

DeKalb County Board of Education

Substance Abuse Policy Extracurricular Activity / Student Parking Privilege

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Extracurricular Activity / Student Parking Privilege Substance Abuse Policy

The DeKalb County Board of Education 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 DeKalb County School System, proposes to adopt the following policy for drug testing extracurricular activity students and students choosing to operate a motor vehicle on school property and parking said vehicle on school property. *(This policy is being developed in conjunction with The Partnership for a Drug Free DeKalb, and initial funding is being provided by a grant received from the Partnership).*

Participation in school-sponsored interscholastic extracurricular activities and/or operation of a motor vehicle on the grounds of the DeKalb County Board of Education are privileges. Students who participate in extra-curricular activities are respected by the student body and are representing the school district and the community. Accordingly, students 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, sportsmanship, and training, which includes avoiding the use or possession of illegal drugs. Also, students who choose to operate a motor vehicle on school property have an additional safety responsibility to remain drug free.

I. OVERVIEW

The DeKalb County Board of Education (the Board) recognizes its students as present and future assets to the educational process. Students who participate in extracurricular activities serve as role models for other students and are keys to the goal of providing the best possible education for all students. To achieve that goal and to maximize the skills and talents of all students, it is important that every student, as well as employees of the school system, understand the dangers of drug use.

Substance abuse is a serious threat to the school system, its students, visitors, and its employees. Use of drugs by students significantly affects the health and safety of the using student, the student's classmates, and the school community, as well as undermining the educational process. Practical experience and research indicate that appropriate precautions are necessary to safeguard students and participants in the school community from the dangers of illegal drug use and misuse. The Board has decided that a drug-testing program is one such appropriate precaution.

Two groups of students have been selected for inclusion in this testing program – those who *choose* to participate in competitive extra-curricular activities and those who *choose* to obtain a parking permit for the purpose of parking their vehicle on school property. Students who participate in competitive extracurricular activities serve as role models for other students and are expected to adhere to high standards of leadership and conduct. Extracurricular programs all

involve some degree of interdependence among members and students participating in those programs. Participating students represent not only themselves, but their teammates, the school and their community. Significant time, effort and funds are expended by students, sponsors, parents and volunteers to make the programs successful, and the expectation is that all participating students be at their best while participating. Moreover, many extracurricular activities involve physical contact, athletic performance and demanding decision-making that are essential to success in the activity and safety of the participants. The dangers posed by drug use can be immediate and tragic in those activities or can be more subtle but nonetheless detrimental.

Likewise, students who drive automobiles or other motorized vehicles on campus have safety responsibilities beyond those of the average student. Students who wish to take advantage of driving a vehicle on school property and parking a vehicle on school property should be allowed to do so in a safe, drug free environment. The dangers posed by drivers who are not attentive, not alert, not cautious and not focused are well established. These dangers are even more prevalent among those who have just begun driving, who lack experience and who are expected to exercise care, caution, and concern among numerous other drivers who are similarly inexperienced. The impact of drug use (or the secondary effects of that use) by driving students may have immediate, tragic and devastating consequences, not only for the student involved in drug use but also for other members of the school community.

It is the belief of the Board that the benefits derived from a drug-testing program that requires testing of students involved in extracurricular activities and students with parking privileges outweigh the potential inconvenience to students. The Board earnestly solicits the understanding and cooperation of all students and parents in implementing this program. The Board already requires that all students report to school, practices, and competitive events without prohibited substances in their system. The Student Code of Conduct provides prohibitions against drug use, distribution, dispensation and possession and prescribes consequences for violating those prohibitions. The Board has elected to implement this testing program as an additional and complementary measure to prevent and deter drug use.

In order to enforce these rules, the Board reserves the right to require all students who desire to participate in extracurricular activities or who wish to park on Board property at any time while under the supervision or care of the school system to submit to drug testing to determine the presence of prohibited substances.

