

USD 363 STUDENT DRUG TESTING POLICY

The Holcomb USD 363 Board of Education, in an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse or injuries resulting from the use of drugs/alcohol, and to set an example for all other students of USD 363, has adopted the "Student Drug Testing Policy" for drug testing of students participating in or attending school-sponsored activities. The USD 363 Board of Education recognizes that all students have certain personal rights of privacy guaranteed by our federal and state constitutions. This policy will not infringe on those rights.

STATEMENT OF PURPOSE AND INTENT

- A. It is the desire of the USD 363 Board of Education, administration, and staff that every student in the USD 363 School District refrains from using, possessing, or distributing illegal drugs and/or alcohol. The actions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in or attend school-sponsored activities. This policy is intended to supplement and complement all other policies, rules, and regulations of USD 363 regarding possession and/or use of illegal drugs and/or alcohol.
- B. Participation in or attendance at school-sponsored activities is a privilege. Accordingly, students participating in or attending school-sponsored 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 and alcohol.
- C. The purpose of this policy is to prevent illegal drug use and to strive within USD 363 to create an environment free of illegal drug use and abuse. The sanctions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in or attend school-sponsored activities. No academic sanction for violation of this policy will occur, except to the extent that a violation of this policy would also constitute a violation of the school's discipline policy. If the school's discipline policy regarding drug/alcohol use is violated, the student will be subject to the penalties of the discipline policy.
- D. The purpose of this policy is to prevent drug/alcohol use; educate students as to the serious physical, mental, and emotional harm caused by drug use; alert students with possible drug problems to the potential harms of use; prevent injury, illness and harm as a result of drug use; and to maintain in the school district an environment free of drug use and abuse. USD 363 has adopted this policy for use by all students participating in or attending school-sponsored activities in grades 7-12.

DEFINITIONS

SCHOOL-SPONSORED ACTIVITIES – those activities that take place outside the regular course of study in school and those students involved in those activities including all USD 363-sponsored athletics and activities and interscholastic athletics and activities. Examples would include, but not be limited to, KSHSAA-sponsored athletics/activities, clubs, organizations, school-sponsored dances, music programs, and prom.

DRUG USE TEST – a scientifically substantiated method to test for the presence of illegal drugs, performance-enhancing drugs, alcohol, or the metabolites thereof in a person's urine, saliva, hair, or breath.

ILLEGAL DRUGS – any substance that an individual may not sell, possess, use, distribute, or purchase under either federal or Kansas law. Examples would include, but not be limited to, all scheduled drugs as defined by Kansas law, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose, as well as alcohol and vaping devices.

PERFORMANCE-ENHANCING DRUGS – includes anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or other athletic ability. Dietary or nutritional supplements such as vitamins, minerals, and proteins that can be lawfully purchased in over-the-counter transactions are not included in the term "performance-enhancing drugs."

POSITIVE RESULT – a toxicological test result that is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug-use test. "Positive" when referring to an alcohol test administered under this policy means a breathalyzer test result that is considered to demonstrate the presence of alcohol.

REASONABLE SUSPICION – means a school employee's suspicion based on specific personal observations concerning the appearance, speech, or behavior of a participating student, and reasonable inferences drawn from those observations in 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 could also include unusual increases in size, strength, weight, or other athletic abilities. All observations, sources, and personal information will be weighed by school employees on a case-by-case basis.

RANDOM SELECTION – each participant who has returned a signed consent form will be assigned a random number for testing purposes. The participant's drug test number will be used by the laboratory, which conducts the drug tests, to select the participants to be tested.

SCHOOL DAYS – Days that school is actually in session in USD 363.

ACTIVITY DAYS - Days that USD 363 actually has a school-sponsored activity (including weekends).

EDUCATION

The school shall provide a drug policy education session for students. The session will include an explanation of the "USD 363 Student Drug Testing Policy." In addition, it is recommended that each coach/sponsor conduct a player and parent meeting that will include expectations with respect to the use of illegal drugs/alcohol by participants. Parental attendance is strongly encouraged at each session. Each student will be provided a copy of the policy and consent form.

PROCEDURE

- A. Each student in school-sponsored activities shall receive copies of the "Student Drug Testing Consent Form" which shall be read, signed, and dated by the student and parent and/or guardian. All students wanting to participate in or attend school-sponsored activities must sign the consent form. This form must be returned to the office within the first three (3) days of school or their first three (3) days enrolled. Failure to turn in the properly signed consent form within the time limits set forth in this policy will keep a student from participating in or attending school-sponsored activities. Transfer students will be placed in a testing pool within one week of their enrollment date in USD 363 schools so long as this form is completed and turned in.
- B. ***** **VENDOR SPECIFIC PROCEDURES*******

VIOLATIONS

Any student who tests positive under this policy shall be subject to the consequences listed below. Violations under this drug-testing policy are cumulative throughout middle school grades 7-8 and throughout high school grades 9-12. Violations do not carry over from middle school to high school.

- A. **1ST OFFENSE**
 - a. The student shall be suspended from participation in or attending all school-sponsored activities including all performances and competitions for a period of thirty (10) school/activity days. Students can only be at school from 7:45 am to 3:35 pm.
 - b. Parents/Students will be notified of drug/alcohol resources for help in counseling.
- B. **2ND OFFENSE**
 - a. The student shall be suspended from participation in or attending all school-sponsored activities, including all performances and competitions, for a period of

ninety (90) school/activity days.

- b. Suspension can be reduced to 60 days upon successfully completing a drug/alcohol abuse class or counseling. This will be at the expense of the parents/students.

C. 3rd Offense

- a. The student shall be suspended from participation in or attending all school-sponsored activities, including all performances and competitions, for one hundred and eighty (180) school/activity days.
- b. The student will be allowed to be at school from 7:45-3:35 pm.

D. 4th Offense

- a. The student shall be suspended indefinitely from participating in or attending all school-sponsored activities, including all performances and competitions.
- b. A Mediation hearing will take place to determine the length of suspension. The length of the suspension could range from 180 days to the rest of high school career.

Self-Referral Program

USD 363 will offer a self-referral program for parents/students free of charge. If the parents/students wish to self-refer more than one time, it will be at the expense of the parents/students.

- A. Parents will have the option to have their student tested immediately or at the next scheduled testing window.
 - a. If the student has a positive test, no consequence will be given, but they will be required to test again at the next testing time.
 - b. If at any time that student tests positive again, they will be given the 2nd offense suspension.
- B. Students will also be able to self-identify themselves to be tested prior to being selected for fear of failing a test. They will fall under the same testing procedures as a parent self-referral

REFUSAL TO SUBMIT TO A DRUG TEST

Any student in the pool who refuses to submit to a drug/alcohol test authorized under this policy shall be considered in violation of this policy and subject to the appropriate suspension as stated previously in the USD 363 Student Drug Testing Policy.

TRANSFER STUDENTS

Any student transferring to USD 363 who wishes to participate in or attend school-sponsored activities must have a signed "Student Drug Testing Consent Form" on file with the principal's office within three (3) school days of his/her initial enrollment.

DISCLAIMER

The Holcomb USD #363 Student Drug Testing Policy does not supersede the student handbooks of Holcomb High School and Holcomb Middle School with regard to students found to be in possession of, using, providing, or under the influence of illegal substances or alcohol while on school property or at a school activity (home or away). Therefore, a student who violates the policy as set forth in the student handbooks should expect further consequences as deemed appropriate by the building principal.