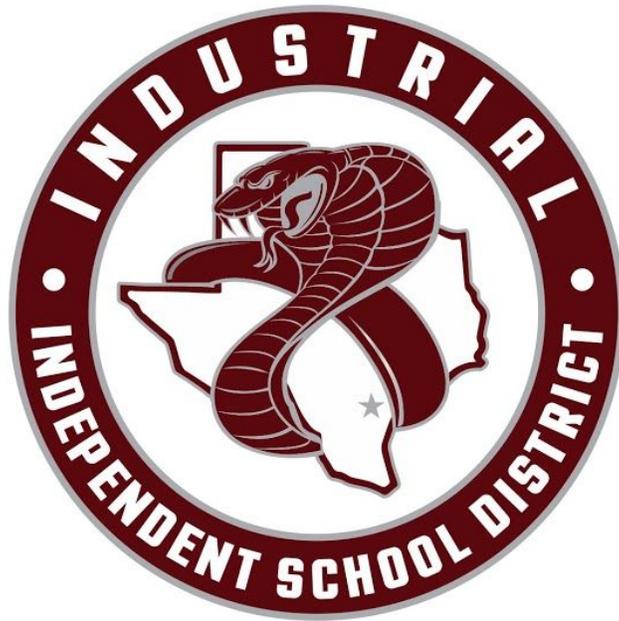


**INDUSTRIAL
INDEPENDENT SCHOOL DISTRICT**



**DRUG TESTING POLICY
AND PROCEDURES
FOR STUDENTS**

Revised 6/11/2018

INDUSTRIAL INDEPENDENT SCHOOL DISTRICT DRUG TESTING PROCEDURES

The Industrial Independent School District Board of Trustees, in an effort to protect the health and safety of its extra-curricular activities students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of the Industrial Independent School District, has adopted the following procedures for drug testing of students in extracurricular activities and for students to receive school parking privileges.

STATEMENT OF PURPOSE AND INTENT

Although the Board of Trustees, administration, and staff desire that every student in the Industrial Independent School District refrain from using or possessing illegal drugs, district officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this procedures manual governs only performance-enhancing and illegal drug use by students participating in extracurricular activities and students wishing to park on the school property (including 300' surrounding the school property). The sanctions imposed for violations of this policy will be to place limitations solely upon the opportunity of any student determined to be in violation of this policy to a student's privilege to participate in extracurricular activities and/or the student's privilege of parking on campus. No suspensions from school or academic sanctions will be imposed for violations of this policy. This procedure supplements and complements all other policies, rules, and regulations of the Industrial Independent School District regarding possession or use of illegal drugs.

Participation in school-sponsored extracurricular activities at the Industrial Independent School District is a privilege. Students who participate in these activities are respected by the student body and are representing the school district and the community. Accordingly, students in extracurricular activities carry a responsibility to themselves, their fellow students, their parents and their school to set the highest possible examples of conduct, sportsmanship, and training, which includes avoiding the use or possession of illegal drugs.

The purposes of this policy are six-fold:

1. To educate students of the serious physical, mental and emotional harm caused by illegal drug use.
2. To alert students with possible substance abuse problems to the potential harms that drug use poses for their physical, mental, and emotional well being and offer them the privilege of competition as an incentive to stop using such substances.
3. To ensure that students adhere to a training program that bars the intake of illegal and performance-enhancing drugs.
4. To prevent injury, illness, and harm for students that may arise as a result from illegal and performance enhancing drug use.
5. To offer students practices, competition and school activities free of the effects of illegal and performance enhancing drug use.

6. To undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs, thereby, providing a deterrent to drug abuse.

Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extra-curricular activities and upon the positive image these students project to other students and to the community on behalf of the Industrial Independent School District. For the safety, health, and well being of students in extracurricular activities, the Industrial Independent School District has adopted this policy for use by all participants in extra-curricular activities in grades 7-12.

SUPPORTING DATA

Random urine drug testing of a public school interscholastic athlete is legal as determined by the United States Supreme Court in the case of *Vernonia School District 47j (Oregon) v. Wayne and Judy Acton*. Random urine drug tests of public schools extracurricular activity students is legal as determined by *Pottawatomie County Independent School District #94 vs. Earls*. The students subject to testing will be determined by the Industrial Independent School Board based upon these two Supreme Court Rulings.