Students applying to participate in extracurricular activities or to obtain parking privileges may be tested for drugs as a condition to participation in the activity of their choice or to issuance of a parking permit. Students may also be required to undergo screening in conjunction with any scheduled physical examinations, on a random basis, without advance notice, and as a part of follow-up testing in the event of a violation of the program. Violations of these rules (including testing positive and/or refusal to undergo screening) have consequences, including suspension from competitive extracurricular activities or parking privileges, in accordance with the provisions set forth herein. No student testing positive, refusing to test, refusing to cooperate with testing, or

being in violation of this program will be penalized academically. The Board reserves the right to depart from these policies and procedures where it deems appropriate. This policy addresses drug testing only, and the guidelines herein apply when a drug test shows the presence of drugs. Additionally, whenever this occurs, the consequences prescribed by this program shall be imposed. However, when Board rules in the Student Code of Conduct regarding rules are broken, disciplinary action will be imposed, and the authority of the Board shall not be limited by anything in this program.

I. OBJECTIVES

- A. To create and maintain a safe, drug-free environment for all students on campus, particularly for those participating in competitive extracurricular activities and for those who drive and park on campus.
- B. To encourage any student with a dependence on, or addiction to, alcohol or other drugs to seek help in overcoming the problem.
- C. To reduce the likelihood of incidents of accidental personal injury to students and/or damage to property.
- D. To minimize the likelihood that school property will be used for illicit drug activities.
- E. To protect the reputation of the school system and its students.
- F. To undermine the efforts of peer pressure by providing a legitimate reason for students to refuse the use of prohibited substances.
- G. To prevent and deter drug use by students who participate in extracurricular activities and for those who park on campus.

III. DEFINITIONS

- A. **Extracurricular Activities** – Any middle or high school sanctioned or sponsored extracurricular activity involving competition, comparison, or judging of the individual(s) or groups with other individual(s) or groups. Extracurricular activities include, but are not limited to, athletic events, cheerleading, band, academic competitions (team or individual), choir, or career technical competitions.
- B. **Parking Privileges** – The privilege of a student to drive a vehicle on school property and/or park in any parking space on school property or otherwise park on the property owned or under the control of the DeKalb County Board of Education.

- C. **Prohibited Substances** – Alcohol, amphetamines, anabolic steroids, benzodiazepines, methadone, opiates, phencyclidine, propoxyphene, barbiturates, cocaine, cannabinoids, marijuana, hallucinogenic drugs, and all drugs which the narcotic and drug abuse laws of the United States, local municipalities, and/or the State of Alabama classify as illegal or controlled. Prohibited substances also include prescribed medications taken by a student, unless such medication has been prescribed for the specific student and is being taken in the dosages specified by the prescribing physician.
- D. **Authorized, Trained School Employee** – A principal, teacher, supervisor, counselor or other school official or designee who has been trained for at least one hour on alcohol misuse and an additional one hour on controlled substance misuse. The training will cover the physical, behavioral, speech, and performance indicators of probable use and misuse of alcohol and other prohibited substances. Documentation of training attendance must be maintained by the Drug Program Coordinator.
- E. **Drug Testing Agent** – The licensed and qualified independent agency or medical office selected by the Board to carry out the screening of students.
- F. **Drug Program Coordinator** – An employee of the DeKalb County Board of Education appointed by the Board and being responsible for the overall implementation of this program.
- G. **Medical Review Officer (MRO)** – A licensed physician employed by the Drug Testing Agency responsible for interpreting and evaluating the data generated from screenings.

IV. GENERAL PROVISIONS

Practical experience and research have proven that even small quantities of narcotics, abused prescription drugs, or alcohol can impair judgment and reflexes, which can create unsafe conditions for students. The use of controlled substances can have serious results for students engaged in competitive extracurricular activities and for those operating motor vehicles on campus. Students who use drugs are a threat to co-participants, other students, and themselves and may make injurious errors. For these reasons, the DeKalb County Board of Education has included in its Student Code of Conduct provisions designed to prevent the use and prescribe consequences for those who do. In addition, those provisions are designed to ensure that all school or school-related events and students are completely free from the effects and/or the presence of other prohibited substances.

