar days. Practice shall be permitted.
2. Satisfactory completion of a twelve-week counseling program, which shall be verified. The Districts shall provide a list of approved providers and the cost of the program is at student/parent expense. If student fails to complete the counseling program he/she is ineligible until completed.
3. The student must provide a negative drug test at the end of the 30 calendar days at the expense of the student/parent. This test must be from a medical clinic.
4. The student shall be tested at each random testing date for the next calendar year from the date of the positive test result.

Sanctions (Third Offense)

A third positive test shall result in the following sanctions for students in extracurricular activities and/or student drivers parking on campus.

1. The student shall be suspended from all extracurricular activities and parking privileges for 365 days.
2. The student must provide a negative drug test at the end of the 365 day suspension.

Sanctions (Fourth Offense)

A fourth positive test shall result in the student being suspended from all extracurricular activities and from driving/parking on campus for the remainder of his/her District attendance.

Effect of Discipline Policy

Nothing in this policy limits or prohibits the application of Board policy providing for disciplinary action for students using, under the influence of, in possession of, or distributing illegal drugs or alcohol on school property or at school events.

***Policy is subject to change by Newcastle ISD Board of Trustees.**