

Drug and Alcohol Testing of Students who Participate in Extra-curricular Activities

I. Findings and Purpose

The School Board of Jackson County, Florida recognizes that an increasing number of students in the Jackson County School District and throughout our nation are involved in the illegal use of drugs and alcohol by students during school hours and at other times. This continues to have a direct detrimental impact upon students' behavior, academic performance and safety and may cause permanent physical and mental harm. The School Board also finds that some students who participate in extra-curricular activities and who are popular role models among their peers are also involved in the illegal use of drugs and alcohol. It has been determined that, in addition to the harm that any student would experience as a result of illegal use of drugs and alcohol, students will also experience other harmful affects including interference with their performances, interference with their academic performance, as well as a higher risk of injury to themselves (due to the inability to feel pain) or their peers, including their athletic opponents or others who participate in school-sponsored events. There is also the possibility of reduction of motivation and the level of discipline that extra-curricular activities require.

Based on these facts, the School Board has determined that there is a compelling need to initiate programs and procedures for drug testing to deter and reduce the use of illegal drugs by students. In addition, the Jackson County School Board feels there is a need to identify those illegal substances being used by students and provide education regarding the affects of such use. Equally important is the need to facilitate appropriate counseling and/or treatment for student identified as being a drug and/or alcohol user.

II. Effective Date and Scope

This policy shall become effective on November 23, 2005, and shall be initiated at the Jackson County Public Schools, grades 6-12, with any extra-curricular programs as defined in the section *III. Definitions*. This policy shall remain in effect until such time as the School Board either repeals or amends this policy.

III. Definitions

For purposes of this policy, the following terms and phrases shall be defined as follows:

- A. **Extra-curricular activities** shall mean any student enrolled in the Jackson County School District (to include private or home school students) who participate or applies to participate in any extra-curricular activity. Extra-curricular activities refer to programs, activities, clubs and organizations that meet outside the regular school day/class. Some include, but are not limited to FCCLA, FFA, FBLA, HOSA, CECF, Academic Bowl Team, Beta, athletic teams, band, chorus and FCA.
- B. **Alcohol** shall mean any beverage, mixture or preparation, including any medications or other products, containing alcohol or ethanol.
- C. **Drugs** shall mean any substance or drugs identified in schedules I through V of 21 United States Code Section 202 (Controlled Substance Act) and as further

defined by 21 CFR 1300.11 through 1300.15 and Section 893.03, Florida Statutes, and shall include, without limitation, cannabinoids (marijuana), amphetamines, benzodiazepine, ethanol (alcohol), cocaine, opiates, and Propoxyphene.

- D. **Medical Review Officer or “MRO”** is a licensed physician who has agreed to provide services to the School Board for the purpose of reviewing drug tests results and communicating with the extra-curricular student concerning any positive drug test as more specifically described herein.
- E. **Parent** shall mean the parent or legal guardian of an extra-curricular student.
- F. **Positive Test Result** is a drug test administered pursuant to this policy and deemed to have a positive result if the indicators show the presence of a drug or alcohol on the testing instrument, pending confirmation by a Medical Review Officer at a certified testing lab.

IV. General Probabilities for Extra-curricular Students

A. Standard of Conduct for Students in Extra-curricular Activities

The use or possession of a drug, as defined, herein, by a student who participates in extra-curricular activities at any time is both illegal and detrimental to the students’ ability to participate in any school activity and is hereby prohibited. Any student who participates in an extra-curricular activity determined to be in violation of this policy is subject to disciplinary action related to his or her participation in that activity, which shall include suspension or removal from participation for a part of that year or the entire year.

B. Code of Student Conduct

Nothing contained in this policy for drug testing for students involved in extra-curricular activities shall be construed to limit the application and enforcement of the Student Code of Conduct, including all of its provisions pertaining to drugs and alcohol pending confirmation by a MRO at the certified testing lab.

V. Testing Procedures

1. Sponsors/Coaches of all extra-curricular activities will submit a roster of participants to the District Contact (Director of Safe Schools).
2. Each student, participating in extra-curricular activities and their parent must complete JC – 465, Student Random Drug and Alcohol Consent Test Form. Failure to complete and return the JC – 465 will result in the student not being allowed to participate in any extra-curricular activities.
3. The District Contact (Director of Safe Schools) will submit the roster of participants to the drug and alcohol testing company.
4. The company will randomly select students to be tested from the roster of participants submitted by sponsors/coaches to the district contact, and the company will conduct testing on-site at the school.
5. Drug testing in schools will be done by a three-step process (1) an initial immunoassay screening test that if positive (2) is confirmed by an alternate technology, and then (3) final results reviewed by a Medical Review Officer (MRO).

6. Students, who wish to participate in any extra-curricular activity after the roster has been submitted, must have their name added to the roster submitted to the District Contact (Director of Safe Schools). Prior to participation, the student must submit to a drug and alcohol test at the testing company's facility.
7. All participants will be randomly tested on a monthly basis.
8. To be removed from the roster of students to be tested, the student must complete and submit JC – 466, the Activity Drop Form.

