

BREMOND I.S.D.



STUDENT DRUG TESTING PROGRAM

Revised 6/29/2016

ADMINISTRATIVE GUIDELINES AND PROCEDURES

Bremont ISD hereinafter referred to as the District, has a vital interest in maintaining a safe and healthy environment for all students. To help meet this goal, the District has implemented this substance abuse policy.

The District understands that being under the influence of illegal substances poses serious health risks to the user and those associated with the user. Through this program the District intends to educate students as to the serious physical, mental, and emotional harm caused by illegal drug use. Most importantly, the intent of this policy is to be a deterrent to the use of drugs and to provide students assistance to resist peer pressure in the avoidance of drugs.

APPLICABILITY

This policy applies to all students in grades 7-12 who wish to participate in extracurricular activities according to Board Policy (Local FNF). The policy also applies to all students who park on school property during the instructional day.

STUDENT NOTIFICATION

The District shall notify students of this policy by giving each student a copy of the administrative guidelines and obtaining a written consent form (attached) verifying that the student and the parent understand the policy and procedures. Consent forms must be signed by both the student and the parent/guardian, giving permission for participation in extra curricular activities. If a parent/guardian refuses to sign the consent form, or if the consent form is revoked in any way, the student shall not be permitted to participate in extracurricular activities.

TESTING

A laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) will conduct all testing. All specimens that show a positive result on the initial screen will be confirmed by a second test (Gas Chromatography/Mass Spectrometry, GC/MS).

SELECTION FOR TESTING

All students are required to be tested before initial participation in extracurricular activities. Students will be placed in a random pool to be tested at any time during the school year following the initial testing.

FAILURE TO TEST

Students who leave school during the school day must follow proper procedures to avoid missing a possible test. All students leaving school because of illness or other reasons must check out in the office. If the student is scheduled for testing that day, a sample must be given and the student may leave campus. Any student selected for testing without submitting a specimen and leaves school without consent from the office will be considered to have a positive test result.

TESTING PROCEDURES

Testing will take place in the school building and may be performed on any day of the week. Students will be notified of testing just prior to testing. No one in the District will have

knowledge of the testing pool until the day of the test. Students will be called to the testing site one at a time. The testing company personnel will give the student a cup for their urine sample. The sample will then be given to the testing company's personnel. A school administrator or designee will be present at the testing site to assist in the facilitation of the testing.

CONSEQUENCES

A student's discipline and academic report will not be affected by a positive test.

Refer to B.I.S.D. Board Policy FNF Local for the complete list of consequences.

APPEALS

For positive test results, the student or parent/guardian will have the opportunity to submit any relevant medical information which may provide a legitimate explanation for the positive result. For all positive results, the student or parent/guardian will have the option of having a second test performed at the appellant's expense.

CONFIDENTIALITY

All information relating to biological testing or the identification of persons as users of illegal drugs will be kept confidential and disclosed only to the student, the parent/guardian, and school officials with legitimate educational interests as designated by the superintendent. Confidentiality will be maintained at all levels. Test results will not be placed in school records and no action will be taken by the school against the student other than what is outlined in board policy.

PREEMPTION PROVISIONS

Nothing in this guideline shall limit, prohibit, or supercede the application of the District's Board Policy providing for disciplinary action of a student using, possessing, distributing, or selling illegal drugs on school property or at school events. All provisions of the Texas Educational Code Chapter 37 still apply as noted in the Student Handbook.

