

SUBSTANCE ABUSE – EXTRA CURRICULAR PARTICIPATION

ALEXANDER CITY SCHOOLS PROHIBITIVE SUBSTANCE TESTING PROCEDURES FOR STUDENTS PARTICIPATING IN EXTRACURRICULAR ACTIVITIES OR STUDENTS WITH ON-CAMPUS PARKING PRIVILEGES

I. Overview Statement

The ACBOE recognizes and values the importance of providing a safe environment for all students, staff, and visitors. Accordingly, the Board has adopted a system goal that aligns to its value of safety. In addition, the Board has adopted two substance abuse policies that allow for prohibitive substance testing for students who participate in extracurricular activities and for those who are granted on-campus parking privileges – policies 5.91 and 5.92. Substance abuse can be a serious threat to the school system, its students, visitors and employees. While the percentage of substance abusing student participants may be relatively small in absolute terms, any substance abuse may significantly affect the health and safety of the abusing student, fellow students, faculty and staff, school visitors, or the student's teammates or opponents. Moreover, practical experience and research indicate that appropriate precautions are necessary. It is the belief of the Board that the benefits derived from the prohibitive substance testing objectives outweigh the potential inconvenience to students. In implementing the substance abuse policies, the Board earnestly solicits the understanding and cooperation of all students and parents, especially those seeking on-campus parking privileges and those participating in extracurricular activities.

The Board requires that all students report to school, extracurricular meetings/practices, and extracurricular events without prohibited substances in their system. No student shall use or be under the influence of prohibited substances while driving/parking on-campus or participating in any extracurricular practices, events, or otherwise while under the care and supervision of the school system.

On-campus parking privileges and participation in student extracurricular activities are a privilege, not a right. Students wishing to participate in extracurricular activities and/or to receive on-campus parking privileges must be willing to conform to the guidelines set forth in all substance abuse policies and related procedures.

In order to avoid creating safety problems and to remain in compliance with policy, students participating in extracurricular activities must inform their sponsor, director, coach or assistant coach when they legitimately possess and are taking medications which may affect their ability to practice or compete.

In order to enforce these rules, the Board reserves the right to require all students to submit, at any time prior to, during, or following a practice, competitive event, extracurricular activity, or otherwise while under the supervision or care of this school system, to a drug test to determine the presence of prohibited substances.

Students applying to participate in competitive extracurricular activities may also be screened as a condition for participating in the program. Students may also be required to undergo screening in conjunction with scheduled physical examinations, where a trained School Board observer has reasonable suspicion to believe a student has violated its student substance policies while on school property, at a school function, or while under the control, custody, and supervision of the school district, and/or in a random basis without advance notice.

Violation of these rules, including testing positive and/or refusal to undergo testing will subject the student to discipline, including suspension from student on-campus parking privileges and/or student extracurricular activities in accordance with the penalty structure set forth herein. Refusal to cooperate in any test investigation may also result in discipline, including immediate suspension of on-campus parking privileges and/or from participating in student extracurricular activities.

No student testing positive, refusing to cooperate with testing, or being in violation of the student substance abuse policies will be penalized academically. Information, including testing positive, shall be held in the strictest confidence and will not be released to criminal or juvenile authorities, absent compulsion by law or consent of the student, the student's parents or legal guardian.

All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the Board through its prohibitive substance testing program, are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except in the following (a) as directed by the specific, written consent of the student and the student's parents or legal guardian authorizing release of the information to an identified person; or, (b) to the tier of fact(s) in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, or otherwise under compulsion of law. The Board reserves the right to amend its student substance abuse policies (5.91 & 5.92) in a manner consistent with normal policy adoption/amendment procedures.

The Board also reserves the right to amend procedures related to these policies. Students covered by these policies and procedures will be informed of changes.

II. POLICY OBJECTIVES

1. To create and maintain a safe, drug-free environment for all students participating in extracurricular activities or parking on-campus.
2. To deter drug and alcohol use among students participating in extracurricular activities or parking on-campus.
3. To encourage any student with a dependence on or addiction to alcohol or other drug, to seek help in overcoming the problem.
4. To reduce the likelihood of incidents of accidental personal injury and/or damage to students or property.
5. To minimize the likelihood that school property will be used for illicit drug activities.
6. To protect the reputation of the school system and its students.
7. To educate parents and students to the warning signs and dangers of alcohol and illegal drugs.
8. To undermine the efforts of peer pressure by providing a legitimate reason for students to refuse the use of prohibited substances.

