

OVERVIEW

The Henry County Board of Education promotes a safe and drug-free learning environment for its students. To realize our goal of each student fulfilling their educational needs and utilizing their talents and skills, it is important that every student understand the dangers of alcohol, tobacco and drug use. The most recent Pride Survey indicates the students in the Henry County School System unlawfully use alcohol at rates above the state norm. Recognizing that participation in extracurricular activities is a privilege and not a right, students enrolled in the Henry County School System in grades 7-12 may be required to submit to random, unannounced screenings for alcohol and drug testing. The Board reserves the right to depart from this policy where it deems it is appropriate except where prohibited by law. Students will be notified of changes.

This policy will apply to the following groups of students:

Activity students, consisting of students participating in (a) athletics or cheerleading in Board sponsored school sports team or cheerleading dance squads, and (b) other Board-sponsored, school related extracurricular activities.

Students in extracurricular activities represent the school in competitions, performances and other activities. Their decision to abstain from the use of alcohol or other drugs is likely to influence the choices of other students. Also, the use of alcohol/other drugs by athletes or cheerleaders is likely to increase the risk of injury to the user or others.

OBJECTIVES

1. To create and maintain a safe, drug-free environment for all students.
2. To deter the use of tobacco, alcohol and drug use among students.
3. To encourage any student to seek help in overcoming a substance problem.
4. To reduce the likelihood of incidence of accidental injury and/or damage to students, employees or property.
5. To give students a reason to say “no” to engage in substance abuse.
6. To minimize the likelihood that school property will be used for illicit drug activities.
7. To protect the reputation of the school system and its students.
8. To educate parents and students to the dangers and warning signs of alcohol and drug use.
9. To reduce behavioral problems in the classroom and promote general health and well being of all students.

ENFORCEMENT

The testing procedures in this Policy, where practical, follow 49 CFR Part 40 and the Omnibus Transportation Employee Testing Act of 1991. Board officials will be trained in observational skills to determine ‘reasonable suspicion’. The Board will develop the drug testing process using guidelines of the federal Substance Abuse and Mental Health Services Administration. (SAMHSA). The drug testing administrator will provide periodic computerized random selection list of students to the Drug Testing Coordinator. Students whose names appear on the list will be notified and required to report immediately to the designated collection site for substance screening. If a student checks out of school prior to being selected for testing or is absent the day of testing, he/she may be required to be tested the first day they return back to school. If a selected student seeks to check out of school once testing has begun at the school, the student must be tested prior to checking out.

In order to achieve the objectives described, the Board reserves the right to require all Activity students to submit to random drug testing to maintain safety and security. Students may be tested prior to beginning a seasonal activity, during the season of the activity on a random basis without advance notice. Once a student is placed in the Random testing pool the student is subject to testing for the remainder of the year. Any student testing positive for drugs (which is confirmed by the Medical Review Officer) or alcohol will be subject to certain consequences which may include immediate suspension from student activities.

A refusal to submit to testing or to cooperate with the Board in any test investigated will result in immediate suspension in extracurricular activities for 365 calendar days. A student’s privilege will be reinstated pursuant to the Consequences section of this policy. No Activity student testing positive, refusing to test, or refusing to cooperate with testing or being in violation of this policy will be penalized academically or for nonparticipation in afterschool extracurricular activities.

CONFIDENTIALITY

All reports and test results and other information will be kept confidential by the Board and may not be used as evidence or disclosed in public or private proceedings except in the following:

- (a) Written consent of student authorizing release of the information to an identified person.
- (b) To a student having decisions made in a lawsuit, grievance or other proceedings initiated by or on behalf of the student.
- (c) When compelled to do so by federal or state law or order from a court of competent jurisdiction.

All questions should be directed to the Board's Drug Testing Coordinator. Any employee responsible for a breach of the confidentiality provisions of this policy shall be subject to appropriate disciplinary action, including termination if warranted.

CLARIFICATION

This policy does not circumvent or replace the Board's Code of Conduct pertaining to the use, possession, distribution, manufacturing of drugs or alcohol or other drugs at/or away from school, Board property, or school sponsored events. Violations of policies and rules will follow normal Board policy consequences. The consequences under the Drug Testing policy will become secondary.

ALCOHOL AND DRUG TESTING

Drug and alcohol testing have been demonstrated to be accurate methods of determining the presence or absence of alcohol or drugs in a person's body. Breath, oral fluid, hair or urine can be used for testing.