Bremond ISD
198901

**STUDENT RIGHTS AND RESPONSIBILITIES:
INTERROGATIONS AND SEARCHES**

**FNF
(LOCAL)**

INTERROGATIONS BY SCHOOL OFFICIALS	Administrators, teachers, and other professional personnel may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students have no claim to the right not to incriminate themselves.
BY POLICE OR OTHER AUTHORITIES	For provisions pertaining to student questioning by law enforcement officials or other lawful authorities, see GRA(LOCAL).
LOCKERS AND VEHICLES	<p>Students have full responsibility for the security of their lockers, and for vehicles parked on school property. It is the student's responsibility to ensure that lockers and vehicles are locked and that the keys and combinations are not given to others. Students shall not place, keep, or maintain any article or material that is forbidden by District policy in lockers or in vehicles parked on school property.</p> <p>School officials may search lockers or vehicles parked on school property if there is reasonable cause to believe that they contain articles or materials prohibited by District policy. Students shall be responsible for any prohibited items found in their lockers or in vehicles parked on school property.</p> <p>If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses, the District shall contact the student's parents. If the parents also refuse to permit a search of the vehicle, the District may turn the matter over to local law enforcement officials.</p>
USE OF TRAINED DOGS	<p>The District shall use specially trained nonaggressive dogs to sniff out and alert officials to the current presence of concealed prohibited items, illicit substances defined in FNCF(LEGAL), and alcohol. This program is implemented in response to drug- and alcohol-related problems in District schools, with the objective of maintaining a safe school environment conducive to education.</p> <p>Such visits to schools shall be unannounced. The dogs shall be used to sniff vacant classrooms, vacant common areas, the areas around student lockers, and the areas around vehicles parked on school property. The dogs shall not be used with students. If a dog alerts to a locker, a vehicle, or an item in the classroom, it may be searched by school officials. Searches of vehicles shall be conducted as described above.</p>
NOTICE	At the beginning of the school year, the District shall inform students of the District's policy on searches, as outlined above, and shall specifically notify students that:

DATE ISSUED: 06/12/2006
LDU-24-06
FNF (LOCAL)-X

Bremond ISD
198901

**STUDENT RIGHTS AND RESPONSIBILITIES:
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**FNF
(LOCAL)**

1. Lockers may be sniffed by trained dogs at any time.
2. Vehicles parked on school property may be sniffed by trained dogs at any time.
3. Classrooms and other common areas may be sniffed by trained dogs at any time when students are not present.
4. If contraband of any kind is found, the possessing student shall be subject to appropriate disciplinary action in accordance with the Student Code of Conduct.

**PARENT
NOTIFICATION**

The student's parent or guardian shall be notified if any prohibited articles or materials are found in a student's locker, in a student's vehicle parked on school property, or on the student's person, as a result of a search conducted in accordance with this policy.

**DRUG-TESTING
POLICY**

The District requires drug testing of any student in grades 7-12 who chooses to participate in school-sponsored extracurricular activities and who park on school property during the instructional school day.

SCOPE

A student participating initially in these activities shall be tested for the presence of illegal drugs and alcohol at the beginning of the season in which the student participates. Once initially tested, random testing will occur thereafter.

COVERED ACTIVITIES

School-sponsored extracurricular activities for which testing is required include but are not limited to the following:

1. All UIL and extracurricular activities including academics, music, and athletics
2. Art Club
3. Band (marching), concert, stage, etc.
4. Cheerleading: all squads, including those who try-out
5. Class officers
6. National Honor Society
8. Drama club
9. Twirlers/dance team
10. FFA
11. FCCLA
12. Powerlifting
13. Spanish club
14. High School and Junior High student council
15. Annual staff/yearbook
16. 4-H
17. Career Prep

PURPOSE

The purposes of the drug-testing program are to help enforce a drug-free

DATE ISSUED: 06/12/2006
LDU-24-06

FNF (LOCAL)-X
Bremond ISD
198901

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FNF
(LOCAL)

educational environment; deter student use of illegal and performance-enhancing drugs or alcohol; and educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol.

**DISTRIBUTION OF
POLICY**

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

**ORIENTATION
MEETINGS**

The District shall conduct meetings with parents and interested student participants prior to the beginning of each semester.

Parent attendance at an orientation meeting is not mandatory.

CONSENT

Before a student is eligible to participate in extracurricular activities, the student shall be required annually to sign a consent form agreeing to be subject to the rules and procedures of the drug-testing program. If the student is under the age of 18, the student's parent or guardian shall also sign a consent form. If appropriate consent is not given, the student shall not be allowed to participate in extracurricular activities.

USE OF RESULTS

Drug test results shall be used only to determine eligibility for participation in extracurricular activities or continue parking privileges on school campus during instructional school day. Positive drug test results shall not be used to impose disciplinary sanctions or academic penalties.

Nevertheless, nothing in this policy shall limit or affect the application of state law, local, policy, or the Student Code of Conduct. A student who commits a disciplinary offense shall be subject to consequences in accordance with the Student Code of Conduct.

CONFIDENTIALITY

Drug test results shall be confidential and shall be disclosed only to the student, the student's parents, and designated District officials who need the information in order to administer the drug-testing program. Drug test results shall not be maintained with a student's academic record. Results shall not be otherwise disclosed except as required by law.