III. ENFORCEMENT

Pursuant to school policy and regulations, students who participate in extracurricular activities or receive on-campus parking privileges, with appropriate student and/or parental consent, may be tested prior to the beginning of a school year, season or activity, during the school year, season of the activity, or on any random schedule without advance notice. Once a student is placed in the random testing pool, the student is subject to testing for the remainder of the year.

When a school employee has reasonable suspicion to believe a student participating in extracurricular activities or one who has on-campus parking privileges has violated the student substance abuse policies (5.91 & 5.92), the student may be required to undergo drug and/or alcohol testing. Failure to comply will render the student ineligible for on-campus parking privileges and/or extracurricular activities for which he/she is currently participating and from other activities for the duration of the school year.

A student who has tested positive for alcohol and/or other drugs and who has had the positive test result confirmed by the Medical Review Officer (MRO) will be governed by the consequences outlined in these procedures. The student's, parent's, or guardian's refusal to cooperate with the ACBOE, the Board representatives, and/or with medical personnel during the course of collecting the clean and unadulterated sample, reporting information about the sample, or enforcing the penalties and required counseling associated with a positive sample shall result in immediate suspension of on-campus parking privileges and/or from participation in extracurricular activities for the duration of the school year.

No student testing positive, refusing to test, refusing to cooperate with testing, or being in violation of this policy will be penalized academically. Information, including testing positive, will not be released to criminal or juvenile authorities unless under compulsion by valid state or federal laws.

IV. TESTING PROCEDURES

1. Random Testing

The school will conduct random drug testing of students with on-campus parking privileges and those participating in extracurricular activities. Those students participating in extracurricular activities in grades 7-12 will be submitted to the testing pool. At its discretion, the school district will determine the rate and intervals of testing, but a minimum of four testing sessions will be conducted annually. For each testing session, the randomly selected group to be tested will consist of approximately 20% middle school students and 80% high school students. The student information in the pool will be updated periodically. The school also reserves the right to do baseline testing, which is defined as testing of all students who participate in extracurricular activities. Students who transfer into ACS and are participants in extracurricular activities and/or granted on-campus parking privileges will be entered into the random testing pool upon admission to the school. These students are subject to baseline testing.

2. Test Day Check-Outs, Check-Ins, or Absences

- A student who is selected for random testing and is absent on the day of the random drug screening will not be penalized in any way should his/her name be on the random list for testing that day.
- A student, who is selected for random testing and is absent when the random drug screening process begins, but checks in before the process is completed, will be subjected to testing at the time of check-in.
- A student, who possesses a check out note that was generated by the office in conjunction with a note from a parent or guardian prior to the testing day and that specifies a time and date when the student should check

out, will be permitted to check out at the predetermined time. Should his/her name be on the randomly generated list for testing on that day, he/she will not be penalized.

- A student whose name is selected for random testing and who wishes to check out of school after the drug testing agency has come on-campus, may do so, but only after completing the required drug testing. Leaving campus without submitting to or completing testing will be seen as a refusal to test, and the penalties will be the same as those penalties for a student who refuses to test.

3. Reasonable Suspicion

When there are observable circumstances that provide reasonable suspicion to believe a student with on-campus parking privileges or one who participates in extracurricular activities has used alcohol and/or other drugs, the student may be required to take a drug and/or alcohol test. Determination that reasonable suspicion exists must be based on observations.

4. General Guidelines

The school and its lab shall rely, when practical, on the guidance of the federal Department of Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40.39, and on the further guidance of the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392, 395.

5. Substances Tested For

The school will maintain a list of substances for which students may be screened. That list is subject to review and change without advance notice. This list may include, but is not limited to the following: alcohol, ecstasy (MDMA), marijuana, synthetic marijuana (Spice or K2), amphetamines, cannabinoids (marijuana and its derivatives), cocaine, opiates, anabolic steroids, barbiturates, benzodiazepines, LSA methadone, methaqualone, oxycodone, heroin, phencyclidine, inhalants, ketamine, GHB, GBL, and rohypnol.

Any illegal or prescription drug may be included on the list, and any student who is included in the testing pool is subject to being tested for all or any combination of drugs on the screening profile without advance notice.

