



Brock ISD Alcohol and Drug Testing Policy

INTRODUCTION

Brock Independent School District is committed to providing our youth a safe and drug free environment in which to grow and flourish. Because of this commitment, Brock ISD has implemented an alcohol and drug testing program for all students in grades 7 through 12.

PURPOSE

The purposes of the drug-testing program are to prevent injury, illness, and harm resulting from the use of illegal drugs or alcohol; help enforce a drug-free educational environment; deter student use of illegal drugs or alcohol; and educate students regarding the harm caused by the use of illegal drugs or alcohol.

MANDATORY DRUG TESTING PROGRAM

The District requires drug testing of any student in grades 7 – 12 who chooses to participate in school-sponsored extracurricular activities or requests a permit to park a vehicle on school property.

COVERED ACTIVITIES

School-sponsored extracurricular activities for which testing is required include all extracurricular activities.

SCOPE

Students in grades 9 – 12 participating in these activities or requesting a parking permit shall be randomly tested throughout the school year for the presence of illegal drugs and alcohol, prior to receiving a parking permit, and prior to joining an extracurricular program at any time during the school year. Student in grades 7 and 8 participating in these activities shall be randomly tested throughout the school year.

A student new to the District shall be tested on the first random test date after enrollment.

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 or receipt of a parking permit.

ORIENTATION MEETING

The District shall conduct meetings with parents and interested student participants prior to the beginning of each school year. District employees shall explain the drug-testing program, review the policy and consent form, and provide an educational presentation on the harmful effects of drug and alcohol abuse. Student attendance at the orientation meeting is mandatory; however, parent attendance is not required.

CONSENT

Before a student is eligible to participate in extracurricular activities or to receive a parking permit, 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 or to receive a parking permit.

USE OF RESULTS

Drug test results shall be used only to determine eligibility for a parking permit and participation in extracurricular activities. 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-testing 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.

SUBSTANCES FOR WHICH TESTS ARE CONDUCTED

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

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. A student shall produce a sample within 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 twelve dates throughout the school year. No less than ten percent and no more than 50 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.

CONFIRMATION OF POSITIVE RESULTS

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

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, as applicable, to review the test results and discuss consequences.

The student or parent shall have five school days following the meeting to provide a medical explanation for a positive result.

RETESTING

If the student wishes to return to participation in extracurricular activities or have a parking permit reinstated after any applicable consequences, the student must be retested at the end of the period of suspension and have a negative test result; following that, the student shall be retested for one calendar year so long as the student wishes to participate in extracurricular activities or park a vehicle on school property.

CONSEQUENCES

Consequences of positive test results shall be cumulative through the student's enrollment in middle school and shall begin anew for high school.

FIRST OFFENSE

Upon a first offense of receiving a confirmed positive drug test, a student shall be suspended from any extracurricular activity, and the student's parking permit shall be suspended, for 30 calendar days following the date the student or parent is notified of the test results.

A student shall complete a drug counseling program approved by the District within the 30 calendar days of suspension. If the student fails to complete the drug counseling program within 30 calendar days, he or she shall not be allowed to park a vehicle on school property or to participate in extra-curricular activities until the program is completed. During the period of suspension, the student may participate in practices but not in any competitive activities or performances.

SECOND OFFENSE

Upon a second offense of receiving a confirmed positive drug test, a student shall be suspended from any extracurricular activity, and the student's parking permit shall be suspended, for 180 calendar days following the date the student and parent are notified of the test results.

A student shall complete a drug counseling program approved by the District within the 180 calendar days of suspension. If the student fails to complete the drug counseling program within 180 calendar days, he or she shall not be allowed to park a vehicle on school property or to participate in extra-curricular activities until the program is completed.

During the period of suspension, the student shall not be permitted to participate in practices.

THIRD OFFENSE

Upon a third offense of receiving a confirmed positive drug test, a student shall be suspended from participation in any extracurricular activity, and the student's parking permit shall be suspended, for the remainder of the student's enrollment in the District. During the period of suspension, the student shall not be permitted to participate in practices.

REASONABLE SUSPICION TESTING

Upon reasonable suspicion by a staff member that a student is under the influence of a drug or alcohol while at school or a school-related activity, that student may be required by the principal or designee to submit to a drug use or alcohol test at any time. Reasonable suspicion shall be based on specific personal observation concerning the appearance, speech, or behavior of the student that indicates the effects of drug or alcohol use. Information provided by a reliable source, if based on personal knowledge, may also constitute reasonable suspicion.