PROCEDURES

I. General Policy

Research has proven that illegal drugs, abused prescriptions drugs and alcohol can impair judgment and reflexes which can create unsafe conditions for students. The use of illegal drugs and alcohol can result in serious injuries to students. For these reasons, the Henry County Board of Education has adopted a policy that all Activity Students be subjected to random drug testing to ensure they are free from the effects of alcohol and/or drugs, unless prescribed by a physician.

II. Drug Use/Distribution/Impairment/Possession

All Activity Students are prohibited from using, possessing, distributing, manufacturing, or having controlled substances present in their system while at School or participating in extracurricular activities.

III. Alcohol Use/Possession/Impairment

All Activity Students are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while at School or participating in Extra-curricular activities.

IV. After School Hours Conduct

After school hours use of drugs, alcohol or any prohibited substances is unlawful

and may result in a positive test, in violation of this policy.

V. Prescription Drugs

The proper use of medication prescribed by a physician is not prohibited; however, the Henry County Board of Education prohibits the misuse of prescribed or Over The Counter medications and requires all Activity Students using drugs at the direction of a physician to notify the school nurse/sponsor where these drugs may affect their performance, such as drowsiness.

VI. Procedure for Current Extracurricular Students

a. Applicants are required to sign a Student Consent and Release Form before submitting to screening.

b. Random Testing

The Board will conduct random unannounced screening of Activity Students. A randomizer computer program will be utilized to provide computerized random sample lists to the Drug Testing Coordinator. The Activity Students selected randomly will be required to report to the Board-designated collection site for testing.

c. Return to Participation Testing

All Activity Students referred through the proper channels to undergo a counseling or rehabilitation program or who is suspended from participation in an extracurricular activity or parking for abuse of substances covered under this policy will be subject to monthly unannounced testing following return to extracurricular activities for no less than 12 months.

VII. Testing Procedures

A. General Guidelines

The School Board will use the guidelines of the Federal Department of Transportation, Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 49 C.F.R. Part 40, when practical, if a specific topic is not covered by the procedures or policy adopted by the Board.

B. Substances Tested

Activity Students may regularly be tested for: Alcohol, amphetamines, methamphetamines, cannabinoids, cocaine, opiates, barbiturates, methadone, PCP, propoxyphene, and benzodiazepines.

C.
~~C.D.~~ Students may be tested for other substances without advance notice as part of a test performed by the Board for safety purposes.

VIII. Collection Sites

The primary designated site for collection of specimens will be on the campus at the site where the student is located. Students may occasionally be tested at an off-campus testing facility if circumstances warrant.

IX. Collection Procedures

The Henry County Board of Education -and the laboratory will maintain a documented procedure for collecting, shipping and accessing specimens. The process will be conducted to protect the privacy of the student. The laboratory will follow a chain-of-custody testing protocol and utilize immunoassay testing in combination with gas chromatography/mass spectrometry (GC/MS) or equivalent procedure for confirmation testing. All students selected for testing will be required to execute a Student Consent and Release Form.

X. Evaluations and Return of Results to the Board

The laboratory will transmit directly (-fax, mail, or computer) the results of all tests to the Board's MRO. The MRO will review and confirm the individual's testing positive have used drugs or adulterated the specimen in violation of School Policy. The MRO will give the student or his/her parents the opportunity to discuss the results in person or over the phone and provide evidence the student was taking medication that could have produced a positive result, or if for some reason in accordance with Part 40 procedures allow the MRO to determine that the test is not as the result of violation of this policy. This procedure is completed before the Board is notified of the results. Any delay of 5 days by the parents/guardians could be viewed as a waiver.

The MRO will promptly notify the Drug Test Coordinator which students tested positive that had no legitimate medical explanation. -The Henry County Board of Education will then schedule a conference between the students and the parents or legal guardians to discuss the positive test results and the consequences and appropriate interventions.

XI. Release of Test Results

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the Board through the drug and alcohol testing

program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with this Policy and the Student Consent and Release Form. Students must consent to release test results to school officials who have a need to know. Parents or guardians will be informed of confirmed positive test results by the School Principal, Assistant Principal or Board Designee.

XII. Request for Retest

The parent/guardian or the student may request a retest of a split specimen within 72 hours of the notification of the test result. Any request for a retest must be submitted in writing to the MRO and such test must take place as soon as possible at the expense of the parent/guardian. The retest must meet the criteria outlined in the policy. If a separate Split Specimen B is requested, the Drug Testing Agency will arrange transportation of the specimen.

XIII. Notice Requirements

This policy must be made available to students by school officials in a timely manner. Certified employees must, at the beginning of the activity (i.e. football practice, marching band practice, etc) discuss the provisions of this policy with students and parents. The discussion will include the following topics: purpose, random sampling procedures, sample collection procedures, reporting procedures and confidentiality requirements. A public forum is recommended.