DEFINITIONS AND PROCEDURES

The administration has adopted policies to implement the following procedures [FNF (local)].

I. Definitions

“Activity Student” means a member of any school-sponsored extracurricular activity in grades 7-12.

“School-sponsored extracurricular activity” means, without limitation, all clubs, musical performances, dramatic productions, student government, and any other activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the school.

“Appeal” means for the purposes of this policy a non-evidentiary conference with the superintendent.

“Drug use test” means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drugs or the metabolites thereof in a person’s urine.

“Random Selection Basis” means a mechanism for selecting activity students for drug testing conducted by the contracted professional testing agency certified by the Substance Abuse and Mental Health Services Administration (SAMSHA) that:

- A. results in an equal probability that any activity student from a group of activity students subject to the selection mechanism will be selected, and
- B. does not give the School District discretion to waive the selection of any activity student selected under the mechanism.

“Illegal drugs” means any substance, which an individual may not sell, possess, use, distribute or purchase under either Federal or Texas law. “Illegal drugs” includes, but is not limited to, all scheduled drugs as defined by Texas statute, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose. “Illegal drugs” shall also include alcohol.

“Performance-enhancing drugs” include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed or other athletic ability.

“Positive” when referring to a drug use test administered under this procedures manual means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

II. Procedures

The coach/sponsor shall provide each activity student with a copy of the “Student Drug Testing Consent Form” which shall be read, signed and dated before such student shall be eligible to participate in any extra-curricular activities. The consent requires the activity student to provide a urine sample when the activity student is selected by the random selection basis to provide a urine sample. **No student shall be allowed to participate in any extracurricular activities or interscholastic competition unless the student has returned the properly signed “Student Drug Testing Consent Form.”**

Prior to the commencement of drug testing an orientation session will be held with all Activity Students to educate them of the sample collection process, privacy arrangements, drug testing procedures and other areas which may help to reassure the activity student and help avoid embarrassment about the drug testing process.

Each Activity Student and Driving Student shall receive a copy of the Activity Student Drug Testing Procedures. In addition, all the students will receive an annual orientation on the drug testing policy.

All Activity Students **may** be required to provide a urine sample before the student may participate in extracurricular activities covered under this policy. All student drivers **may be required to provide** a urine sample before they can receive parking permits. A student who moves into the district after the school year begins **may** have to undergo a drug test before he/she will be eligible for participation or a parking permit. Drug use testing for Activity Students/Student Drivers will also be chosen on a random selection basis monthly from a list of all Activity Students who are involved in off-season or in-season activities and all Student Drivers. The Industrial Independent School District will determine the number of samples that will be taken monthly (5% of participants plus any students who have tested positive at previous testing during the year) to be drawn at random to provide a urine sample for drug use testing for illegal drugs or performance-enhancing drugs.

Because the Board of Trustees feels strongly about drug testing, testing will be available to any parent of any student enrolled in Industrial Independent School District not covered by this policy. This is strictly voluntary and will only be done at parent’s written request upon completion of the “Student Drug Testing Consent Form.” Parents will be assessed a fee established by the District for this service.

Any drug use test will be administered by or at the direction of a professional laboratory chosen by the Industrial Independent School District. The professional laboratory shall be required to use scientifically validated toxicological testing methods, have detailed written specifications to assure chain of custody of the specimens, and proper laboratory control and scientific testing.

All aspects of the drug use-testing program, including the taking of specimens, will be conducted in a manner designed to safeguard the personal and privacy rights of the students. Samples will be taken under conditions that are no more intrusive to students than the conditions experienced in a public restroom.

The professional laboratory will provide MRO (Medical Review Officer) services by a licensed physician, who is certified by the Medical Review Officer Certification Council or the American Association of Medical Review Officers as having proven by examination to have had the appropriate medical training, to interpret and evaluate drug test results and thus qualified for certification as a MRO. Additionally, the MRO must demonstrate a willingness to abide by the Procedure for Random Urine Drug Testing of Industrial Independent School District students as to the evaluation of a positive drug test and reporting findings to the primary contact in a timely and confidential manner. The MRO or an authorized representative will attempt to contact the parent or guardian of the student within one school day after receiving a confirmed positive test result. If the MRO or representative is unable to contact any parent or guardian within one school day, the MRO will ask the school's primary contact for assistance in locating the student's parent or guardian. This request in no way implies a positive test result. The primary contact should only assume that the MRO has questions for the parent or guardian.

