

**STUDENT RIGHTS AND RESPONSIBILITIES:
INTERROGATIONS AND SEARCHES**

**FNF
(LOCAL)**

DRUG TESTING

Recognizing that observed and suspected use of alcohol and illicit drugs by District students is increasing, a program of deterrence shall be instituted as a pro-active approach to truly drug-free schools. This drug testing program does not in any way seek to modify the Student Code of Conduct or Chapter 37 regulations.

DRUGS ELIGIBLE FOR TESTING

The drugs eligible for testing may include but are not limited to the following:

Amphetamines	Barbiturates	Benzodiazepine	Cannabinoids
Phencyclidine (PCP)	Cocaine	Methaqualone	Opiates
Steroids	Inhalant Panel	Propoxyphene	Alcohol

EXTRA-CURRICULAR PARTICIPANTS

Prior to participating in competitive extracurricular activities, students in grades 7-12 shall be tested for drug use by means of a urinalysis. In addition, competitive extracurricular activity participants shall be subject to drug testing throughout the school year.

OBJECTIVES

The objectives of this program are to:

1. Provide students an avenue to combat drug and alcohol use by arming them with a well-developed, firm, and consistent policy that discourages their use.
2. Provide drug education programs for students who test positive for drug use.
3. Ensure the health and safety of participating students during performances.
4. Allow student participants an opportunity to say "no" to drugs.
5. Provide a deterrent to drug use for all participating students in competitive extracurricular activities.
6. Help maintain a drug-free school environment.
7. Be nonpunitive.

DEFINITIONS

The following definitions are for the purposes of the drug-testing program in this policy.

1. Testing regime: the random scheduling of drug test dates.
2. GC/MS: Gas Chromatography/Mass Spectroscopy; a scientific process to identify specific chemical compounds. A molecular fingerprint is obtained that identifies a chemical compound with 100 percent accuracy.
3. DOT: Department of Transportation
4. Chain of Custody Form: A preprinted form provided by the testing laboratory that records all contact with the provided specimen.
5. Participating students: All students in grades 7-12 who practice or participate in extracurricular activities.
6. Extracurricular activities: See FM(LEGAL).

The term " competitive extracurricular" shall be understood to include, but not limited to, the following activities:

SPORTS

Baseball
 Basketball
 Cross Country
 Football
 Golf
 Power Lifting
 Soccer
 Softball
 Swimming
 Tennis
 Track and Field
 Volleyball

ARTS

Band
 Choir
 Honor Guard
 One Act Play

ORGANIZATIONS

All School-Related Organizations that represent their Campus through competition

HONORS

Cheerleaders
 Drill Team
 Mascot

MISCELLANEOUS

Science Olympiad
 All UIL Competitions
 All Competitive Activities

Note: Any competitive activity that comes under the “No Pass No Play” rule shall be considered extracurricular.

THE PLAN

The drug testing program for participating students shall be administered as follows:

1. At the beginning of the seventh grade all student participants in competitive extracurricular activities will be required to have an Informed Consent Form signed by the student and his/her parent/guardian before the student will be eligible to practice, attend meetings or participate in any competitive extracurricular activities, including off season training. The form shall be filed with the Superintendent or designee.
2. At the beginning of each school year or at the time of enrollment, all new students to the district or participants in competitive extracurricular activities will be required to have an Informed Consent Form signed by the student and his/her guardian before the student will be eligible to practice, attend meetings or participate in any competitive extracurricular activities, including off season training. The form shall be filed with the Superintendent or designee.
3. Informed Consent Forms will remain valid until a parent/guardian requests removal in writing or until the student no longer participates in competitive extracurricular activities. Any student returning to competitive extracurricular activities will be required to have a current Informed Consent Form on file.
4. The Superintendent or designee shall determine dates for initial testing and dates for random testing.
5. Participating students selected for random testing shall be chosen from a pool that includes all participating students. For each testing regime a computer program shall be used to randomly select:
 - a. A minimum of 15 students from the middle school pool.
 - b. A minimum of 50 students from the high school pool.
6. After student numbers are drawn, they will be placed back into the pool.
7. Students may also be enrolled in the Drug Testing Voluntary Program. The drug testing regime for the voluntary program shall be scheduled on a day that is scheduled for drug testing of competitive extracurricular participants.
8. Participating students shall be required to provide a urine sample for the designated laboratory supervisor. Testing shall be administered by qualified laboratory personnel and professional staff.
9. Any eligible participating student selected randomly for testing who is not in school on the day of the testing shall be tested at the next testing regime.
10. Any student failing to produce an adequate specimen of urine will be subject to retesting at the next testing regime.
11. Students not able to produce an adequate urine specimen at the next testing shall be considered as refusing to test and subject to this policy's sanctions.
12. No participating student shall be penalized academically for testing positive for illegal drugs or banned substances.
13. The results of drug tests, pursuant to this policy, shall not be documented in any student’s academic record. Information regarding the results of drug tests shall not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process. In the event of service of any such subpoena or legal process, the student and the student's custodial parent, legal guardian, or custodian shall be notified at least 72 hours before response is made by the Board to the extent permitted by such subpoena or legal process.

