

## **STUDENT DRUG TESTING POLICY**

### **MISSION STATEMENT**

The Huntsville School District recognizes that drug abuse is a significant health problem for students, detrimentally affecting overall health, behavior, learning ability, reflexes, and the total development of each individual. The Huntsville Board of Education is determined to help students by providing another option for them to say “No”. Drug abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of legal drugs and medications.

### **DEFINITIONS**

**Drug:** Any substance considered illegal by Arkansas Statutes or which is controlled by the Food & Drug Administration unless prescribed by a licensed physician.

**Activity Programs:** Any Activity that meets the guidelines of the Arkansas Activities Association and/or sponsored by the Huntsville School District. This includes all school sponsored academic, athletic/spirit and student groups.

**School Year:** From the first day of classes in the fall, unless the activity begins prior to the first day of classes, in which event, from the first day of practice through the last day of classes in the spring.

### **POLICY STATEMENT**

Huntsville School District (“the district”) conducts a mandatory drug-testing program for students. Its purpose is threefold: (1) to provide for the health and safety of students in all Activity Programs 7-12 and students who park on campus; (2) to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs; and (3) to encourage students who use drugs to participate in drug treatment programs.

## PROCEDURES FOR STUDENTS

Consent: Each student wishing to participate in any activity program or park on campus, 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. No student shall be allowed to participate in any activity program or park on campus absent such consent.

## SELECTION PROCESS

Student Selection: Random testing will be conducted monthly during the school year. Selection for random testing will be by lottery drawing from a "pool" of all students participating in activity programs and who park on campus in the district at the time of the drawing. The number of names drawn will be no less than 2% and no greater than 15% of the population. The selection will be done by the testing agency. **For athletics: Each student who participates in athletics shall be tested before the season begins, if a student plays more than one sport they will only have a mandatory test from the first sport they participated in. From that period forward, the athlete will be in the random pool only. The reason we are testing Varsity athletes is because of health concerns and the amount of demand that is placed on a student's body.**

The superintendent or designee 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 students 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 process by the least intrusive means possible while assuring brevity and privacy.

**Refusal to Submit to Testing or Adulteration of Sample:** Any student selected who refuses to submit to random drug testing and/or re-testing, who adulterates a sample, or violates the policy in any way will be subject to the provisions of a positive test.

**Reasonable Suspicion:** If a coach of the team or an administrator has reasonable suspicion that a student is engaging in illegal drug activity, they may request that a student be placed on to the testing list.

## SAMPLE COLLECTION

Samples will be collected at a scheduled 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 remain until a sample is provided. 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 processing sample results and maintaining privacy with respect to test results and related matters.

### **PRESCRIPTION MEDICATION**

Students who are taking prescription medication may provide a copy of the prescription or a doctor's verification, which will be considered in determining whether a "positive" test has been satisfactorily explained. That documentation will be forwarded to the testing lab with instructions for the lab to consider the student's use of such medication to assure the accuracy of the result. Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests."

### **SCOPE OF TESTS**

Student samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug intoxication. As a quality control measure, the school reserves the right to send any urine sample that appears unusual in color and/or consistency to a laboratory for testing and confirmation or non-confirmation.

### **RECORDS**

The results of drug tests pursuant to this policy will not be documented in any student's academic records. The results will be reported only to the superintendent or his designee. All records concerning chemical abuse testing will be maintained by the Superintendent or his/her designee in a separate, locked file. The files on each student will be destroyed upon graduation or two years after termination of enrollment. A student and the student's custodial parent/legal guardian may obtain a copy of his/her chemical abuse testing records upon written request.

### **PROCEDURES IN THE EVENT OF A POSITIVE RESULT**

Whenever a student's test result indicates the presence of illegal drugs ("positive test"), the following will occur: If the sample tests positive, a custodial parent or legal guardian will be notified and a meeting will be scheduled with the Superintendent or his designee, the student, the custodial parent or legal guardian, and the student's principal and head coach or sponsor.

## **FIRST POSITIVE RESULT**

**Extra-Curricular Activities:** the student will be placed on probation and not be allowed to participate in competitions, presentations and activities of Huntsville School District for a period of 10% of the season.

### **Parking on Campus**

If the student tests positive they will not be allowed to park on campus for a period of twenty days. The student will be recommended for counseling, if any charge is incurred, it will be the responsibility of the parents.

On day twenty-one, the student will be allowed to park on campus again when the parent's provide a clean drug screen at their expense. If a second test shows positive, they will be treated as a second positive test and those consequences will be enforced as a second positive test. However, the student once they have tested positive, may be subject to monthly random test at the designee's request.

