

## COLUMBIA – BRAZORIA ISD

### Supplement to the 2013-14 Student Code of Conduct and Campus Handbooks

\*\*\*The following policies additions were approved by the CBISD Board of Trustees on July 27<sup>th</sup>, 2010 and become effective immediately.

#### **REASONABLE SUSPICION ALCOHOL AND CONTROLLED SUBSTANCE TESTING**

Under the District's own authority, the Superintendent or designee may require a student to undergo controlled drug/alcohol testing to determine whether the student is using or is under the influence of a controlled substance or alcohol. Such an examination may be required when the Superintendent or designee has reasonable cause to believe that the student is using or is under the influence of a controlled substance or alcohol while at school or at school-related activities. The District's determination that reasonable cause exists to require the alcohol or controlled substance test shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the student, or indications of the chronic and withdrawal effects of controlled substances.

The person authorized to require controlled drug/alcohol testing under this policy shall have received at least 60 minutes of training on alcohol misuse and an additional 60 minutes of training on controlled substance use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

The medical examination shall be completed by an examiner chosen by the District and shall be at the District's expense. If, in the Superintendent's discretion, the circumstances so require, the student may be placed in an alternative educational setting pending the results of the examination.

A student confirmed to have violated the District's alcohol or controlled substances policy [see FNCF(LEGAL)] by either being under the influence or using alcohol or controlled substances while at school or at school-related activity shall be subject to appropriate disciplinary action in accordance with the Student Code of Conduct.

#### **MANDATORY DRUG TESTING PROGRAM**

The District requires drug testing of any student in grades 7-12 who chooses to participate in school-sponsored extracurricular activities or requests a permit to park a vehicle on school property. School-sponsored extracurricular activities for which testing is required include any competitive after school extracurricular activity.

The purposes of the drug-testing program are to prevent injury, illness, and harm resulting from the use of illegal and performance-enhancing drugs or alcohol; help enforce a drug-free educational environment; deter student use of illegal and performance-enhancing drugs or alcohol; and educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol.

The District shall provide each parent and student a copy of the drug-testing policy and consent form prior to the student's participation in an affected activity or receipt of a parking permit. The District shall conduct meetings with parents and interested student participants prior to the beginning of the fall practice period. District employees shall explain the drug-testing program, review the policy and consent form, and provide an educational presentation on the harmful effects of drug and alcohol abuse. Student attendance at the orientation meeting mandatory; however, parent attendance is not required.

Before a student is eligible to participate in extracurricular activities or to receive a parking permit. The student shall be required annually to sign a consent form agreeing to be subject to the rules and procedures of the drug-testing program. If the student is under the age of 18, the student's parent or guardian shall also sign a consent form. If the appropriate consent is not given, the student shall not be allowed to participate in extracurricular activities or to receive a parking permit.

Drug test results shall be used only to determine eligibility for a parking permit and participation in extracurricular activities. Positive drug test results shall not be used to impose academic disciplinary sanctions or academic penalties. Nevertheless, nothing in this policy shall limit or affect the application of state law, local policy, or the Student Code of Conduct. A student who commits a disciplinary offense shall be subject to consequences in accordance with the Student Code of Conduct.

Drug-testing results shall be confidential and shall be disclosed only to the student, the student's parents, and designated District officials who need the information in order to administer the drug-testing program. Drug test results shall not be maintained with the student's academic record. Results shall not be otherwise disclosed except as required by law.

The Board shall contract with a certified drug-testing laboratory to conduct testing of students' urine samples. Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District. The District shall make available to students and parents a list of the exact substances for which tests will be conducted.

Personnel from the drug-testing laboratory shall collect urine samples under conditions that are no more intrusive than the conditions experienced in a public restroom. When selected for testing, a student shall be escorted to the school's testing site by a District employee and shall remain under employee supervision until the student provides a sample. A student shall produce a sample within a closed restroom stall. A District employee of the same gender as the student shall be present when any samples are collected.

Random tests shall be conducted on as many as ten dates throughout the school year. The drug-testing laboratory shall use a random selection method to identify students chosen for random testing. Students shall not receive prior notice of the testing date or time. A student who refuses to be tested when selected or who is determined to have tampered with a sample shall be deemed to have a positive test result and shall be subject to the appropriate consequences depending on previous positive test results, if any. If a student is absent on the day of a random test, a sample shall be collected on the next random testing date.

An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive. Upon receiving results of a positive, the District shall schedule a meeting with the student, the student's parent if the student is under the age of 18, and the coach or sponsor of the extracurricular activity, as applicable, to review the test results and discuss consequences. The student shall have five days

following the meeting to provide a medical explanation for a positive result. The District shall notify the parent and student of drug and alcohol abuse prevention resources available in the area. Consequences of positive test results shall be cumulative through the student's enrollment in middle school and shall begin anew for high school.

Upon a first offense of receiving a confirmed positive drug test, a student shall be suspended from any extracurricular activity, and the student's parking permit shall be suspended, for 15 school days following the date the student and parent are notified of the test results. During the period of suspension, the student may participate in practices but not in any competitive activities or performances.

Upon a second offense of receiving a confirmed positive drug test, a student shall be suspended from any extracurricular activity, and the student's parking permit shall be suspended, for 45 school days following the date the student and parent are notified of the test results. During the period of suspension, the student may participate in practices but not in any competitive activities or performances.

Upon a third offense of receiving a confirmed positive drug test, a student shall be suspended from participation in any extracurricular activity, and the student's parking permit shall be suspended, for one calendar year following the date the student and parent are notified of the test results. During the suspension, the student may participate in practices but not in any competitive activities or performances.

If a student's suspension from participation in extracurricular activities and parking privileges is not completed by the end of the semester, the student shall complete the assigned period of suspension during the following semester or during the first semester of the following year.

A student or parent may appeal a decision made under this policy in accordance with FNG(LOCAL). The student shall be ineligible for participation in extracurricular activities or reinstatement of parking privileges while the appeal is pending.

Students who are not involved in designated activities but who voluntarily participate in drug testing with consent of their parent or guardian shall be subject to the same consequences for positive test results as set out herein, except for suspension from extracurricular activities.