TESTING PROCEDURES AND PROTOCOL

An independent laboratory shall be employed to use an accepted immunological urinalysis screening procedure. All drugs detected by the screen shall be confirmed by MS/GC at a DOT-certified laboratory before being reported. Testing procedures shall be as follows:

1. The vendor shall send qualified collectors to the school who shall oversee the collection of all specimens as outlined under the heading **VENDOR REQUIREMENTS**.
2. All specimens shall be identified by the student's social security number or student numbers and shall be taken to an independent lab for processing by lab personnel.
3. All positive screenings shall be confirmed by the participating student's admission and/or an additional test from a split specimen, which may include Gas Chromatography/Mass Spectrometry testing by an independent laboratory.
4. The testing lab shall submit final test results to the Superintendent who shall notify the parent/guardian and the appropriate principal, director, and/or sponsor in writing.

CONFIDENTIALITY

All drug test results are considered confidential information and shall be handled according to the following guidelines:

1. A strict chain of custody shall be enforced regarding the collection and coding of specimen samples to ensure total confidentiality and proper identification.
2. Those persons having results reported to them as set forth by this policy must sign a confidentiality statement.
3. Positive test results shall be divulged only to the student, principal, parent/guardian, directors, sponsors, and Superintendent. The parent/guardian shall also be notified of any sample that has a presence of an illegal substance.
4. When the student is no longer in school or his or her final year of eligibility to participate in extracurricular programs has expired, all test results shall be destroyed.

VENDOR REQUIREMENTS

At a minimum, the vendor must be able to provide the following services:

1. **Random Selection of Participating Students:** Once provided a list of participating students, the vendor shall select by computer the required number of students in a random and confidential manner. The vendor shall arrange with the Superintendent a day and time to do the collection of specimens. The schedule shall not follow any recognizable pattern. Upon arrival at the school, the vendor shall give the selected student names to the appropriate professional staff who shall arrange for these students to report to the collection area.
2. **Collection of Specimens:** The vendor shall provide chain of custody forms that meet the criteria of this policy and the testing laboratory. The vendor shall oversee the collection of specimens for drug testing of students, giving as much privacy as possible in obtaining the specimen.
3. **Testing of Specimens:** The vendor shall have all specimens tested for the specified illicit or banned substances by a qualified laboratory. The testing laboratory shall have experience in toxicology testing and chain of custody procedures. All specimens shall be initially tested using a highly accurate immunoassay technique, with all presumptive positive results then confirmed by a Gas Chromatography/Mass Spectroscopy (GC/MS) confirmatory test.
4. **Statistical Reporting and Confidentiality of Drug Test Results:** The vendor shall certify all drug screens as negative or positive and report the positive presence of illicit drugs in a confidential manner to the Superintendent.

The vendor or testing laboratory shall not release any statistics on the rate of positive drug tests to any person, organization, news publication, or media without expressed written consent of the Board. However, the vendor shall provide the Superintendent with a quarterly report showing the number of tests performed, rate of positive and

negative tests, and the types of substances found in the positive specimens.