The use of drugs while participating in any such activities, or while driving an automobile, is extremely dangerous and detrimental to those involved. The effects of drug use “off campus” or while participating in activities not directly related to school has secondary consequences that are similarly detrimental and harmful to students themselves and the school community.

Accordingly, drug testing will reduce the dangers that may be posed by such “off campus” use, will make it more difficult for students to conceal such use (whether the use is related in time to school activities or not), and will deter any and all use by students.

- A. **Drug Use/Distribution/Impairment/Possession** – All students participating in extracurricular activities and students who have been granted parking privileges are prohibited from using, possessing, distributing, manufacturing, or having prohibited substances; abusing prescription drugs or any other mind-altering or intoxicating substances; or having any prohibited substance while practicing, participating in competitive events, driving a vehicle on campus, or otherwise while under the care of the school system.
- B. **Alcohol Use/Possession/Impairment** – All students participating in extracurricular activities and students who have been granted parking privileges are prohibited from possessing, drinking, or being impaired or intoxicated by alcohol while at practice, participating in an extracurricular event, while driving a vehicle on campus, or while under the care of the school system.
- C. **Prescription Drugs** – The proper use of medication prescribed by a physician is not prohibited; however, the Board prohibits the misuse of prescribed (or over-the-counter) medications and requires all students participating in extracurricular activities and students granted parking privileges using medications at the direction of a physician to notify their coach, sponsor, and/or school administrator when taking these medications, and said drugs must be intended specifically for the student.

V. SUBSTANCE SCREENING

The Board will require students participating in any competitive extracurricular program or activity, and those wishing to obtain parking privileges, to submit to drug testing as a condition of that participation. The following three (3) types of testing may be required under this program:

- A. **Pre-participation Screening** – Drug testing may be required for students before being allowed to participate in extracurricular activities and before being granted parking privileges. Such testing may be included with a physical examination required under other applicable rules and regulations. Before participation in competitive extracurricular programs or activities is permitted, students and parents will be required to sign the Extracurricular Activity/Student Parking Privilege Consent and Release Form which authorizes drug testing under this Program. Similarly, before parking privileges are extended to any student, the student and his/her parent or guardian will be required to sign the Extracurricular Activity/Student Parking Privilege Consent and Release Form, which authorizes drug testing. A student will not be allowed to participate in any competitive extracurricular program or activity or exercise Parking Privileges if the student refuses to submit to the testing or if the student or parent fails to execute the applicable consent and release form.

- B. **Random Screening** – All students participating in extracurricular programs or activities or being granted parking privileges will be subject to random unannounced drug tests. The Drug Program Coordinator will provide a master list of all students subject to random testing (both those in the extracurricular activity programs and those who have been granted parking privileges) to the Drug Testing Agency. The Drug Testing Agency will produce, from the master list, random sample lists of students and present the random sample list to the Drug Program Coordinator. Students whose names appear on the random sample list will be notified and required to report to the designated collection sites for testing immediately. Each time a random test is conducted, the foregoing procedure will be used, and all students will have an equal chance of being chosen for a random test each time a test is given. The fact that a student was selected for one random test does not eliminate that student from the master list used in the following random test selection process. If a student is selected for testing and is absent on the day of the test, that student will go back into the pool for future selection.
- C. **Follow-Up Screening** – All students who have been suspended from participation in extracurricular activities or whose parking privileges have been suspended for violations of this program will be subject to follow-up testing for a period of not less than 12 months and not more than 60 months following their reinstatement to competitive extracurricular activities. The specific length of time a student will be subject to the follow-up testing and the frequency of the follow-up testing will be determined by the Drug Program Coordinator after consultation with the MRO.