**TESTING
LABORATORY**

The Board shall contract with a certified drug-testing laboratory to conduct testing of students' urine samples.

Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District.

**SUBSTANCES FOR
WHICH TESTS ARE
CONDUCTED**

The District shall make available to students and parents a list of the exact substances for which tests will be conducted.

DATE ISSUED: 06/12/2006
LDU-24-06

FNF (LOCAL)-X

Bremont ISD
198901

STUDENT RIGHTS AND RESPONSIBILITIES:
INTERROGATIONS AND SEARCHERS

FNF
(LOCAL)

The drug-testing laboratory shall test for the presence of any, but not limited to the following:

Performance-enhancing substances, including anabolic steroids
Marijuana
Cocaine
Methaqualone
Benzodiazepines
Phencyclidine (PCP)
Methadone
Barbiturates
Propoxyphene
Amphetamines
Opiates
Metabolites of any of these substances

COLLECTION
PROCEDURES

Personnel from the drug-testing laboratory shall collect urine samples under conditions that are no more intrusive than the conditions experienced in a public restroom. When selected for testing, a student shall be escorted to the school's testing site by a District employee and shall remain under employee supervision until the student provides a sample. Samples shall be produced by a student from behind a closed restroom stall. A District employee of the same gender as the student shall be present when any samples are collected.

RANDOM TESTING

Random tests shall be conducted on as many as nine dates throughout the school year.

No less than ten percent of the students participating in the program shall be randomly selected for each random test date.

The drug-testing laboratory shall use a random selection method to identify students chosen for random testing. Students shall not receive prior notice of the testing date or time.

REFUSAL TO TEST OR
TAMPERING

A student who refuses to be tested when selected 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 test 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

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

DATE ISSUED: 06/12/2006

LDU-24-06
FNF (LOCAL)-X
Bremond ISD
198901

STUDENT RIGHTS AND RESPONSIBILITIES:
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FNF
(LOCAL)

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 school days following the meeting to provide a medical explanation for a positive result.

CONSEQUENCES

Consequences of a positive test results shall be cumulative in grades 7-8 and in grades 9-12.

A student who has a confirmed positive drug test shall be subject to the following consequences:

FIRST OFFENSE

The student shall be suspended from any extracurricular activity for 30 school days and be denied parking privileges for 30 school days.

During the period of suspension, the student may participate in practices but not in any competitive activities.

RETESTING

If the student wishes to return to participation in extracurricular activities and resume parking privileges, the student must be retested at the end of the period of suspension and have a negative test result; the student shall be retested on the next three random test dates.

DRUG ABUSE
PREVENTION

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

SECOND OFFENSE

The student shall be suspended from any extracurricular activity and be denied parking privileges for 90 school days following the date the student and parent are notified of the test results. Students shall be required to test negative at every random drug test during the suspension period.

THIRD OFFENSE

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

The student shall be suspended from participation in any extracurricular activity and parking privileges for 365 calendar days. Student shall be required to test negative at every random drug test during the suspension period.

END-OF-SEMESTER
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 first semester of the following school year.

DATE ISSUED: 06/12/2006
LDU-24-06
FNF (LOCAL)-X
Bremond ISD
198901

STUDENT RIGHTS AND RESPONSIBILITIES:
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FNF
(LOCAL)

APPEALS

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

DATE ISSUED: 06/12/2006
LDU-24-06
FNF (LOCAL)-X
BREMOND ISD
STUDENT DRUG TESTING CONSENT FORM

Student Name: _____

_____ I acknowledge that the student named above participates in extracurricular activities and may park on school property at Bremond I.S.D. By our signatures below, we agree to participate in the B.I.S.D. drug testing program. We understand that failure by either of us to sign this form shall result in the removal from all extracurricular activities including practice and competition and the loss of parking privileges on school property. If either of us is unclear about any aspect of the drug testing policy, it is our responsibility to contact the District.

_____ The student named above does not participate in extracurricular activities at B.I.S.D., however as parent/guardian, I give my consent for the student named above to participate in the District's drug testing program.

_____ The student named above does not have my permission to participate in the drug testing program at Bremond I.S.D. I understand that my child will not be able to participate in any extracurricular activity as a representative of Bremond I.S.D., nor be given the privilege of parking on school property during the school day.

Our signatures below affirm that we are aware of our responsibilities.

Student Name Date

Parent Name Date