An initial positive test result will be subject to confirmation by a second and different test of the same specimen. The second test will use the gas chromatography/mass spectrometry technique. A specimen shall not be reported positive unless the second test utilizing the gas chromatography/mass spectrometry procedure is positive for the presence of an illegal drug or the metabolites thereof. The laboratory shall preserve the unused portion of a specimen that tested positive for a period of six (6) months or the end of the school year, whichever is shorter. Student record will be retained until the end of the school year.

III. Confidentiality

The laboratory will notify the principal of any confirmed positive test. To keep the positive test results confidential, the principal will only notify the head coach or sponsor. The principal/athletic director will schedule a conference with the student and parent or guardian.

The Industrial Independent School District will rely on the opinion of the laboratory, which performed the test in determining whether the positive test result was produced by something other than use of an illegal or performance-enhancing drug.

Test results will be kept in files separate from the student's other educational records, shall be disclosed only to those school personnel who have a need to know, and will not be turned over to any law enforcement authorities.

IV. Appeal

An Activity Student/Student Driver who has been determined by the principal/athletic director to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test.

Consequences of a positive test will begin as soon as the results are submitted to the district regardless of an appeal.

The district will not accept outside lab results to refute lab results provided by district testing. If a vial B test is requested by the parent, it will be at the parent's expense.

V. Consequences

No student will be penalized academically for testing positive for illegal drugs or banned substances. The results of drug test pursuant to this policy will not be documented in any student's academic record. Information regarding the results of drug test will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the Industrial Independent School District Board of Trustees, to the extent permitted by such subpoena or legal process.

Any **Activity Student** who tests positive in a drug test under this policy shall be subject to the following restrictions:

A. For the First Offense:

The parent /guardian will be contacted immediately and a private conference will be scheduled to present the test results to the parent/guardian. A meeting will then be set up with the student, parent/guardian, athletic director/sponsor and principal concerning the positive drug test. In order to continue participation in the activity the student and parent/guardian must, within thirty (30) calendar days of the joint meeting, show proof that the student has received drug counseling from a qualified drug treatment program or counseling entity. The student will be suspended from participation in all activities covered under this policy for thirty (30) calendar days beginning on the date the student is notified of the positive result . Additionally, the student must voluntarily submit to a second drug test to be administered within three weeks in accordance with the testing provisions of this policy. The student will be tested monthly for the remainder of the school year. The time and date will be unknown to the student and determined by the principal/athletic director.

If parent/guardian and student agree to these provisions, the student will continue to participate in the activity after the suspension. Should the parent/guardian and student not agree to these provisions, the consequences listed in this policy for the second offense will be imposed.

B. For the Second Offense:

Suspension from participation in all activities covered under this policy for ninety (90) calendar days beginning on the first day of a performance or competition in which the student is involved and successful completion of substance abuse education/counseling. The student may not participate in any meetings, practices, scrimmages or competitions during this period. The student will be tested monthly for the remainder of the school year. The time and date will be unknown to the student and determined by the principal/athletic director or designee.

C. For the Third Offense:

Complete suspension from participation in all extra-curricular activities including all meetings, practices, performances, and competition for a calendar year dating from the time of the positive test results.

D. For the Fourth Offense:

Complete suspense from participation in all extra-curricular activities including all meetings, practices, performances, and competition for the remainder of the student's school career.

Any **Driving Student** who drives to and from school and who parks on or within 300 feet of school property will be subject to the same initial and random drug testing requirements as students who participate in school-sponsored extracurricular activities.

In addition to any other sanctions that may be imposed based on a student driver's participation in school-sponsored extracurricular activities, a student who has a positive test result will not be permitted to park on or within 300 feet of school property for:

- A. Thirty (30) school days for a first result. If the student is not in school-sponsored extracurricular activities, he/she will additionally, be tested monthly for the remainder of the school year on the random testing dates.
- B. Ninety (90) school days for a second result. If the student is not in school-sponsored extracurricular activities, he/she will additionally complete at least four hours of substance abuse education or counseling provided by the school and be tested monthly for the remainder of the school year on the random drug testing dates.
- C. One full calendar year for a third result.
- D. The remainder of the student's school career to a fourth result.