VI. SCREENING PROCEDURES

- A. **General Guidelines** – The Board and the Drug Screening Agency shall utilize, when practical, well-established screening procedures and methods which may include those set forth by the Federal Department of Transportation, Procedures for Transportation Workplace Drug Testing Programs, 49 C.F.R. parts 40.1 through 40.39, the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. parts 382, 291, 392 and 395, the Alabama Code and implementing regulations.

1. ***Scope of Substances to be detected by Screening***

Students may be screened for any prohibited substance. The specific substances screened shall be determined by the Drug Program Coordinator and may be expanded at the discretion of the Coordinator.

2. ***Methods of Screening***

The Board reserves the right to utilize blood, hair, breath, saliva or urinalysis testing procedures or a combination thereof. All urine specimens that test positive for prohibited substances will be confirmed by gas chromatography/mass spectroscopy (GC/MS) or other appropriate confirmation process.

B. Collection Sites – The Drug Program Coordinator will designate collection sites for student screening. Screening shall be conducted on-site at the student's home school, when feasible.

C. Collection Procedure – The Board, the Drug Testing Agency, and its laboratory will develop and maintain a documented procedure for collecting, shipping and accessing urine and other specimens. A tamper-proof sealing system, identifying numbers, labels and sealed shipping containers will also be used for specimen transportation. The Board, the Drug Testing Agency, and its laboratory will utilize a standard custody and control form for all student screenings.

The school will provide instructions and training emphasizing the responsibility of the supervisory personnel to protect the integrity of the specimen and adhere to appropriate collection procedure. In addition, to protect the reasonable privacy interests of those being screened, all screening involving a urinalysis will be monitored by a school official of the same gender as the student being screened and shall allow each student providing a urine sample a private location in which to provide the sample that is not in plain view of the employee or other students.

The designated school official may, however, monitor the provision of the sample if he/she reasonably believes there have been attempts to alter any sample. The school nurse or assigned designee in their absence will be a third party observer at Fort Payne Middle School and will sign-off that each student's screening was appropriately conducted and properly documented.

D. Evaluations and Return of Results – The Drug Testing Agency will transmit, in writing, the results of the test to the Medical Review Officer. The Medical Review Officer will be responsible for reviewing test results of the students who have tested positive for prohibited substances. Upon confirmation of a positive test, the Medical Review Officer shall notify the student and the student's parent or legal guardian and give them an opportunity to discuss the results. Any unreasonable delay by the student and/or the student's parent/legal guardian could be viewed as a waiver of this meeting.

If, after examination of the results and conferring with the student and the student's parents and/or legal guardian, the Medical Review Officer is of the opinion that the student has violated the Extracurricular Activity/Student Parking Privilege Substance Abuse Policy, the Medical Review Officer will promptly report to the principal the name of the student and the results of the test. The principal will then schedule a conference with the student and the student's parent or legal guardian to discuss the Medical Review Officer's report and the disciplinary action to be taken.

E. Request for Retest – The student and/or parent/guardian may request a retest of any specimen or split specimen within seventy-two (72) hours of notification of a positive screening. Any request for a retest must be submitted in writing to the Medical Review Officer and must be within seventy-two (72) hours. The expense of any retests will be the sole responsibility of the requesting party.

F. Release of Screening Results – All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the Board through its Extracurricular Activity/Student Parking Privilege Substance Abuse Program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except in accordance with the Extracurricular Activity/Student Parking Privilege Consent and Release Form and as provided by applicable law.

It is the responsibility of the principal to maintain the confidentiality of all documents relating to student screenings and to implement procedures to prevent the unauthorized release of such information. The Medical Review Officer and the principal shall maintain individual student screening results for a reasonable period of time.

