

LAKE HAMILTON SCHOOL DISTRICT



STUDENT DRUG TESTING POLICY (EXTRACURRICULAR ACTIVITIES)

DEFINITIONS:

Illegal Drug: Any substance considered illegal by Arkansas Statute or which is controlled by the Food and Drug Administration unless prescribed by a licensed physician.

Student Participant: Any student participating in an extracurricular program sponsored by the Lake Hamilton School District subject to this policy.

School Year: From the first day of classes in the fall, unless the extracurricular program begins prior to the first day of the program's activities through the last day of classes in the spring.

Extracurricular Program: Any activity or program sponsored by the Lake Hamilton School District outside the regular curriculum which the Lake Hamilton School District determines should be made subject to this policy.

POLICY STATEMENT:

The District is conducting a mandatory drug testing program for the student participants in certain specified extracurricular programs. The purpose of this program is as follows:

1. To allow the student of the District to know that the school is concerned about their total well being. The District is interested in helping the students who may be having problems.
2. To emphasize concerns for the health of students in areas of safety while they are participating in programs, as well as the long-term physical and emotional effects of chemical use on their health. To confirm and support state laws which restrict the use of mood-altering chemicals.
3. To assist students of the District to resist the peer pressure that directs them toward the abuse or misuse of chemical substances.

4. To establish standards of conduct for students of the District who are considered leaders and standard bearers among their peers.
5. To work cooperatively with the parents by assisting them in keeping their children free from mood-altering chemicals.
6. To provide referrals for students who need evaluation regarding their use of mood-altering chemicals.
7. To deter chemical abuse or misuse by all students through the use of random drug testing.

DESIGNATION OF EXTRACURRICULAR PROGRAMS:

The School Board shall, from time to time, designate which extracurricular programs will be subject to this policy. This determination shall be based upon the policy statement, its rational relationship to the extracurricular programs and the economic ability of the District to administer the policy.

PROCEDURES FOR SUBJECT STUDENTS:

Consent: Each student wishing to participate in an extracurricular program designated to be subject to this policy and the student's custodial parent or guardian shall consent in writing to drug testing pursuant to the District's drug testing program. Written consent shall be in the form attached to this policy as Exhibit A. No student shall be allowed to participate in any such program absent such consent.

Student Selection: At the option of the District, all student participants may be drug tested at the beginning of any school year or upon the beginning of season or activities the extracurricular program begins. In addition, random testing will be conducted at least once during each nine week period during the school year. The random testing will be made up of a sufficient number of student participants to create a probability in favor of each student participant being randomly tested during the season or activity. Selection for random testing will be by lottery drawing from a "pool" of all student participants participating in an extracurricular program at the time of the drawing. The District Athletic Director and/or designee will serve as the Drug Testing Program Coordinator and shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not necessarily limited to, assuring that the names of all participating student participants are in the pool, assuring that the person drawing names has no way of knowingly choosing or failing to choose particular students for the testing, assuring that the identity of students drawn for testing is not known to those involved in the selection process and assuring direct

observation of the selection process by the least intrusive means possible while assuring veracity and privacy.

SAMPLE COLLECTION:

Samples will be collected at a mutually convenient time on the same day the student is selected for testing or, if the student is absent on that day, on the day of the student's return to school. If a student is unable to produce a sample at any particular time, the student will be allowed to return later that same day to provide the sample. All students providing samples will be given the option of doing so alone in an individual stall with the door closed.

TESTING AGENCY:

The District will choose a qualified agency for the purpose of monitoring sample collection, processing sample results and maintaining privacy with respect to test results and related matters.

PRESCRIPTION MEDICATION:

The existence of lawfully prescribed medication in the student's sample is not a violation of this policy when taken in accordance with a physician's recommendation or prescription to a specific student. Some over-the-counter medications may have similarities to unlawful drugs when tested. Students who are taking prescription medication may provide a copy of the prescription or a doctor's verification in a sealed envelope to school personnel at the time a sample is collected. The specific name of over-the-counter medications should also be disclosed and provided in a sealed envelope. That envelope will be forwarded unopened to the testing lab with the sample, with instructions for the lab to consider the student's use of such medication to assure accuracy of the result. Such information provided by the student will not be disclosed to any school official. Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests".

