

STUDENT DRUG ALCOHOL – TESTING POLICY:

FM-R2

The Dumas ISD Board of Education, in an effort to protect the health and safety of its students involved in extra-curricular activities for illegal drugs-alcohol and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of the Dumas ISD, adopts the following Policy for drug-alcohol testing of students involved in Dumas ISD extra-curricular activities.

- 1.1** – It is the desire of the Board of Education, administration, and staff that every student in the Dumas ISD refrain from using or possessing illegal drugs-alcohol. Notwithstanding this desire, the administration and board of education realize that their power to restrict the possession or use of illegal drugs-alcohol is limited. Therefore, the sanctions of this Policy relate solely to limiting the opportunity of any student determined to be in violation of this Policy to participate in extra-curricular activities. This Policy is intended to supplement and complement all other policies, rules and regulations of the Dumas ISD regarding possession or use of illegal drugs-alcohol.
- 1.2** – Participation in school sponsored extra-curricular activities is a privilege. Students who participate in these activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, students involved in extra-curricular activities 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-alcohol.
- 1.3** – The purpose of this Policy is to prevent illegal drug-alcohol use, to educate students as to the serious physical, mental and emotional harm caused by illegal drug-alcohol use, to alert students with possible substance abuse problems to the potential harms of illegal drug-alcohol use, to prevent injury, illness and harm as a result of illegal drug-alcohol use, and to strive for an environment free of illegal drug-alcohol use and abuse. This Policy is not intended to be disciplinary or punitive in nature. The sanctions of this Policy relate solely to limiting the opportunity of any student found to be in violation of this Policy to participate in extra-curricular activities. There will be no academic sanction for violation of this Policy.
- 1.4** – Illegal drug-alcohol use of any kind is incompatible with participation in extra-curricular activities on behalf of the Dumas ISD. For the safety, health and well-being of the students involved in extra-curricular activities, the Dumas ISD has adopted this Policy for use by all students involved in extra-curricular activities. Therefore, consent to this drug-alcohol testing Policy is a mandatory prerequisite for all students to participate in any extra-curricular activity.

2. Definitions

- 2.1** – Extra-curricular activities are defined to include the following activities: UIL activities and events; student council; vocational clubs and organizations; cheerleading; and all school sponsored athletic activities.
- 2.2** – "drug-alcohol use test" means a scientifically substantiated method to test for the presence of illegal drugs-alcohol or performance-enhancing drugs or the metabolites thereof in a person's urine and/or saliva.

The drug use test will use a 10 panel urine test to include tests for the following drugs:

- Cannabinoids
- Cocaine Metabolite
- Phencyclidine

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Opiates
Morphine
Codeine
Amphetamines
Amphetamine
Metamphetamine
Barbiturates
Benzpiazepine
Methodone
Methaqualone
Propoxyphene

The alcohol test may be done by the testing of the urine or by the use of a saliva alcohol test such as Q.E.D. (Quantitative Enzyme Diagnostic) Test.

2.3 – "Random Selection Basis" means a mechanism for selecting students for drug-alcohol testing.

A. The district will use a random selection process to select and request a student to be tested. The Dumas ISD has contracted with P.M.S.(Prime Medical Services) to conduct the random selection process. P.M.S. uses a random number generator to calculate which students are to be tested randomly. Random values are created from the standard mathematical formula for random number generation. Once each individual has been assigned a number by the computer, the numbers are sorted in ascending orders. Random testing will be conducted at a frequency to be set by Dumas ISD with no advance notice as to the date of testing, or the students selected for testing.

A continuous loop random number generating computer software package is used to ensure students will have an equal chance of being selected on an unannounced basis for random testing.

On the first day of each month four (4) numbers between 1 and 31 will be randomly sorted for the date of the unannounced testing for that month. For example, the program may select the 8th, 15th, 19th and 30th days of that month.