XIV. REASONABLE SUSPICION

When a trained school official has reasonable suspicion that a student has violated the substance abuse policy, the trained observer may reasonably inspect lockers, vehicles, purses, clothing, book bags or other belongings of the student without prior notice of the student. If a student refuses to move a personal lock, a school official or outside agency will be permitted to do so for the student. Any costs involved will be paid for by the parents/legal guardians. The Drug Testing Coordinator will be notified immediately.

When there are observable circumstances which provide reasonable suspicion to believe an Extracurricular Student has abused tobacco, alcohol, and other drugs, that student may be required to submit to drug testing at an approved testing facility. Determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations which may concern the appearance, behavior, speech or body odor of the student.

The school official requiring testing shall complete and sign written documents explaining the circumstances and evidence he/she relied within 24 hours of the testing or before the results of the test are released, whichever is earlier.

The school official must have completed 60 minutes of training on alcohol abuse and an additional 60 minutes on controlled substance misuse. It is encouraged to obtain a second trained official's documented opinion.

Henry County Board of Education Drug Free School Policy

Student Consent and Release Form

I, _____ have read the above statement of policy and agree to abide by the Board’s drug and alcohol rules. I understand that no Activity Student testing positive, refusing to test, refusing to cooperate with testing or being in violation of this policy will be penalized academically.

_____ I agree to submit to drug and/or alcohol tests in accordance with the policy as a condition of my initial or continued participation in extracurricular activity.

I do hereby give my consent to the School Board to collect a specimen from me, and I further give my consent to the Board to forward the sampled(s) to the testing laboratory for its performance of appropriate tests thereon to identify the presence of drugs and/or alcohol and then to transmit the results to the Board’s Medical Review Officer(MRO).

I authorize any laboratory or MRO to release test results to the Henry County School System. I authorize the MRO to release final test results to the Board.

I also expressly authorize the Board or its MRO to release any test-related information, including positive results:

- (a) As directed by my specific, written consent authorizing release of the information to an identified person.
- (b) To my decision maker in a lawsuit, grievance, or other proceeding initiated by me or on my behalf.

I understand that the refusal to submit to testing or a positive or adulterated test result will affect my initial or continued participation in extracurricular programs and result in consequences as described in the Henry County School System Drug Free School Policy.

Student Date

Parent or Guardian Date Witness Date
CONSEQUENCES

For any violation of the policy, including testing positive in a confirmation test, testing positive for adulteration, refusing to submit to screening, refusing to execute a release, or refusing to cooperate with an investigation by the administration, the consequences for said violations are as follows (these consequences are applicable to all students who volunteer to be drug tested).

First Violation:

- Activity Student suspended from extracurricular activity for 14 school days.
- Student may not participate in extracurricular activities during the suspension.
- Reinstatement requires a negative test.
- Reinstatement requires a completion of Level I interventions.

Level I Interventions

- Parent and student must attend conference with a school drug coordinator.
- Student and parent must attend prevention counseling session with a prevention counselor.
- Student and parent must attend one AA/NA meeting.
- Student must report to a designated school counselor each week for four weeks.

Second Violation:

- Activity student suspended from extracurricular activity for 30 school days..
- Student may not participate in extracurricular activity during the suspension.
- Reinstatement requires a negative test.
- Reinstatement requires a completion of Level II interventions.

Level II Interventions:

- Parent and student must attend conference with a school drug coordinator.
- Student must attend one of the prevention programs indicated on the list of approved programs. Parents are responsible for tuition for programs that require tuition.
- Students must report to a designated school counselor each week for six weeks.

Third Violation:

- Activity student suspended from extracurricular activities for 365 calendar days.
- Student may not participate in extracurricular activities during the suspension.
- Reinstatement requires a negative test.
- Reinstatement requires a completion of Level III interventions.

Level III Interventions

- Parent and student must attend a conference with a school drug coordinator.
- Student will be required to attend a prevention program indicated or a program approved by the school system.

EXTRACURRICULAR LIST

Extracurricular activities are defined as any school sanctioned or sponsored activity outside of the regular classroom. These may include but are not limited to:

- Band
- Baseball
- Basketball
- Builder's Club
- Chess Team
- Cheerleading
- Chorus
- DECA(Distributive Education)
- FCA(Fellowship of Christian Athletes)
- FBLA(Future Business Leaders of America)
- FHA(Future Homemakers of America)
- First Priority
- Football
- Golf
- Honor Society
- Key Club
- Science Olympiad
- Soccer
- Softball
- Student Council
- Student Government Association
- Tennis
- Track
- Volleyball
- Yearbook Staff