

Lockney Independent School District

Activity Student Drug Testing Policy

The Lockney ISD 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 Lockney School District, proposes to adopt the following drug policy for drug testing of activity students.

Statement of Purpose and Intent

Although the Board of Education, administration, and staff desire that every student in the Lockney Independent School District refrain from using or possessing illegal drugs, district officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this policy governs only performance-enhancing and illegal drug use by students participating in certain extra-curricular activities. No suspensions from school or academic sanctions will be imposed for violations of this policy. This policy supplements and compliments all other policies, rules, and regulations of the Lockney Independent School District regarding the possession or use of illegal drugs. It is important to note that the possession or use of a controlled substances on school property does not fall under this policy. Possession and/or use of a controlled substance is covered under the Student Code of Conduct.

Participation in school-sponsored interscholastic extra-curricular activities at the Lockney School District is a privilege. Students who participate in these 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.

The purpose of this policy are five-fold:

1. To educate students of the serious physical, mental, and emotional harm caused by illegal drug use.
2. To alert students with possible substance abuse problems to the potential harms that drug use poses for their physical, mental, and emotional, well-being and offer them the privilege of competition as an incentive to stop using such substances.
3. Ensure that students adhere to a training program that bars the intake of illegal and performance-enhancing drugs.
4. To prevent injury, illness, and harm for students that may arise as a result from illegal and performance-enhancing drug use.
5. To offer students practices, competitions, and school activities free of the effects of illegal and performance-enhancing drug use.

Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extra-curricular activities and upon the positive

image these students project to other students and the community on behalf of the Lockney Independent School District. For the safety, health, and well-being of students in extra-curricular activities, the Lockney Independent School District has adopted this policy for use by all participants in interscholastic extra-curricular activities in grades 7-12.

The administration may adopt regulations to implement this policy.

I. Definitions

“Activity Student” means a member of any middle school or high school Lockney Independent School District sponsored extra-curricular organization which participates in interscholastic competition. This includes any student that represents Lockney Schools in any extra-curricular activity in interscholastic competition, such as Academic Team, Art, Athletics, Band, Cheerleader, and FFA.

“Drug Use Test” means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drugs or the metabolites thereof in a person’s urine.

“Random Selection Basis” means a mechanism for selecting activity students for drug testing that:

- a. Results in equal probability that any activity student from a group of activity students subject to the selection mechanism will be selected, and
- b. Does not give the School District discretion to waive the selection of any activity student selected under the mechanism.

“Illegal Drugs” means any substance which an individual may not sell, possess, use, distribute, or purchase under either Federal or Texas Law. “Illegal drugs” include, but are not limited to, all scheduled drugs as defined by law, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose. “Illegal drugs” shall also include alcohol.

“Performance-Enhancing Drugs” include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or athletic ability. The term “performance-enhancing drugs” does not include dietary or nutritional supplements such as vitamins, minerals, and proteins which can be lawfully purchased in over-the-counter transactions.

“Positive” when referring to a drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal or performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug test.

“Reasonable Suspicion” means a suspicion of illegal or performance-enhancing drug use based on specific observation made by coach, administrators, or sponsors of the

appearance, speech, or behavior of an activity student; the reasonable inferences that are drawn from those observations; and/or information of illegal or performance-enhancing drug use by an activity student supplied to school officials by other students, staff members, or patrons.

II. Procedures

Each activity student shall be provided with a copy of the “Student Drug Testing Consent Form” which shall be read, signed, and dated by the student, parent/guardian, and the coach/sponsor before such student will be eligible to practice or participate in any extra-curricular activities. The consent requires the activity student to provide a urine sample: (a) as part of the student’s annual physical or for eligibility of participation; (b) when the activity student is selected by the random selection basis to provide urine for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any extra-curricular activities involving interscholastic competition unless the student has returned the properly signed “Student Drug Testing Consent Form.”

Prior to the commencement of drug testing each year, an orientation session will be held with each Activity Student to educate them of the sample collection process, privacy arrangements, drug testing procedures, and other areas which may help to reassure the activity student and help avoid embarrassment or uncomfortable feelings about the drug testing process.

Each Activity Student shall receive a copy of the Activity Student Drug Testing Policy. The head coach, sponsor, or principal shall be responsible for explaining the Policy to all prospective students and for preparing an educational presentation to acquaint the student with the harmful consequences of drug and alcohol use and abuse.