VI. Refusal to Submit to Random Testing

If a student participating in extra-curricular activities who has signed the consent form and whose name was randomly selected for testing refuses to be tested for alcohol or drugs the following shall occur:

- A. The principal or his/her designee must immediately contact the student's parent/guardian and advise them of the refusal of the student to take the test. If the parent/guardian also refuses for the student to be tested or the student continues to refuse to be tested, then the student shall immediately be suspended from all extra-curricular activities and on-campus driving privileges for one year from the date of the refusal.
- B. After at least thirty (30) school days of suspension, the student may choose to be drug tested. Upon receiving a negative result, the student may participate in extra-curricular activities and have on-campus driving privileges reinstated. The vendor used for testing must be the collection agency currently being used by the Jackson County School Board. The test results must be submitted in writing directly from the vendor to the Jackson County School Board Contact or his/her designee. The test will be done at the expense of the student or his/her parent/guardian.
- C. At the end of the one-year suspension, the student shall be required to submit to a drug test and render a negative result in order to participate in any extra-curricular activities or have on-campus driving privileges reinstated. The test will be done at the expense of the student or his/her parent/guardian.
- D. Failure to take the test the following year or years shall result in the same suspensions.

VII. Procedures In The Event of Positive Results

Positive Test Results

If a student test positive on-site, the testing facility employee shall notify the District Contact (Director of Safe Schools), who will then, in turn, notify the Superintendent. No one else will be notified of the pending result until it is confirmed by the MRO. Once a positive has been confirmed to the District Contact (Director of Safe Schools), by the MRO, the Superintendent will be notified. The Superintendent will then notify the principal. The principal or his designee shall schedule a conference with the student and his/her parent/guardian and other appropriate school personnel, as deemed necessary, to discuss any positive test results and the consequences. This shall be referred to as the "Positive Test Conference". The parent must, at this meeting, determine if additional test of the split sample will be performed at their expense. However, if the second test

analysis renders a negative result, the Jackson County School Board will assume financial responsibility and no further action will be taken and all records pertaining to a positive result will be expunged.

A. First Positive Result

1. The student shall be ineligible to participate in all extra-curricular activities and on-campus driving privileges for one year from the date of the positive test; or
2. The student and his/her guardian must complete all of the following:
 - a) The student shall receive a fifteen (15) school day suspension from all extra-curricular activities and on-campus driving privileges.
 - b) Within five (5) school working days after the positive test conference the student must enroll in a substance abuse counseling/program that is licensed by the State of Florida. Counseling/Program may be provided by a substance abuse professional, a licensed clinical social worker, a licensed marriage and family therapist, a licensed psychologist or a licensed mental health counselor. Failure to enroll in or complete the aforementioned counseling/program shall result in a suspension from all extra-curricular activities and on-campus driving privileges for one year.
 - c) The student must attend a minimum of six (6) sessions which must be completed within six weeks from the date of the positive test conference.
 - d) Upon proof of enrollment in an approved substance abuse counseling/program and completion of the fifteen (15) school day suspension, the student may submit to another drug test. If the student has a negative test result, the student may resume participation in extracurricular activities and on-campus driving privileges.
 - e) In the event the test is positive, the student moves to the second positive result level.
 - f) The substance abuse program and drug tests shall be at the expense of the student or his/her parent/guardian.

B. Second Positive Result

1. The student shall be ineligible to participate in all extra-curricular activities and on-campus driving privileges for one year from the date of the positive test conference; or
2. The student and his/her parent/guardian must complete all of the following:
 - a) The student shall receive a thirty (30) school day minimum suspension from all extra-curricular activities and on-campus driving privileges.
 - b) Within five (5) school days after the positive test conference, the student must enroll in a substance abuse counseling/program that is licensed by the State of Florida. Counseling/Program may be provided by a substance abuse professional, a licensed clinical social worker, a licensed marriage and family therapist, a licensed psychologist or a licensed mental health counselor. Failure to enroll in or complete the aforementioned

counseling/program shall result in a suspension from all extra-curricular activities and driving privileges for one year.

- c) The student must attend a minimum of twelve (12) sessions, which must be completed within twelve weeks from the date of the positive test conference and consent to a drug test every 90 days for a period of one year.
- d) Upon proof of enrollment in an approved substance abuse counseling/program and completion of the thirty (30) school day suspension, the student may submit to another drug test. If the student has a negative test result, the student may resume participation in extra-curricular activities and on-campus campus driving privileges.

C. Third Positive Result

The student shall be in eligible to participate in all extra-curricular activities and driving privileges for one year from the date of the positive test conference.

VIII. Non-Punitive

No student shall be penalized academically for testing positive for alcohol, or drugs. The results of the drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results will not be disclosed to criminal or juvenile authorities absent legal compulsion by a valid and binding subpoena or other legal process, which the school shall not solicit. In the event of service of any such subpoena or legal process, the student and his/her parent/guardian will be notified at least 72 hours before response is made by the school.