SANCTIONS FOR POSITIVE TESTING

The following sanctions shall be imposed for any student testing positive to a drug test:

1. For the first positive test result or indication of the presence of drugs:
 - a. The parent/guardian shall be notified.
 - b. Retesting shall be required at each subsequent random testing regime for a minimum of one calendar year from the date of receipt of the test result.
2. For the second positive test result within any two consecutive calendar years:
 - a. The parent/guardian shall receive notification and shall be requested to attend a conference to discuss the student's drug test results. This conference shall also include the student, principal, and the student's director or sponsor.
 - b. Upon receiving notice by the proper school official, the student shall immediately be suspended from practices, contests, and/or activities in all competitive extracurricular activities for a minimum of 30 calendar days. In the event a participating student's sanctions occur during the sixth six weeks of the school year, the participating student shall complete his or her sanctions the following school year.
 - c. A letter of intent to remain in any competitive extracurricular activity shall be signed by the student and parent/guardian.
 - d. For reinstatement into competitive extracurricular activities, participating students shall:
 1. Be retested at the end of the 30-day suspension at the parent's/guardian's expense.
 2. Receive a negative test result.
 3. Complete a school drug counseling program approved by the District.
 4. Have verification of all sanction requirements by the principal, director, and/or sponsor.
 - e. Retesting shall be required at each subsequent random testing regime for a minimum of one calendar year from the date of receipt of the test result.
3. For the third positive test result within any two consecutive calendar years:
 - a. The parent/guardian shall receive notification and shall be requested to attend a conference to discuss the student's drug test results. This conference shall also include the student, principal, and the student's director or sponsor.
 - b. Upon receiving notice by the proper school official, the student shall immediately be excluded from practices, contests and/or activities in all competitive extracurricular activities for one calendar year.
 - c. A letter of intent to remain in any competitive extracurricular activity shall be signed by the student and parent/guardian.
 - d. For reinstatement into competitive extracurricular activities, participating students shall:
 1. Participate in all testing regimes for a minimum of one year.
 2. Receive a negative test result at each testing.
 - e. Any positive results during expulsion shall require a conference with the student, parent/guardian, principal, and the student's director or sponsor, to establish appropriate action.

REFUSAL TO TEST

Students refusing to be tested shall not be permitted to represent the District in any competitive extracurricular activities. After a 30-day waiting period, the student may be reinstated for participation if:

1. The student is tested at the end of the 30-day suspension at the parent's/guardian's expense.
2. A negative test result is received.

VOLUNTARY DRUG TESTING

The District shall make available to parents/guardians an important tool to use in the fight against and prevention of illegal drug use by our students. This tool is a voluntary substance abuse testing program. The student's participation in this program is voluntary and the parents/guardians may enroll their students in the program at any time during the program.

OBJECTIVES

The objectives of this program are to:

1. Provide students an avenue to combat drug and alcohol use by arming students with a "social out" when faced with temptation and/or peer pressure to use drugs.
2. Provide drug education programs for all students.
3. Provide the parents/guardians with factual information regarding possible drug use by their children.
4. Provide for accountability of the student and reality to the parent.
5. Help maintain a drug-free school environment.
6. Provide a truly nonpunitive program.

THE PROGRAM

The general guidelines of the program are as follows:

1. Each school year, the parent/guardian may elect to have their child participate in the program.
2. All District students in grades 7-12 may participate in the program.
3. Students participating in the program shall be randomly selected for testing throughout the school year.
4. The District shall engage a urinological lab to perform random drug testing at the parent's/guardian's expense.
5. Test results shall be revealed only to the student's parent/guardian by use of a results card code.

TESTING PROCEDURES AND PROTOCOL

Testing procedures and protocol shall be as follows:

1. An informed consent form to enroll a student in the random selection pool shall be required.
2. The parent/guardian may elect to enroll the student in multiple random tests each semester.
3. The parent/guardian shall be required to pay for all tests at enrollment.
4. Random drug testing shall be performed during each semester of the school year.
5. The results shall be confidentially communicated to the parents.
6. Individual test results shall not be reported to the District.
7. A list of students shall be compiled for grades 7-12 of enrolled participants for random testing.
8. The lab will randomly select students for testing.
9. Testing will be administered by qualified lab personnel on the students' home campuses.
10. The parent/guardian shall be notified when a student fails to take a scheduled drug test or refuses to take a scheduled drug test. The parent/guardian shall be responsible to set a date and time with the selected lab if they wish to reschedule a test. The parent/guardian shall be responsible to take their child to the lab for all rescheduled tests.
11. Students enrolled in the volunteer drug testing program shall be enrolled in D-FY-IT with parent permission.
12. Students may also be enrolled in the Drug Testing for Extracurricular Activities Program. The drug testing regime for the voluntary program shall not be scheduled on a day that is scheduled for drug testing of extracurricular participants. * (See Waiver)