6. Collection Site

The ACBOE will designate collection sites where individuals may provide specimens. Such designation will be determined by the Drug Testing Coordinator (DTC) and will be subject to the review and approval of the Superintendent and the Board of Education.

7. Collection Procedure

The school and the approved laboratory are responsible for developing and maintaining a documented procedure for collecting, shipping, and accessing specimens. A tamper-proof sealing system, identifying numbers, labels, and sealed containers will be used for specimen transportation.

The school and its laboratory will utilize a standard Urine Custody and Control Form for all drug testing. Any student governed by the substance abuse policies will be required to complete the **STUDENT CONSENT/RELEASE FORM FOR PROHIBITIVE SUBSTANCE TESTING**.

8. Evaluations and Return of Results to the School

The testing laboratory will transmit by fax, mail, or computer, but not orally, the results of all tests to the Board of Education's and the school's MRO who will be responsible for reviewing test results. Prior to making a final decision and prior to contacting the school's DTC, the MRO will notify the parent or guardian of a positive result and give the parent or guardian the opportunity to discuss the result.

Depending on the substances found in the urine, the parent or guardian will be given the opportunity to submit a valid prescription that may have produced a positive result. After final review, the MRO will, promptly and in a confidential manner, transmit to the DTC the name of any student who has tested positive.

After being informed of a positive test result, the DTC will schedule a conference between the student and his/her parents or guardians to discuss the test result and the consequences.

9. Request for a Retest

A student may, together with his/her parents, request a retest of the split specimen collected on the original testing date. This request must be made to the MRO within 72 hours of notification of the final test results. Written requests must be submitted to the DTC. The parent or guardian will be required to pay the cost associated with the retest in advance, but the school will reimburse him/her if the result of the test is negative.

10. Release of Test Results

All information, interviews, reports, statements, and test results, whether written or otherwise, received by the Board or school through its prohibitive substance testing program are confidential communications and will remain strictly confidential.

Students will be required to execute a *STUDENT CONSENT/RELEASE FORM FOR PROHIBITIVE SUBSTANCE TESTING* permitting the school or its designee to release test results and related information to school officials who need to know such as the Board of Education, Superintendent, school principal, coach, director, or sponsor of the activity from which the student is suspended, and the counseling agency or counselor responsible for mandated counseling.

- V. **NOTICE REQUIREMENTS** - School officials shall make the basic provisions of the student substance abuse policies and related procedures available to students in a timely manner. Students will be notified of any modifications of such policies and related procedures. In addition, certified employees shall, at the beginning of the school year, participate in scheduled discussions of the substance abuse policies. The discussions shall include, but are not limited to the following topics: purpose of the policies, random sampling, and collection and reporting procedures.
- VI. **CONSEQUENCES OF POSITIVE PROHIBITIVE SUBSTANCE TEST** - Once a student has tested positive, his/her name will be removed from the random pool of names and placed on a list of students who will be subject to testing every time drug testing is conducted for one calendar year.

ALCOHOL

First Violation:

- Parental/Custodial/Guardian notification (If desired, a retest must be requested within 72 hours of notification. This will be paid for by the parent/guardian)
- Enrollment in an alcohol education program (student expense)
- The student must retest negative before he/she can resume privileges. (student expense)
- Complete a suspension of 15% of contests (not from practice) and/or parking days

Second Violation:

- Parental/Custodial/Guardian notification (If desired, a retest must be requested within 72 hours of notification.) This will be paid for by the parent/guardian
- Enrollment in an alcohol education program (student expense)
- Complete a suspension of 40% of contests (not from practice) and/or parking days
- The student must retest negative before he/she can resume any privileges. (student expense)

Third Violation:

- Parental/Custodial/Guardian notification (If desired, a retest must be requested within 72 hours of notification.) This will be paid for by the parent/guardian
- Enrollment in an alcohol education program (student expense)
- Suspension for one calendar year from participation in any extracurricular activity and/or on-campus parking privileges
- The student must retest negative before he/she can resume privileges. (student expense)

ILLCIT OR BANNED SUBSTANCES OTHER THAN ALCOHOL

First Violation:

- Parental/Custodial/Guardian notification (If desired, a retest must be requested within 72 hours of notification.) This will be paid for by the parent/guardian
- Enrollment in a drug education program (student expense)
- The student must retest negative before he/she can resume any privileges. (student expense)
- Complete a suspension of 30% of season contests per year (student will not practice during this suspension) and/or parking days

Second Violation:

- Parental/Custodial/Guardian notification (If desired, a retest must be requested within 72 hours of notification (This will be paid for by the parent/guardian.).
- Enrollment in a drug education program (student expense).
- Suspension for one calendar year from participation in any extracurricular activity and/or parking privileges.
- The student must retest negative before he/she can resume any extracurricular activity and/or parking privileges (student expense).