A student will be required to practice or participate in off-season activities at the head coach's or sponsor's discretion, with a doctor's note clearing the student for practice. Until the student receives a doctor's clearance letter, they will be treated as missing practice and make up will be at the coach's discretion. He/she cannot compete or dress out for any competition during the suspension period.

### **Drug Counseling:**

If the student attends a certified drug counseling center he/she, may have their suspension reduced by 50%. This has to be at a certified drug counseling center, and must complete the program. This WILL be at the expense of the parents or guardians. This only applies to the first positive test. Anything after the first positive the student will serve the full suspension amount, but will be recommended for drug counseling.

## **SECOND POSITIVE RESULT**

**Extra-Curricular Activities:** For the second positive test, the student shall be suspended for 50% of their season. This may carry over into another season they participate in.

**Parking on Campus:** If the student test positive a second time, they will not be allowed to park to park on campus for a period of 45 days

**Drug Counseling is recommended if a student fails a drug test.**

**A student will be required to practice or participate in off-season activities at the head coach's or sponsor's discretion, with a doctor's note clearing the student for practice. Until the student receives a doctor's clearance letter, they will be treated as missing practice and make up will be at the coach's discretion. He/she cannot compete or dress out for any competition during the suspension period. At the end of the 45 day driving suspension, the student will have to present a clean drug screen at the Parents' expense to resume driving to school**

## **THIRD POSITIVE RESULT**

**Extra-Curricular Activities:** For the third positive result, the student will be suspended from participating in activities for one calendar year.

**Parking on Campus:** If the student test positive for the third time, they will be suspended from parking at school for a period of one calendar year. At the end of the one calendar year driving suspension, the student will have to present a clean drug screen at the Parents' expense to resume driving to school.

**Drug Counseling is recommended if a student fails a drug test.**

**A student will be required to practice or participate in off-season activities at the head coach's or sponsor's discretion, with a doctor's note clearing the student for practice. Until the student receives a doctor's clearance letter, they will be treated as missing practice and make up will be at the coach's discretion. He/she cannot compete or dress out for any competition during the suspension period.**

## **FOURTH POSITIVE RESULT**

**If a student tests positive a fourth time, they will not be allowed to participate in any extracurricular activities or park on the school campus for the remainder of their career at Huntsville High School!**

#### NON-PUNITIVE NATURE OF POLICY

No student shall be penalized academically for testing positive for illegal drugs. 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 as soon as possible by the district.

**Form A**

**Drug Testing for Extracurricular Activities/Driving Privileges**

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 have read and understood the contents of the Huntsville School District Drug Testing Policy. I hereby agree to accept and abide by the policies, standards, rules, and regulations set forth by the Huntsville School District School Board and the sponsors for the activity in which I participate. I also authorized Huntsville School District to conduct a breath scan or urinalysis to test for drugs and/or alcohol use. I also authorize Huntsville School District to conduct random tests during the current school year.

I authorize the release of information concerning the results of such a test to Huntsville School District and to the parents and/or guardians of the student.

**Permission to participate in Random Drug Testing**

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.

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Student Printed Name	Signature	Grade
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Legal Parent/Guardian Printed Name	Signature	Date
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**Form B**  
**Notification of Initial Violation of**  
**Drug Screen Policy**

I, \_\_\_\_\_ the custodial parent / guardian of  
\_\_\_\_\_, \_\_\_\_\_ a student in Huntsville School District  
have been notified by officials of Huntsville School District that \_\_\_\_\_  
(student's name) has tested positive during the drug test administered under  
the provisions set by Huntsville School District.

The student is hereby recommended for counseling. If any charge is incurred, it will be the responsibility of the parents. The student will also be placed on probation and not be allowed to participate in competitions, presentations, activities and driving privileges of Huntsville School District According to the drug testing policy. At the end of their suspension, the student will be able to be retested (at the expense of the parent /guardian) under the guidelines set for in the Drug Testing Policy. I, the custodial parent/legal guardian, understand that if the retest results are found to be negative, the so named student will again become eligible for competitions, presentations, activities and driving privileges relating to Huntsville School District. I also understand that the student may be subject to being drug tested with the random pool at the request of the school designee. If any of the subsequent test results are positive, the so named student will be suspended from competition, presentations, activities and driving privileges relating to Huntsville School District according to the drug policy. In addition to the suspension, the student will be immediately recommended for professional counseling and rehabilitation at the expense of the parent.

\_\_\_\_\_  
Custodial Parent/Legal Guardian Printed

\_\_\_\_\_  
School Official Signature

\_\_\_\_\_  
Custodial Parent/Legal Guardian Signature

\_\_\_\_\_  
Date

Adopted: 8/14/2017