**WHITEHOUSE INDEPENDENT SCHOOL DISTRICT
INFORMED CONSENT AGREEMENT**

I/We _____ hereby consent to allow _____
(Parent or Guardian) (Student) to undergo
drug testing for the presence of illicit drugs or banned substances in accordance with the Board Policy and procedures FNF
(Local).

I/We understand that a qualified vendor will oversee the collection process.

I/We understand that any urine samples will be sent only to a certified medical laboratory for actual testing, and that the samples will be coded to provide confidentiality.

I/We hereby give my consent to the vendor selected by the Whitehouse ISD's School Board, their laboratory, doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected vendor to perform drug testing for the detection of illicit drugs or banned substances.

I/We further give permission to the vendor selected by the Whitehouse ISD School Board, its doctors, employees, or agents to release all results of these test to the medical vendor. I understand these results will be forwarded to the superintendent and will also be made available to the parent or guardian.

I/We understand that consent pursuant to this Informed Consent Agreement will be effective for all extracurricular activities in which this student might participate during the school year.

I/We hereby release the Whitehouse Independent School District, School Board, and it's employees from any legal responsibility of liability for the release of such information and records.

AS A PARENT / GUARDIAN / CUSTODIAN:

- I have read the drug testing policy and understand the responsibility of my son/daughter/ward as a participant in competitive extracurricular activities in the Whitehouse ISD.
- I understand that my son/daughter/ward, when participating in any competitive extracurricular activity, will be subjected to initial and random drug testing, and if they refuse, will not be allowed to practice or participate in any extracurricular activity. I have read the consent form and agree to its terms.
- I understand this is binding while my son/daughter/ward is a student participating in competitive extracurricular activities at Whitehouse ISD.
- I understand that Informed Consent Forms will remain valid until a parent/guardian request removal in writing or until the student no longer participates in competitive extracurricular activities. Any student returning to competitive extracurricular activities will be required to have a current Informed Consent Form on file.

Parent / Legal Guardian

Name: _____
Last First MI

Signature _____

Date: _____

**PLEASE COMPLETE THE STUDENT INFORMATION ON THE BACK OF THIS
PAGE:**

WHITEHOUSE ISD STUDENT PARTICIPATING IN COMPETITIVE EXTRACURRICULAR ACTIVITIES:

- I understand and agree that participating in competitive extracurricular activities is a privilege that may be withdrawn for violation of the Whitehouse Independent School District Drug Testing Policy FNF (Local).
- I have read and understand the Whitehouse ISD Drug Testing Policy and thoroughly understand the consequences that I will face if I do not honor my commitment to the drug testing policy.
- I understand that when I participate in any competitive extracurricular activity, I will be subjected to initial and random drug testing, and if I refuse, I will not be allowed to practice or participate in any athletic activity.
- I understand this is binding while a student participating in any competitive extracurricular activity at Whitehouse ISD.

STUDENT: (print)

Name _____
Last First MI
Address _____
Campus _____ Grade _____ ID No. _____

STUDENT SIGNATURE: _____ Date _____

To be filled out by the student: (please print)

ORGANIZATION(S) YOU PARTICIPATE IN:

Athletics:

_____, Coach: _____
_____, Coach: _____
_____, Coach: _____
_____, Coach: _____

Organization:

_____, Sponsor: _____
_____, Sponsor: _____
_____, Sponsor: _____

Coach / Sponsor:
If you are the coach or sponsor that received this form from your participating student, please check the information and sign.

Signature of Coach or Sponsor

**WISD Policy FNF (Local) is available on the WISD website at:
www.whitehouseisd.org/departments/SchoolBoard/policies.php**