To select the students in the pool subject to testing we provide the following example:

The last seven (7) digits in the student's social security number will be randomly sorted with the given number 3 through 9, as there are nine (9) numbers in all social security numbers.

As a follow-up procedure, the computer software will select a number between 0 and 9 i.e., a 3 to 9 sweep selects the number 8 and a 0-9 sweep selects the number 2. Therefore, all students in the testing pool with the 8th digit in their social security number being a 2 will be subject to unannounced testing the day that testing is conducted.

B. It does not give the School District discretion to waive the selection of any Student selected under the mechanism.

2.4 – "Illegal drugs-alcohol" means any substance which an individual may not sell, possess, use Distribute or purchase under either Federal or Texas law. "Illegal drugs-alcohol" includes, but is not limited to, all prescription drugs obtained without authorization, all prescribed and over-the-counter drugs being used for an abusive purpose, and all alcohol.

2.5 – "Performance-enhancing drugs" includes anabolic steroids and any other natural or synthetic

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substance used to increase muscle mass, strength, endurance, speed or other athletic ability. The term "performance-enhancing drug" does not include dietary or nutrition supplements such as vitamins, minerals and proteins which can be lawfully purchased in over-the-counter transactions.

- 2.6** – "Positive" when referring to a drug-alcohol test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal drug-alcohol or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug-alcohol use test.
- 2.7** – "Reasonable suspicion" means a suspicion based on specific personal observations concerning the appearance, speech or behavior of a student and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight or other athletic abilities.
- 2.8** - Medical Review Officer (MRO). A licensed physician responsible for receiving laboratory results generated by a district's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information. The Medical Review Officer shall send all reports to the Superintendent.
- 2.9** – Split Specimen. A urine specimen, resulting from a single void (act of urination), which has been divided into two separate specimen bottles. The first or primary specimen bottle shall contain at least 60 ml or urine, the second or split bottle shall contain the remainder of the urine up to 60ml.
- 2.10** – Director in Charge – for purposes of this policy, the "Director in Charge" is defined to be the sponsor of the extra-curricular activity in which the student being tested is a participant, and whose membership therein resulted in his/her random selection for drug-testing.

3. Procedure

- 3.1** – Each student shall be provided with a copy of the "Student Drug-Alcohol Testing Policy" and "Student Drug-Alcohol 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 extra-curricular activities. The consent shall be eligible to practice or participate in any extra-curricular activities. The consent shall be to provide a urine sample: A) as chosen by the random selection basis, B) at any time requested based on reasonable suspicion to be tested for illegal drugs-alcohol or performance-enhancing drugs or C) submit to a saliva test. No student shall be allowed to practice or participate in any extra-curricular activities unless the student has returned the properly signed "Student Drug – Alcohol Testing Consent."
- 3.2** - Drug-alcohol use testing for students will also be chosen on a random selection basis from a list of all extra-curricular activities. The Dumas ISD will determine a number of students to be drawn at random to provide a urine sample for drug-alcohol use testing.
- 3.3** – In addition to the drug-alcohol use tests required by paragraph 3.2, any student may be required to submit to a drug-alcohol use test for illegal drugs-alcohol or performance – enhancing drugs or the metabolites thereof at any time upon reasonable suspicion by the athletic director, athletic trainer, coach of the student athlete, or Director in Charge of any extra-curricular activity.
- 3.4** - Any drug-alcohol use test required by the Dumas ISD under the terms of the policy will be administered by or at the direction of a professional laboratory chosen by the Dumas ISD using scientifically validated technological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control and scientific testing.