All Activity Students will be required to provide a urine sample before the student may participate in an extra-curricular activity covered under this policy. A student who moves into the district after the school year begins will have to undergo a drug test before they will be eligible for participation.

Random selections will be made by the vendor on a monthly basis. All activity students involved in off-season or in-season activities will be on the master list and eligible for selection. Each month, the Lockney Independent School District will randomly draw a minimum of 10% of the Activity Student pool to provide a urine sample for drug use testing for illegal drugs or performance-enhancing drugs. In addition to the random selection process described above, Lockney ISD will also re-test any Activity Student who has previously tested positive over the next three testing intervals. These “re-tests” will be in addition to the normal number of randomized selections administered at that interval.

In addition to the drug tests required above, an Activity Student may be required at any time to submit to a test for illegal or performance-enhancing drugs, or the metabolites thereof when an administrator, coach, or sponsor has reasonable suspicion of illegal or performance-enhancing drug use by that particular student.

Any drug use test will be administered by or at the direction of a professional laboratory chosen by the Lockney Independent School District. The professional laboratory shall be required to use scientifically validated toxicological testing methods, have detailed written specifications to assure chain of custody of the specimens, and laboratory control and scientific testing.

All aspects of the drug use testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designated to a restroom or other private facility behind a closed stall. The principal/athletic director shall designate a coach, sponsor, or school employee of the same sex as the student to accompany the student to the restroom or other private facility behind a closed stall. The monitor shall be present outside of the closed stall to listen for the normal sounds of urination in order to guard against tampered specimens and to insure an accurate chain of custody. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with a specimen, the monitor may stop the procedure and inform the principal/athletic director who will then determine if a new sample should be obtained. The vendor shall give each student a form on which the student may list any medications legally prescribed for the student he or she has taken in the preceding thirty (30) days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the twenty-four (24) hours following any drug test. The medication list shall be submitted to the lab in a sealed and confidential envelope and shall not be viewed by district employees.

An initial positive test will be subject to confirmation by a second and different test of the same specimen. The second test will be conducted in a laboratory with more stringent controls. A specimen shall not be reported as positive unless the second test is positive for the presence of an illegal or performance-enhancing drug or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of fourteen (14) days to facilitate a medical review if requested. Student records will be retained until the end of the school year. Parents may, however, request that records be kept throughout the Activity Student's duration at LISD.

III. Confidentiality

The Laboratory will notify the principal/athletic director or designee of any positive test. To keep the positive test results confidential, the principal/athletic director or designee will only notify the student, the head coach, sponsor, and parent or custodial guardian of the student of the results. The principal, athletic director, or designee will schedule a conference with the student and parent or guardian and explain the student's opportunity to submit additional information to the principal, athletic director, or to the lab. The Lockney Independent School District will rely on the opinion of the laboratory which performed the test in determining whether the positive test result was produced by something other than the consumption of an illegal or performance-enhancing drug.

Test results will be kept in files separate from the student's other educational records, shall be disclosed only to those school personnel who have a need to know, and will not be turned over to any law enforcement authorities.

IV. Appeal

An Activity Student who has been determined by the principal or athletic director to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any extra-curricular activities from the date the request for review was submitted until the review is completed. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Superintendent's decision will be provided and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the Superintendent which shall be final and non-appealable.

V. Refusal to Submit to Drug Use Test

A participating student who refuses to submit to a drug test authorized under this policy, shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performances, and competitions for the remainder of the school year. Additionally, such student shall not be considered for any interscholastic activity honors or awards given by the school.

Lockney Independent School District is committed to cooperating with parents/guardians in an effort to help students avoid illegal drug use. The Lockney Independent School District believes accountability is a powerful tool to help some students avoid using drugs and that early detection and intervention can save lives.

Summary of Revisions:

Revisions:

Statement of Intent: Language added to clarify that testing for illegal or performance-enhancing drugs is different than possessing or using controlled substances while on campus.

Definitions: Strike Pom Pom, Vocal, and FHA since we are not currently offering those programs.

Procedures: Language clarified to identify the responsibility of the vendor to randomize selections, establish 10% of overall student pool as the testing sample, established mandatory re-testing for students who previously tested positive. (will retest for the next three testing cycles)

Procedures: Language removed identifying specific lab tests as testing procedures have advanced since initial policy was developed.

Procedures: Language revised to limit lab storage of positive samples from 6 months to 14 days to facilitate a medical review if requested.

Procedures: Language added allowing parents to request that drug testing records be maintained for more than the current school year.

Appeal: Language clarified regarding student requested review of results. (medical review)