VI. Refusal to Submit to Drug Use Test

A refusal to submit to a drug test is equivalent to a positive test result for the purposes of this Policy. A participating student, who refuses to submit to a drug test authorized under this policy, will be subject to the consequences of a positive test result.

* * * * *

Industrial Independent School District is committed to cooperating with parents/guardians in an effort to help students avoid illegal drug use. The Industrial Independent School District believes that accountability is a powerful tool to help some students avoid drugs and that early detection and intervention can save lives.

Student Name: _____

Last

First

Middle

Current Grade Level: _____

Male ___/Female ___

Industrial I.S.D. Student Drug Testing Consent Form

Statement of Purpose and Intent: Participation in school-sponsored extracurricular activities at the Industrial I.S.D. is a privilege. Activity Students carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal drugs.

Drug use of any kind is incompatible with participation in extracurricular activities on behalf of the Industrial I.S.D. For the safety, health, and well being of the student of the District, the Industrial Independent School District has adopted the attached Activity Student Drug Testing Procedures and the Student Drug Testing Consent for use by all participating students at the middle school and high school levels.

All Driving Students must also participate in the Student Drug Testing Program in order to have the privilege of driving to and from school and to have the privilege of parking on school grounds or within 300 feet of the school.

Participation in Extracurricular Activities: Each Activity Student and Driving Student shall be provided with a copy of the Student Drug Testing Procedures and Student Drug Testing Consent, which shall be read, signed and dated by the student, parent or custodial guardian, and coach/sponsor before such student shall be eligible to practice or participate in any interscholastic activities. The consent shall be to provide a urine sample: a) as part of their annual physical or for eligibility for participation; b) as chosen by the random selection basis; and c) at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any activity governed by the procedures unless the student has returned the properly signed Student Drug Testing Consent.

Non-Participating Student in Activities Outlined Above: Any student who does not participate in any extracurricular activity and/or does not drive is not required to be drug tested. However, testing is made available to any such student at the option and request of the parent(s). By signing this form, you are requesting that your child be added to the list of randomly tested students.

* * * * *

I understand after having read the “Student Drug Testing Procedures” and “Student Drug Testing Consent,” available online at www.industrialisd.org that, out of care for my safety and health, the Industrial I.S.D. enforces the rules applying to the consumption or possession of illegal and performance-enhancing drugs. As a participant in an Industrial I.S.D. extracurricular interscholastic activity and/or as a driving student, I realize that the personal decision that I make daily in regard to the consumption or possession of illegal or performance-enhancing drugs may affect my health and well being as well as the possible endangerment of those around me and reflect upon any organization with which I am associated. If I choose to violate school policy regarding the use or possession of illegal or performance-enhancing drugs any time while I am involved in in-season or off-season activities and/or while participating as a driving student, I understand upon determination of that violation I will be subject to the restrictions on my participation as outlined in the Policy.

Signature of Student

Date

We have read and understand the Industrial Independent School District “Student Drug Testing Procedures” and “Student Drug Testing Consent.” We desire that the student named above participate in the extracurricular interscholastic activities and/or be designated as a driving student of the Industrial I.S.D. and we hereby voluntarily agree to be subject to its terms. Or, the student named above does not participate in such activities; however, we choose to voluntarily submit our child to such testing. We accept the method of obtaining urine samples, testing and analysis of such specimens, and all other aspects of the program. We further agree and consent to the disclosure of the sampling, testing and results as provided in this program.

Signature of Parent or Custodial Guardian

Date

Contact Phone Number

Signature of Coach/Sponsor/Principal

Date

Nombre del estudiante: _____

Apellido Nombre

Grado: _____ Niño Niña

**Districto independiente de Industrial de la escuela
Forma de prueba del consentimiento de la droga del estudiante**

Declaración del propósito y del intento: La participación en actividades extra-curricular patrocinadas por la escuela en el distrito independiente industrial de la escuela es un privilegio. Los estudiantes de la actividad llevan una responsabilidad a sí mismos, a sus estudiantes del compañero, a sus padres, y a su escuela de fijar los ejemplos más altos posible de la conducta, que incluye evitar el uso o la posesión de drogas ilegales.