- 3.5** – All aspects of the drug-alcohol use testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of students to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, the specimen must be collected in a restroom or other private facility behind a closed stall. The monitor shall not observe the student while the specimen is being produced, but the monitors shall verify the normal warmth and appearance of the specimen. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the director in charge who will then determine if a new sample should be obtained. The monitor shall give each student a form on which the student may list any medications he/she has taken or any other legitimate reasons for having been in contact with illegal drugs-alcohol or performance-enhancing drugs in the preceding thirty (30) days. The medication list may be submitted to the lab in a sealed and confidential envelope.
- 3.6** – If the initial drug-alcohol test is positive, the initial test 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-alcohol or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of six (6) months.
- 3.7** – If the drug-alcohol use test for any student has a positive result, the Medical Review Officer (MRO) shall contact the Superintendent with the results. The Superintendent will contact the principal. The principal shall contact the director in charge, and the parent or custodial guardian of the student, and schedule a conference. At the conference, the director in charge will solicit any explanation of the positive result and ask for doctor prescriptions of any drugs that the student was taking that might have affected the outcome of the drug-alcohol use test. If the student and his/her parent or custodial guardian desire another test of the remaining portion of the specimen, the director in charge will arrange for another test at the same laboratory or at another laboratory agreeable to the director in charge. Any such re-test shall be at the expense of the student and his/her parent or custodial guardian.
- 3.8** – If the student asserts that the positive test results are caused by other than consumption of an illegal drug-alcohol or performance-enhancing drug by the student, the student will be given an opportunity to represent evidence of such to the director in charge. The Dumas ISD will rely on the opinion of the laboratory which performed the test in determining whether the positive test result was produced by other than consumption of an illegal drug-alcohol or a performance-enhancing drug. After all evidence is presented by the student to the director in charge at the conference, and after any re-tests, the initial decision of whether a violation of this policy has occurred is made by the principal.
- 3.9** – A student who has been determined by the principal to be in violation of this Policy shall have the right to appeal the decision to the superintendent or his/her designee(s). Such appeal must be logged within five(5) school days of the principal's decision that an offense has occurred under paragraph 3.8 of this Policy, during which time the student will remain ineligible to participate in any extra-curricular activities. The superintendent or his/her designee(s) shall then determine whether the original finding was justified. The decision of the superintendent or his/her designee may be appealed to the Board of Education. Such appeal must be lodged within five (5) school days of the decision of the superintendent or designee.

4. – Violations of Policy

- 4.1** – "Violation" is defined, for purposes of this Policy, as a determination by the Dumas ISD, pursuant to paragraphs 3.7, 3.8, and 3.9 of this Policy, that a student has been tested positive for drugs under this Policy. "Violation" is also defined as the refusal of any student to allow himself/herself to be tested under the procedures

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outlined in this Policy. Refusal constitutes a violation of the student code of conduct and shall be considered as under the influence.

- 4.2** – A violation of this drug-testing Policy shall constitute an offense under the provisions of DISD Regulation FM-R.
- 4.3** – Before a student who has tested positive in a drug-alcohol use test may rejoin his/her extra-curricular activity after a first or second offense, such student may be required to undergo one or more additional drug-alcohol use tests to determine whether the student is no longer using illegal drugs-alcohol or performance-enhancing drugs. The Dumas ISD will rely on the opinion of the laboratory which performed or analyzed the additional drug-alcohol use test was produced by illegal drugs-alcohol or performance-enhancing drugs used by the student before the offense or by more recent use.
- 4.4** – When a student has committed three offenses under DISD Regulation FM-R whether or not such offenses are a violation of this drug- testing Policy), the student will be dismissed from all extra-curricular activities for one year, beginning from the date and time of administration verification of the third offense, as provided by DISD Regulation FM-R. During any such suspension from extra-curricular activities, the student is ineligible to rejoin his/her extra-curricular activity, regardless of whether the student is no longer using illegal drugs-alcohol or performance-enhancing drugs during the period of his/her suspension. Prior to rejoining his/her extra-curricular activity after the one-year suspension, the student may be required to undergo one or more additional drug-alcohol use tests to determine whether the student is no longer using illegal drugs-alcohol or performance-enhancing drugs. The student will also pay for and complete the “Alcohol Education Program for Minors”, which is a program offered through Amarillo College, prior to regaining eligibility to participate.