A parent or guardian may make a written request that his or her child be tested during the next scheduled random testing date. If the student tests positive, he or she shall be subject to the same guidelines as students who are randomly/specifically selected.

VOLUNTARY DRUG TESTING PROGRAM

The parent of a student in grades 7 – 12 who does not participate in an extracurricular activity or the parent of a student in grades 9 – 12 who does not request a permit to park a vehicle on school property may at any time enroll his or her child in the District's drug-testing program. Students enrolled in the voluntary program shall be included in the pool for random testing along with students in the mandatory program for extracurricular activity participants and parking permit recipients. A student who is 18 years of age or older may withdraw from the voluntary program at any time by completing a form provided by the District. A student under the age of 18 may withdraw from the voluntary program only with written consent from the parent.

APPEALS

A student or parent may appeal a decision made under this policy in accordance with FNG (LOCAL). The District shall not accept for any part of its drug-testing program, including for purposes of an appeal of a positive test, any test results submitted by a parent or student from a drug test not performed by the District's contracted testing laboratory as part of the District's drug-testing program. The student shall be ineligible for participation in extracurricular activities or reinstatement of parking privileges while the appeal is pending.

**BROCK INDEPENDENT SCHOOL DISTRICT
DRUG/ALCOHOL SCREENING TEST
STUDENT/PARENT CONSENT**

I, _____, as a parent/guardian of _____,

a minor student enrolled in Brock ISD and participating in extra-curricular activities or requesting a school parking permit, represent that I have the authority to consent to drug/alcohol testing of my child.

I understand the Brock Independent School District's ("BISD") policy regarding substance abuse and participation in BISD sponsored extracurricular activities. I understand that it is the practice of the BISD to conduct drug/alcohol tests for the purpose of carrying out this policy and before allowing students to participate in extracurricular activities or receive parking permits. I understand that my child cannot be compelled to give a urine sample. **I UNDERSTAND THAT IF HE/SHE GIVES A URINE SAMPLE IT WILL BE TESTED FOR DRUGS AND/OR ALCOHOL.** I understand that the giving of a urine sample, when requested by the BISD is a condition of my child's continued participation in extracurricular activities and parking privileges. I understand that if a test of my child's urine sample reveals an unexplained presence of a drug or alcohol, the BISD may take disciplinary action against him/her up to and including termination from participation in extracurricular activities or revocation of their parking permit. An exception will be made for use of legally prescribed medications taken under the direct supervision of a physician. **BASED ON MY UNDERSTANDING OF THE ABOVE, I HEREBY AUTHORIZE 24/7 MOBILE DRUG and ALCOHOL TESTING TO COLLECT A URINE SAMPLE FROM MY CHILD FOR THE PURPOSE OF TESTING FOR THE PRESENCE OF DRUGS AND/OR ALCOHOL.**

I further authorize the officers, employees, and agents of 24/7 Mobile Drug and Alcohol Testing and BISD to communicate my Child's drug/alcohol test results both orally and in writing, and to communicate such test results to the BISD Principal and Athletic Director. I also authorize the officers, employees, and agents of 24/7 Mobile Drug and Alcohol Testing and BISD to have continued access to my child's urine sample/test results for the purpose of any further analysis or study that may be necessary, and require the results be communicated to me prior to any BISD administrative proceedings or disciplinary actions. I understand that this information will not become part of my child's medical record. I also understand that no physician/patient relationship is established by the collection of this urine sample by 24/7 Mobile Drug and Alcohol Testing, and that no privilege of confidentiality will be attached to these test results.

I HEREBY RELEASE AND HOLD HARMLESS 24/7 MOBILE DRUG and ALCOHOL TESTING, ITS TRUSTEES, OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES, AND MEDICAL STAFF MEMBERS FROM ANY AND ALL LIABILITY, CLAIMS, DAMAGES AND COSTS THAT MAY ARISE AS A RESULT OF ANY ACTION TAKEN OR UNFAVORABLE OUTCOME THAT OCCURS AS A RESULT OF THIS DRUG/ALCOHOL TEST.

My child has taken the following prescribed and/or over the counter drugs or substances within the last two weeks:

**This is a legal consent and release of liability form. Please read it carefully
and be sure your questions have been answered before signing.**

Parent/Guardian Signature

Student Signature

Printed Full Name (Parent/Guardian)

Printed Full Legal Name of Student

Date

Student ID #