El uso de la droga de la clase es incompatible con la participación en actividades extra-curricular a nombre del distrito independiente industrial de la escuela. Para la seguridad, la salud, y el bienestar del estudiante del distrito, el distrito independiente industrial de la escuela ha adoptado los métodos de prueba unidos de la droga del estudiante de la actividad y el consentimiento de prueba de la droga del estudiante para uso de todos los estudiantes que participaban en los niveles de la escuela media y de la High School secundaria.

Todos los estudiantes que conducen deben también participar en el programa de prueba de la droga del estudiante para tener el privilegio de conducir a y desde y tener el privilegio de parquear en los argumentos de la escuela o a 300 pies de la escuela.

Participación en actividades Extra-Curricular: Proporcionarán cada estudiante de la actividad y el estudiante el conducir una copia de los métodos de prueba de la droga del estudiante y del consentimiento de prueba de la droga del estudiante, que serán leídos, firmados y fechados por el estudiante, el padre o el guarda de la custodia, y del coche/del patrocinador antes de que tal estudiante sea elegible practicar o participar en cualquier actividad interscholastic. El consentimiento será proporcionar una muestra de la orina: a) como parte de su físico anual o para la elegibilidad para la participación; b) según lo elegido por la base al azar de la selección; y c) solicitó en cualquier momento basado en la suspicacia razonable que se probará para las drogas ilegales o funcionamiento-que realizaban. No se permitirá a ningún estudiante practicar o participar en cualquier actividad gobernada por los procedimientos a menos que el estudiante tenga returned el consentimiento de prueba correctamente firmado de la droga del estudiante.

El Estudiante No Participante en Actividades Resumió Arriba: Cualquier estudiante que no toma parte en ninguna actividad fuera del programa de estudios y/o no conduce no es requerido a ser la droga probada. Sin embargo, probando es hecho disponible a cualquiera tal estudiante en la opción y petición del padre (padres). Firmando esta forma, usted solicita que su niño es añadido a la lista de estudiantes al azar probados.

* * * * *

Entiendo después la lectura del ” de los métodos de prueba de la droga del estudiante del “ disponible en línea en www.industrialisd.org y consentimiento de prueba de la droga del estudiante del “, ” que, fuera del cuidado para mi seguridad y salud, el distrito independiente industrial de la escuela hace cumplir las reglas que se aplican a la consumición o a la posesión de drogas ilegales y funcionamiento-que realizan. Como miembro de una actividad interscholastic extra-curricular industrial y/o como estudiante que conduce, realizo que la decisión personal que tomo el diario en vista de la consumición o posesión de ilegal o las drogas funcionamiento-que realzan puede afectar mi salud y bienestar así como la peligrosidad posible de éstos alrededor de mí y reflejar sobre cualquier organización con la cual sea asociado. Si elijo violar la política de la escuela con respecto al uso o la posesión de drogas ilegales o funcionamiento-que realizan en cualquier momento mientras que estoy implicado en actividades de la estación o de la temporada baja y/o mientras que participa como estudiante que conduce, entiendo sobre la determinación de esa violación que estaré conforme a las restricciones en mi participación conforme a la política.

Firma del estudiante

Fecha

Hemos leído y hemos entendido el consentimiento de prueba independiente de industrial de la droga del estudiante de los métodos de prueba de la droga del estudiante del distrito de la escuela.” Deseamos que el estudiante nombrado arriba participa en los programas interscholastic extra-curricular y/o esté señalado como estudiante que conduce del distrito independiente de industrial de la escuela y acordamos por este medio voluntariamente estar conforme a sus términos. O, el estudiante denominó encima de no toma parte en tales actividades; sin embargo. Aceptamos el método de obtener muestras del orina, prueba y análisis de tales especímenes, y el resto de los aspectos del programa. Convenimos y consentimos al acceso del muestreo, de la prueba y de los resultados en la manera prevista en este programa.

Firma del padre o del guardián de la custodia

Fecha

Número de teléfono del contacto

Firma del coche/del patrocinador/del director