SCOPE OF TESTS:

The testing lab will be instructed to test for one or more illegal drugs or alcohol. The Athletic Director and/or designee shall decide which illegal drugs will be screened; but in no event shall that determination be made after selection of students for testing. Student participant samples will not be screened for the presence of any substance other than an illegal drug or for the existence of any physical condition other than drug or alcohol usage.

LIMITED ACCESS TO RESULTS:

The testing lab will be authorized to report results only to the Athletic Director or to such person as the Superintendent may designate in the event the Athletic Director is unavailable.

PROCEDURES IN THE EVENT OF A POSITIVE RESULT:

Whenever a student participant's test result indicates the presence of illegal drugs ("positive test"), the following will occur:

1. The student's parents or guardian will be immediately notified and the student will be asked to provide another sample as soon as possible. If the student refuses to provide another sample, or unduly delays in providing such sample, the results of the first sample shall be accepted as accurate.
2. The second sample will be submitted to the testing lab for testing.
3. If the second sample tests negative, the student will be notified and no further action will be taken. If the second sample tests positive for any illegal drug, a custodial parent or legal guardian will be notified and a meeting will be scheduled with the Athletic Director and/or designee, the student, the custodial parent or legal guardian, the student's building principal, the District Drug Education Coordinator, and the Superintendent. In the event that any of these school personnel are unavailable, the Superintendent may designate the appropriate qualified school personnel to serve in their role.

FIRST POSITIVE RESULT:

For the first positive result, the student participant will be given the option of participation in a drug assistance program and submission to weekly drug testing for the remainder of the year or duration of the program; or suspension from participation in the extracurricular program for the remainder of the school year and, if occurring during the Spring semester, for the following Fall semester as well. The costs associated with the drug assistance program will not be covered by the District and must be paid for by the student, his or her parents or legal guardian. The Drug Education Coordinator shall maintain a list of agencies and programs available in this community and refer the student to such programs. The Drug Education Coordinator, in his or her sole discretion, may instead approve a private program presented by the student if such a program is reasonably designed to assist the student with drug abuse prevention and such private program agrees to reasonably provide the Drug Education Coordinator with acceptable expertise, program management and

verification of participation by the student. Again, all costs associated with weekly drug testing shall be paid for by the student, his or her parents or legal guardian.

SECOND POSITIVE RESULT:

For the second positive result in any two consecutive school years, the student participant will be suspended from participating in the extracurricular program for the remainder of the current school year and the following school year.

THIRD POSITIVE RESULT:

For the third positive result in any two consecutive school years, the student participant will be permanently suspended from participating in the extracurricular program for the remainder of his or her enrollment with the school, unless following suspension for all or part of three consecutive school years, the student requests reinstatement before the School Board and the School Board approves reinstatement.

NON-PUNITIVE NATURE OF POLICY:

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

OTHER DISCIPLINARY MEASURES:

The District, by adopting this policy, is not precluded from utilizing other disciplinary measures set forth in the Student Discipline Policy and this policy does not preclude the District from taking disciplinary procedures and resulting action when founded upon reasonable belief and suspicion that a student has participated in drug related activities.

END OF POLICY

Adopted: 05/20/1996
Revised: 07/17/1998
Revised: 10/19/1998
Revised: 07/24/2001
Revised: 06/22/2009

LAKE HAMILTON SCHOOL DISTRICT



**205 Wolf Street
Percy, AR 71964**

**EXHIBIT A TO DRUG TESTING POLICY
GENERAL AUTHORIZATION FORM**

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules, and regulations set forth by Lake Hamilton School District and the sponsors for the activity in which I participate.

I also authorize Lake Hamilton School District to conduct a test on a urine specimen which I provide to test for drugs and/or alcohol use. I also authorize the release of information concerning the results of such test to the Lake Hamilton School District and to the parents and/or guardians of the student.

This shall be deemed consent pursuant to the Family Education Right to Privacy Act for the release of above information to the parties' named above.

The undersigned acknowledges receipt of a copy of the Lake Hamilton Student Drug Testing Policy for Extracurricular Activities.

Student Signature

Date

Printed Student Name

Parent or Guardian Signature

Date