VII. VIOLATIONS

A student will be found to have violated this program if he/she tests positive for prohibited substances. Testing positive shall occur when a drug test administered under this Program shows the presence of any prohibited substance. Any attempt to alter any test or any specimen, compromise the specimen or to fail to abide by any provision of the program, whether enumerated specifically in this subpart or elsewhere in these regulations shall be construed as a violation. Any student who violates this policy shall be subject to the following:

A. Upon the First Violation:

- a. The student shall be suspended from competition in any extracurricular activity for a minimum of 2 weeks of the regularly scheduled competitions, beginning no earlier than the opening event for that activity. If a student is not participating in an in-season activity, the 2 weeks suspension will be applied to the beginning of the next in-season activity in which he/she participates. The student may not be reinstated to the extracurricular competitions until he/she tests negative for any prohibited substances. Parking privileges will also be suspended for a period of 2 weeks and will not be reinstated until he/she tests negative for any prohibited substances.
- b. The student's parent(s)/guardian(s) will be notified.
- c. There will be mandatory attendance required of the student and the parent(s)/guardian(s) in an approved counseling program by a licensed drug/alcohol professional. The parent(s)/guardian(s) will be solely responsible for paying the licensed drug/alcohol counseling agency and shall have the agency furnish an appropriate report to the Drug Program Coordinator.
- d. The student will be placed on a regular drug screening schedule for the next 12

calendar months during his/her involvement in the extracurricular programs of the DeKalb County School System. The costs of these tests are the responsibility of the parent or legal guardian.

B. Upon the Second Violation:

- a. The student shall be suspended from competition in any extracurricular activity for a minimum of 4 weeks of the regularly scheduled competitions, beginning no earlier than the opening event for that activity. If a student is not participating in an in-season activity, the 4 week suspension will be applied to the beginning of the next in-season activity in which he/she participates. The student may not be reinstated to the extracurricular competitions until he/she tests negative for any prohibited substances. Parking privileges will also be suspended for a period of 4 weeks and will not be reinstated until he/she tests negative for any prohibited substances.
- b. The student's parent(s)/guardian(s) will be notified.
- c. There will be mandatory attendance required of the student and the parent(s)/guardian(s) in an approved counseling program by a licensed drug/alcohol professional. The parent(s)/guardian(s) will be solely responsible for paying the licensed drug/alcohol counseling agency and shall have the agency furnish an appropriate report to the Drug Program Coordinator.
- d. The student will be placed on a regular drug screening schedule for the next 24 calendar months during his/her involvement in the extracurricular programs of the DeKalb County School System. The costs of these tests are the responsibility of the parent or legal guardian.

C. Upon the Third Violation:

- a. The student shall be suspended from participating in any extracurricular activity and/or forfeit parking privileges for a minimum of *one calendar year*. The student may not be reinstated to the extracurricular group until he/she tests negative for any prohibited substances.
- b. The student's parent(s)/guardian(s) will be notified.
- c. There will be mandatory attendance required of the student and the parent(s)/guardian(s) in an approved counseling program by a licensed drug/alcohol professional. The parent(s)/guardian(s) will be solely responsible for paying the licensed drug/alcohol counseling agency and shall have the agency

furnish an appropriate report to the Drug Program Coordinator.

- d. The student will be placed on a regular drug screening schedule for the remainder of his/her involvement in the extracurricular programs of the DeKalb County School System. The costs of these tests are the responsibility of the parent or legal guardian.

D. Upon the Fourth Violation

- a. The student shall be suspended from participating in any extracurricular activity in the DeKalb County School System for the remainder of his/her years of enrollment.
- b. The student's parent(s)/guardian(s) will be notified.

VIII. SCOPE OF PROGRAM

The disciplinary actions outlined herein are in addition to those in the DeKalb County School Student Code of Conduct which shall continue in full force and effect. Disciplinary action pursuant to the Code shall not be imposed solely because of a positive drug screening but may be imposed if the facts and circumstances underlying that screening result constitute a violation of the Code. In that case, however, the disciplinary action shall be based on conduct other than simply screening positive for drugs. The availability of this program shall not limit the other protective measures implemented by the Board to identify and eliminate the use of drugs by students. For example, the Board reserves the discretion to conduct searches on school property and may conduct those searches in the event of a positive drug screening. On-campus and school-related use, distribution, possession or impairment shall continue to be addressed utilizing the Student Code of Conduct.

