

Franklin County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Student Alcohol and Drug Testing	Descriptor Code: 6.3071	Issued Date: 08/08/16
		Rescinds: 6.3071	Issued: 05/09/16

1 According to TCA 49-6-4213, a student may be subject to testing for drugs if there are reasonable
2 indications to the principal that such student may have used or is under the influence of drugs. The
3 standards of reasonableness stated below must be met. Tests shall be conducted by properly trained
4 persons in circumstances that ensure integrity, validity, accuracy of the tests but are minimally intrusive
5 and maximum privacy to the tested student.

6 Students will be notified in writing at the beginning of each school year or at the time of enrollment that
7 they shall be subject to testing for drugs and alcohol during the school year. Principals are authorized to
8 order drug tests for individual student when the following standards of reasonableness are met:

- 9 1. The school board policy on alcohol and drug use has been violated;
- 10 2. A search of lockers produced evidence of the presences of drugs and/or alcohol;
- 11 3. A search of persons and containers produced evidence of a presence of drugs and/or alcohol;
- 12 4. A search of vehicles produced evidence of the presence of drugs and/or alcohol; or
- 13 5. Through observation or other reasonable information reported by a teacher, staff member of other
14 student that a student is using drugs and/or alcohol on school property.

15 **Alcohol**

16 Students shall not acquire, possess, use, sell, purchase, barter, distributor, or be under the influence of
17 alcoholic beverages or intoxicants of any kind in school buildings or on school grounds at any time, or
18 in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the
19 school grounds.

20 The school principal shall be immediately notified when a student is suspected of violating this policy.
21 The incident shall be investigated; the process of gathering facts shall be completed. The principal shall
22 not take action without first advising the student of the nature of his/her misconduct, questioning the
23 student about the nature of the misconduct, and allowing the student to give an explanation. If the school
24 principal feels that this policy has been violated, the principal shall:

- 25 1. Notify the student's parent(s) or guardian;
- 26 2. Notify the appropriate law enforcement agency, and turn over all contraband for laboratory
27 testing; and
- 28 3. Take appropriate disciplinary action.

29 **Illegal or Controlled Substances, Imitation Drugs, and Drug Paraphernalia**

30 Students shall not acquire, possess, use, sell, purchase, barter, distribute, or be under the influence of
31 illegal or controlled substances or any substance used as a drug, in school buildings or on school grounds

1 at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether
2 on or off the school grounds.

3 Nor will students be in possession of, or attempt to market or distribute any substance which is
4 represented to be or substantially similar in color, shape, size or markings of a controlled substance
5 (imitation drug) in school buildings or on school grounds at any time, or in school vehicles or buses, or
6 at any school-sponsored activity, function or event, whether on or off the school grounds.

7 Students shall not be in the possession of drug paraphernalia in school buildings or on school grounds at
8 any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether
9 on or off the school grounds.

10 The school principal shall be immediately notified when a student is suspected of violating this policy.
11 The incident shall be investigated; the process of gathering facts shall be completed. The principal shall
12 not take action without first advising the student of the nature of his/her misconduct, questioning the
13 student about the nature of the misconduct, and allowing the student to give an explanation. If the school
14 principal feels that this policy has been violated, the principal shall:

- 15 1. Notify the student's parent(s) or guardian;
- 16 2. Notify the appropriate law enforcement agency, and turn over all contraband for laboratory
17 testing; and
- 18 3. Take appropriate disciplinary action.

19 Incidents involving drugs and controlled substances shall be handled in consideration of the Zero
20 Tolerance Policy 6.309.

21 **Testing Procedures**

22 If a drug test is to be administered, the principal or properly trained designee shall take the following
23 steps:

- 24 1. Call the student into the principal's office or another private place;
- 25 2. Summon an appropriate witness to the proceeding and to assist in furtherance of the proceeding;
- 26 3. Inform the student of the substance of the information available to him/her which is the basis for
27 the determination that a test is necessary;
- 28 4. Inform the student of the procedures which shall be followed in administering the test;
- 29 5. Give the student an opportunity to decline the test and inform the student that if the test is not
30 taken, the penalty shall be suspension from school and a hearing before the disciplinary hearing
31 authority shall be scheduled;
- 32 6. Notify the parent or guardian of the student before any drug test is administered;
- 33 7. A person trained in collecting and handling drug test specimens shall take the student to a
34 designated place in the school and collect a specimen from the student. A specimen shall be
35 taken in a manner which will reasonably protect the privacy of the student and will insure the
36 integrity of the specimen is not compromised;
- 37 8. The specimen will be forwarded for analysis to a laboratory accredited by the Tennessee
38 Department of Health and Environment.

- 1 Upon receiving a written, certified copy of the analysis from the laboratory, the principal or designee
2 shall do one of the following:
- 3 1. If the results of the analysis are negative, all evidence of the individual test, including all
4 records in the school that the test was ordered and reasons therefore, shall be destroyed.
 - 5 2. If the student refuses to submit to drug testing or if the results of the analysis are positive, the
6 student and parents or guardian shall be notified and provided a copy of the test results. In
7 addition, they will receive referral information which shall include community resources for
8 community-based drug/alcohol assessment and treatment programs.
 - 9 3. In the case of positive results of a drug analysis, the principal or his/her designee shall suspend
10 the student from school following the suspension guidelines in Board policy 6.309 for Zero
11 Tolerance Offenses.
 - 12 4. The principal or his/her designee will also notify the proper law enforcement authorities.

13 **Random Drug Testing¹**

14 Due to the severity of the drug use problem, both locally and throughout the State, students involved in
15 any voluntary athletic activities shall be subject to random drug tests. Parents and students will be
16 informed of this policy prior to participation and shall sign a consent to the drug testing and a release
17 of information as a condition of participation.

Legal References

1. TCA § 49-6-4213