Third Violation:

- Permanent suspension from participation in any extracurricular activities and/or parking privileges.

ALEXANDER CITY SCHOOLS APPENDIX OF PENALTIES

For

STUDENT SUBSTANCE ABUSE POLICIES 5.91 & 5.92

School and Activity	Approximate Season Dates	Approximate number of contests in regular season	10%	15%	30%	40%
BRHS Football	Aug. – Dec.	10	1	2	3	4
BRHS Volleyball	Aug. – Nov.	15	2	2	5	6
BRHS Wrestling	Nov. – Feb.	14	1	1	2	3
BRHS Boys Basketball	Oct. – Mar.	20	3	4	8	11
BRHS Girls Basketball	Oct. – Mar.	20	3	4	8	11
BRHS Cheerleading	Aug. – Mar.	30	3	5	9	12
BRHS Golf	Mar. – May	14	1	2	4	6
BRHS Track	Mar. – May	10	1	2	3	4
BRHS Softball	Feb. - May	18	3	4	8	11
BRHS Baseball	Feb. - May	18	3	4	8	11
BRHS Soccer	Mar. - May	20	2	3	5	7
BRHS Tennis	Mar. - May	18	2	3	5	7
BRHS JV - Softball	Feb. – Apr.	18	2	2	5	6
BRHS JV - Baseball	Feb. – Apr.	18	2	2	5	6
BRHS Marching Band	Aug. – Dec.	10	1	2	3	4
BRHS Dance Team	Aug. – Mar.	30	3	5	9	12
BRHS Cross Country	Aug. – Oct.	10	1	2	3	4
ACMS Boys Basketball	Oct. – Jan.	16	1	2	4	5
ACMS Girls Basketball	Oct. – Jan.	16	1	2	4	5
ACMS Football	Aug. – Oct.	8	1	1	2	3
ACMS Baseball/Softball	Feb. – Apr.	14	1	2	4	6
ACMS Cheerleading	Aug. – Mar.	22	2	4	7	10
ACMS Wrestling	Oct. – Feb.	8	1	1	2	3
ACMS Golf	Mar. - May	8	1	1	2	3
ACMS Volleyball	Aug. – Oct.	10	1	2	3	4
ACMS Track	Mar. - May	8	1	1	2	3
ACMS Soccer	Mar. - May	14	1	2	4	6
ACMS Dance Team	Aug. – Mar.	22	2	4	7	10
ACMS Cross Country	Aug. – Oct.	8	1	1	2	3
*BRHS Parking Privilege	Aug. – May	180 days	18	27	54	72



Note: Other competitive groups may be added to the above list. The Board will approve such additions, and affected students will be notified prior to being placed into the random testing pool.

