

## SCOTT COUNTY SCHOOL DISTRICT DRUG TESTING POLICY PROGRAM

For the purposes of this policy, student refers to any student in grades 9-12 who participates in any extracurricular activity selected by the Board to include, but not limited to, any athletic program, any driver, or any other extracurricular activity in the District.

Students and parents/legal guardians will be made aware of the drug testing process and the steps and consequences if and when a student tests positive. It is important to maintain accuracy and confidentiality of the test results, including the maintenance of a documented chain of specimen custody to insure the identity and integrity of the sample throughout the collection and testing process.

### PURPOSE

The purpose of the Drug Testing Program is to aid and assist students. It is not intended to unduly interfere with the student's private life or to bring hardship, but rather to protect the student's well being and threat to others who are associated with extracurricular activities in the District. Specific goals of the program are as follows.

1. To reassure students, parents and community that the health and academic progress of each of its students is the primary goal of the District.
2. To develop a drug-free extracurricular activities program and produce students who can serve as role models to influence peers to lead healthy and responsible lives.
3. To prevent drug use and abuse by students of the District.
4. To identify any student who may be using or abusing drugs including synthetic illegal substances, and to determine the identity of the drug or drugs.
5. To educate any student who may be using or abusing drugs including synthetic illegal substances, as to the possible physical **and mental effects drug use may have and its possible adverse effects on a team and its members.**
6. To provide opportunities for treatment and counseling rehabilitation for any student who is determined to be using or abusing drugs including synthetic illegal substances.
7. To provide reasonable safeguards to help insure that every student in the District is physically competent to participate in extracurricular activities.
8. To remove the stigma of drug use and abuse from those students who do not use or abuse drugs.

No student testing positive, (positive defined as: evidence of tested drugs including synthetic illegal substances in blood system), refusing to test, refusing to cooperate with testing or being in violation of this policy shall be penalized academically. Information, including testing positive, shall not be released to criminal or juvenile authorities absent compulsion by valid state or federal laws. The District shall work with the student and/or his or her parent(s)/legal guardian(s) when there is any violation of this policy and procedures.

## SCOTT COUNTY SCHOOL DISTRICT DRUG TESTING PROCEDURES PROGRAM

The Scott County School District administrators, coaching staff, and sponsors, along with the Scott County School District Board of Education, strongly believe that the use and abuse of drugs can

1. Be detrimental to the physical and mental health of students;
2. Seriously interfere with the academic, social, and competitive performance of the students;
3. Be extremely dangerous to the student's teammates, particularly with regards to the participation in competition or practice; and
4. Create an unfair and damaging stigma for those students who do not use and abuse drugs.

Because of the genuine concern for each student participating in extracurricular activities in the Scott County School District, as well as, the obligation to assure that the extracurricular activities programs are operated in the best interest of all who participate, the school district is implementing a program of drug education, testing and counseling/rehabilitation to assist and benefit all students.

Random drug Testing is required for any student participating in any extracurricular activity identified by the Board. Students and parents/legal guardians are **required to sign a student consent/release form** before submitting to screening or testing.

The drug testing program shall be implemented in accordance with the established board policy by the administration with the advice and assistance of representatives from the medical profession. The contracting biomedical laboratory shall be approved by the Scott County School District Board of Education and conduct drug testing according to nationally accepted standards and procedures.

**The testing shall be done only with written consent from the student and the parent(s)/legal guardian(s).**

### EFFECTS OF POSITIVE RESULTS

Re-test refers to a series of one (1) or more tests given after a positive test is reported. More than one (1) test may be used to re-test because of the amount of time needed for the substance to be removed from the body of the student.

### SANCTIONS

#### First Violation:

1. A student testing positive shall be suspended for the next four (4) program events or the next four (4) weeks of the season whichever is greater. Driving privileges shall be denied for the next four (4) weeks of school. Suspension shall begin the date that the results are received. A suspension may carry over to the student's subsequent participation on another covered activity or to the following season. Before reinstatement after the first violation, the student participant must receive an assessment or evaluation for chemical dependency. Prior to readmission to participation in a covered activity or reauthorization to drive, the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.
2. If a student is reinstated to a covered activity or driving privileges following the first violation, the student's participation in another activity shall not be restricted solely because of the existence of the first violation. If a student chooses not to seek reinstatement to the activity after a first violation, the student is still required to serve the un-expired portion of the previous suspension. The student must complete all forms required for participation on another extracurricular activity, and the student must

submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.

## **SANCTIONS (CONTINUED)**

### **Second Violation:**

1. For a second violation, the student participant shall be suspended for the next ten (10) covered events or ten (10) weeks of the season whichever is greater in time. Student drivers with a second violation may be denied permission to drive and/or park on school property for the next ten (10) weeks of school. If necessary, the suspension shall carry over to the student's subsequent participation on another covered activity or to the following season or school-year. Before reinstatement after a second violation, the student participant must successfully complete recommendations that resulted from a chemical dependency assessment as evidenced by a written statement to that effect issued by a treatment counselor. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.
2. If a student is reinstated to the activity following a second violation, the student's participation in another activity shall not be restricted solely because of the existence of the second violation. If the student elects not to seek reinstatement to the activity after a second violation, the student is still required to serve the un-expired portion of the previous suspension. The student must complete all forms required for participation on another extracurricular activity. A student serving a suspension for one sport/activity may try out for a second sport or join a second activity if the student provides a negative drug test result from the testing laboratory under contract. If the student is accepted to another covered activity, prior to any participation, the student must serve the unexpired portion of the previous suspension. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.

### **Third and Subsequent Violations:**

The student participant or driver shall be excluded from participation in any covered activity for one (1) full calendar year. A student who has tested positive a third or subsequent time must submit to voluntary drug testing upon return to participation and will be tested no fewer than two (2) times in the first full calendar year following their return to participation. The student/parents are encouraged to seek drug counseling. If a student under the age of eighteen (18) has tested positive four (4) or more times within a two (2) year period, a neglected child report will be made consistent with the child abuse/neglect reporting statute.

**Use of Alcohol, Drugs and Other Prohibited Substances****NON-PUNITIVE NATURE OF POLICY**

No Student shall be penalized academically, nor face any consequences from the Student Code of Conduct for testing positive for illegal drugs. However, if a student violates the student code of conduct by being under the influence or, in possession of or trafficking in any illegal substance while on school grounds or at school sponsored function the student will be subject to consequences outlined in the student code of conduct. The results of drug tests pursuant to this policy will not be documented in any student's academic records.

**Appeal Process**

If the student is suspended from extracurricular activities, he/she has the right to appeal the decision to the Superintendent within five (5) business days. Then if the student receives an unfavorable decision he/she has the right to appeal the decision to Scott County School District Board of Education within five (5) business days for a final determination. Although the appeals process is informal, the student shall have the right to have an attorney, at the student's own expense, and the right to question witnesses.

**Miscellaneous Provisions**

If any portion of the policy shall be found to be unconstitutional or illegal, the remainder of the policy shall not be affected thereby, and shall remain in full force and effect.

All responsibilities and duties of administration and the District personnel named herein shall be deemed discretionary acts.