DISD FM-R Attached

Effective Date: 8-28-06

DUMAS ISD

STUDENT DRUG-ALCOHOL TESTING CONSENT

Statement of Purpose and Intent

Participation in school sponsored extra-curricular activities is a privilege. Students who participate in these activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, 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 of possession of illegal drugs-alcohol.

Drug-alcohol use of any kind is incompatible with participation in extra-curricular activities on behalf of the Dumas ISD. For the safety, health and well-being of the students involved in extra-curricular activities, the Dumas ISD has adopted this Policy for use by all students involved in extra-curricular activities.

Participation in Extra-Curricular Activities

Each student shall be provided with a copy of the Student Drug-Alcohol Testing Policy and Student Drug-Alcohol Testing Consent which shall be read, signed and dated by the student, parent(s) or custodial guardian(s) and coach/sponsor before such student shall be eligible to practice or participate in any extra-curricular activities. The consent shall be to provide a urine sample: A) as chosen by the random selection basis, B) at any time requested based on reasonable suspicion to be tested for illegal drugs-alcohol or performance-enhancing drugs and C) submit to a saliva test, No student shall be allowed to practice or participate in any extra-curricular activities unless the student has returned the properly signed "Student Drug-Alcohol Testing Consent."

Students Last Name	First Name	MI	Student ID Number
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I understand after having read the "Student Drug-Alcohol Testing Policy" and "Student Drug-Alcohol Testing Consent" that out of care for my safety and health, the Dumas ISD enforces the rules applying to the consumption or possession of illegal and performance-enhancing drugs. As a student of the Dumas High School involved in extra-curricular activities, I realize that the personal decision that I make daily in regard to the consumption or possession of illegal drugs-alcohol 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 drugs-alcohol or performance enhancing drugs, I understand upon determination of that violation, I will be subject to the restriction of my participation as outlined in the Policy.

Signature of Student

Date

We have read and understand the Dumas ISD "Student Drug-Alcohol Testing Policy" and "Student Drug –Alcohol Testing Consent" We desire that the student named above participate in the extra-curricular activity programs of the Dumas ISD, and we hereby voluntarily agree to be subject to its terms. We accept the method of obtaining saliva samples, urine samples, testing an 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 Student

Date

Signature of Parent or Custodial Guardian

Date

Signature of Director/Coach

Team

Medication List

I, _____ am currently taking or have taken the following drug-
alcohol, substances or medications in the last 96 hours (4 days).

Additional Information:

Drug-Alcohol Abuse Suspension Notification Form

Date

_____ has been determined to have committed an offense under the Dumas ISD Regulation FM-R Policy on extra-curricular activities. The District has imposed the appropriate consequences/suspension for this offense, and the student has been made aware of the consequences of subsequent offenses, in the space provided below. Attendance as a spectator is within the discretion of the administration in all categories of offenses.

- This the first offense. The student is suspended from participating in extra-curricular activities for fourteen (14) consecutive days, beginning on _____. The student will be allowed to continue to participate in practice, but will not be allowed to travel or be seated with the team/organization.
- This is the second offense. The student’s first offense occurred on _____. The student is suspended from participating in extra curricular activities for sixty (60) consecutive days, beginning on _____. The student will be allowed to continue to participate in practice, but will not be allowed to travel or be seated with the team/organization. The student will also pay for and complete the “Alcohol Education Program for Minors”, which is a program offered through Amarillo College, prior to regaining eligibility to participate.
- This is the third or subsequent offense. The previous offenses occurred on the following dates: _____ . The student is dismissed from all extra-curricular activities for one year, beginning on _____. The student shall not be allowed, to continue to practice. The student is to be removed from the extra-curricular activity and assigned to another class until the suspension has been removed. The student will also pay for and complete the “Alcohol Education Program for Minors”, which is a program offered through Amarillo College, prior to regaining eligibility to participate.

Superintendent

Date

Student

Date

Parent or Guardian

Date