The program does not and shall not be construed to create a right or entitlement to be selected for or to participate in any activity or to park on campus. No right or entitlement not otherwise provided by law is extended by the operation of this program.

IX. COSTS

All costs associated with the initial screening and any other costs associated with the implementation of this program, unless specifically outlined herein, shall be borne by the Board. *(The exception to this will be the initial funding from the grant obtained through The Partnership for a Drug Free DeKalb)*

X. APPEAL

If the student is dissatisfied with the findings of the Drug Program Coordinator or wishes to provide additional facts or information that are relevant to application of this policy, or the consequences proposed by the Director, the student or parent/guardian may present all such facts, circumstances, contentions, or requests in writing to the Board within seventy-two (72) hours of notice of action taken under this Program. Any removal of privileges for by this Program shall continue in full force and effect while said review is pending. The Board may review all said materials and reconsider any consequences imposed. The decision of the Board shall be final.

**DEKALB COUNTY BOARD OF EDUCATION
EXTRACURRICULAR ACTIVITY/STUDENT PARKING PRIVILEGE
CONSENT AND RELEASE FORM**

I have read and understand the DeKalb County Board of Education Drug Testing Program for Students Participating in Extracurricular Activities and for Students with Parking Privileges and agree to abide by the terms and conditions of the Program. I understand that the program prescribes drug testing, and I agree to submit to those tests at any time as a condition for my initial or continued participation in competitive extracurricular activities or to utilize parking privileges.

I specifically consent and agree to submit urine, breath, hair, and/or blood samples for testing to determine the existence of prohibited substances. I authorize any laboratory or medical provider to release test results to the Board, the MRO, the Drug Program Coordinator, persons providing counseling as required by the program and local school officials who have a need to know.

I also expressly authorize the Board and/or the MRO to release any test-related information, including positive results (a) as directed by my specific, written consent authorizing release of the information to an identified person, (b) to the court or attorneys representing any party in any lawsuit, grievance, or other proceeding initiated by or on behalf of myself, and/or (c) under compulsion of law.

I understand that my refusal to submit to testing for the use of prohibited substances will prohibit me from my initial and continued participation in the competitive extracurricular programs offered by the DeKalb County Board of Education and will render me ineligible for parking privileges. Any student who is in the pool for random testing and refuses a test will be viewed as testing positive.

I understand that it is a privilege, not a right, to be allowed to operate a motor vehicle and to park on Board owned properties and to participate in the extracurricular programs offered by the DeKalb County Board of Education and that I must comply with the terms and conditions of the Program in order to be offered the privilege to participate in these events.

This document will remain in effect and serve as my continued consent and release while I am a student in the DeKalb County School System, unless and until revoked by me or my parent/guardian in writing.

Student

Date

Parent/Guardian

Date

STUDENT DRUG TEST DATA FORM
(To be completed on the day of specimen collection)

**DEKALB COUNTY BOARD OF EDUCATION
EXTRACURRICULAR ACTIVITY/STUDENT PARKING PRIVILEGE
SUBSTANCE ABUSE POLICY**

I have read and understand the DeKalb County Board of Education Extracurricular Activity/Student Parking Privilege Substance Abuse Policy, and I have signed a Consent and Release Form giving the Board of Education and its agents permission to collect urine, breath, hair and/or blood samples and to perform appropriate tests thereon to identify the presence of prohibited substances.

I agree for the Board of Education and the drug testing agent () to release any and all information concerning the results of any drug/substance screening to the Board of Education's Medical Review Officer.

As a further condition of my participation in DeKalb County Board of Education Extracurricular Activity/Student Parking Privilege activities, I authorize the DeKalb County Board of Education, its agents, employees, and its Medical Review Officer to release any and all information concerning the results of any drug/substance screening to my parent(s) or legal guardian(s)

(Printed Name)

Student Signature

Parent or Guardian Name: _____

Mailing Address: _____

Parent or Guardian Phone Numbers:
Home _____
Work: _____
Cell: _____