CLARIFICATION STATEMENTS

PROHIBITIVE SUBSTANCE TESTING PROCEDURES

- In extracurricular groups where there is all-day tournament play, double headers, or all-day meets/events (any situation where more than one game or event occurs on a calendar day), that day will count as **one play/event date** using the penalties prescribed in the *Appendix of Penalties for Student Substance Abuse Policies*.
- If the student is a member of any extracurricular group that is not in-season at the time of a positive test, that student's penalty will be delayed until the beginning of an extracurricular season, possibly into the next school year. Counseling and re-testing, however, will begin immediately.
- If a student is a member of more than one extracurricular group at the time of his/her positive test result, the student will be suspended from all of those activities as prescribed in the *Appendix of Penalties for Student Substance Abuse Policies*.
- If a student is a member of an extracurricular group and is serving a suspension from that group and the season ends before he/she has served his/her entire suspension, the remainder of the suspension will roll over into the next sport or activity in which the student participates in the school year.
- If a student is a member of an extracurricular group and is serving a suspension from that group and the season ends before he/she has served his/her entire suspension and the student does not belong to any other sports or activities through which the penalty can roll over, that student will serve the remaining percentage of his/her penalty in the first in-season activity in the next school year to which he/she is a member.
- **Parking Privileges and Consequences of Positive Prohibitive Substance Test** – A student's suspension from parking on-campus will be a percentage of the total 180 days in a school year.
- **Drug Testing Coordinator** – School representative designated by the Superintendent to coordinate all testing and other procedures related to student substance abuse policies (5.91 & 5.92).
- **Medical Review Officer** – An independent medical professional who is contracted to confirm all positive test results.
- **Testing Laboratory** – the Company contracted by the school system to randomly select students for testing, to collect specimens, and to conduct prohibitive substance analysis of specimens.
- The Board of Education acknowledges and understands that there are students involved in extracurricular activities and/or have parking privileges that have legitimate medical prescriptions for identified medical conditions. Should a student test positive for a prescription drug for which he/she possesses a valid prescription in his/her name, the parent or guardian of that student will have an opportunity to give the MRO a copy of that prescription. The opportunity to provide the prescription will come after the positive urine test result has been released to the school's MRO, but before that information is released to the Board's DTC who will be a representative of the ACBOE. A laboratory test that yields a presumptive positive result will be reported as a negative to the school by the MRO if the student is able to produce a valid prescription in the student's name that could have legitimately accounted for the test result upon request by the MRO.

**** FOR PARTICIPATION IN PARKING AND EXTRACURRICULAR ACTIVITIES, PLEASE COMPLETE, DETACH, AND RETURN THE STUDENT PROHIBITIVE SUBSTANCE FORM LOCATED ON PAGE 84 TO YOUR CHILD'S SCHOOL.

ALEXANDER CITY BOARD OF EDUCATION

STUDENT CONSENT/RELEASE FORM FOR PROHIBITIVE SUBSTANCE TESTING

We have read the *Alexander City Schools Students Substance Abuse Policies* (5.91 & 5.92) and the related *Prohibitive Substance Testing Procedures for Students Participating in Extracurricular Activities or Students with On-Campus Parking Privileges*. We agree to abide by such policies and procedures. We agree that the below signed student will submit to prohibitive substance testing at any time as a result of his/her initial or continued participation in school-sponsored extracurricular activities and/or on-campus parking privileges. We authorize any laboratory or medical provider to release these results to the Alexander City Board of Education or its designee and the MRO. We authorize the MRO to release final test results to the student, parent/guardian, and DTC. We authorize the DTC to release information to the school officials who have the need to know such as the Board of Education, Superintendent, school principal, the coach or sponsor of the activity or activities, from which the student is suspended, and the counselor or counseling agency responsible for mandated counseling.

We also expressly authorize the DTC or MRO to release any test-related information, including confirmed positive results, in accordance with the federal Family Education Rights and Privacy Act (FERPA),

(A) As directed by the parents or guardian's specific, written consent authorizing the release of the information to an identified person; and/or

(B) To the parent or guardian's decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the student-participant.

We understand that this agreement in no way limits the below named student's right to terminate athletic or extracurricular activity participation or to be terminated from such activity participation by the coach or sponsor.

***REFUSAL TO SUBMIT TO THIS POLICY WILL DISQUALIFY THE STUDENT FROM ON-CAMPUS PARKING PRIVILEGES AND/OR EXTRACURRICULAR PARTICIPATION.**

STUDENT/STUDENT PARKING ON-CAMPUS

DATE

STUDENT ID NUMBER / SOCIAL SECURITY NUMBER

PARENT OR LEGAL GUARDIAN

DATE

CONTACT INFORMATION

PRINT STUDENT NAME: _____ **HOMEROOM:** _____

Student's Address: _____

Home Telephone: _____

Students Cell Phone #: _____

Students' e-mail Address: _____

Guardian #1: Name: _____ Relationship to Student: _____

Cell Phone #: _____

Guardian #2: Name: _____ Relationship to Student: _____

Cell Phone #: _____

_____ **Parking Privileges ONLY**

_____ **Extracurricular Activity Participant**

****PLEASE COMPLETE THE ABOVE FORM, DETATCH AND RETURN TO YOUR CHILD'S SCHOOL FOR PARKING AND EXTRACURRICULAR PARTICIPATION**