

# NEW HOME .I.S.D

## DETERRENT TO ILLEGAL DRUG AND ALCOHOL USE

2011-2012

Approved by New Home I.S.D. Board of Trustees  
July 2008

# **New Home Independent School District**

## **Deterrent to the use of Illegal Drugs and Alcohol 2011-2012 school year**

### **Objectives**

1. To prevent illegal drug and alcohol use.
2. To educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol.
3. To deter student use of illegal and performance enhancing drugs or alcohol.
4. To give students a valid reason to resist peer pressure to use illegal drugs and abuse alcohol.
5. To help enforce a drug-free educational environment.
6. To prevent injury, illness, and harm as a result of illegal drug or alcohol use.
7. To alert students with possible substance abuse problems to the potential harms of illegal drug and alcohol use.

### **Introduction**

It is the intent and desire of the New Home Independent School District to promote a drug and alcohol free student body. Evidence that there is a problem with drug and alcohol came by way of discussions with students and parents, an increasing number of discipline referrals, and observations of changing behavior patterns in students.

The determination was made that the school and community must come together to give our students a reason to resist peer pressure and to say “no” to the illegal use and abuse of drugs and alcohol. New Home I.S.D. has made the decision that we need to implement the following:

1. A rehabilitative plan;
2. Increased education for students, parents, and community;
3. Random drug dogs in the District; and
4. A student drug testing program.

## **Prohibited Behavior**

### **Illegal Drugs**

The use, sale, or offer to sell, purchase, transfer, manufacture, or possession in any detectable manner of an illegal drug or alcohol or any “look-alike” substance by any student is strictly prohibited.

### **Drug Paraphernalia**

The sale, offer to sell, purchase, transfer, manufacture, or possession of drug paraphernalia by any student is strictly prohibited.

### **Education**

Education of students, staff, parents, and the community is an ongoing process. In an effort to increase the effectiveness of the education of the above-mentioned groups, we look to use the following means of education:

1. Teacher/Staff training.
2. Mentoring.
3. Counseling-Both Individual and Group.
4. Parent Education.
5. Community Coordination Activities.
6. Community Service Projects.
7. Special one-time events, such as assemblies and red ribbon week.
8. Surveys.
9. Conflict resolution training for students and staff.
10. Crisis plan education.

### **Use of Trained Dogs**

The district has the authority to use specially trained non-aggressive dogs to sniff out and alert officials to the current presence of concealed prohibited items, illicit substances, and alcohol. The objective of this program is to maintain a safe school environment conducive to education and extra-curricular activities. Such visits to school shall be unannounced and will be carried out according to board policy FNF (LEGAL) and FNF (LOCAL).

Students are hereby notified that:

1. Lockers may be sniffed by trained dogs at any time.
2. Vehicles at school may be sniffed by trained dogs at any time.
3. Classrooms and other common areas may be sniffed by trained dogs at any time when students are not present.
4. If a dog alerts to a locker, a vehicle, or an item in a classroom, it may be searched by school officials, and parents will be notified if possible.
5. If contraband of any kind is found, the student possessing the contraband or having control over the locker, automobile, or bag in which the contraband was found shall be subject to appropriate disciplinary action in accordance with the student code of conduct and student handbook.

# **Drug Testing**

## **Participants**

The board encourages students to participate in school-sponsored extracurricular activities, but the opportunity to participate in such activities is a privilege offered to eligible students on an equal opportunity basis.

The use of alcohol or other drugs by students participating in extracurricular activities presents a hazard to the health, safety, and welfare of the student participant and reflects poorly on the District and the community. The student who participates in extracurricular activities is a role model for the District and fellow students and shall set and uphold the highest standards of conduct. Any action that reflects detrimentally on the District shall not be tolerated. The board believes testing student participants in school-sponsored extracurricular activities serves the important purpose of detecting and preventing illegal drug and alcohol use among students and fosters an environment of health and safety within such programs.

For purposes of the District's drug-testing program, "school-sponsored extracurricular activity" means, without limitation, all interscholastic athletics, cheerleading, drill team, academic clubs, special interest clubs, musical performances, dramatic productions, student government, fine arts organizations, industrial technology and agricultural organizations, and any other activity or group that participates in contests, competitions, demonstrations, or community service projects on behalf of or as a representative of the district.

All students, grades 6-12, who attend New Home I.S.D. and participate in extracurricular activities shall be tested for illegal drug and/or alcohol use. Other students may, with their parent's/guardian's consent, volunteer to be tested under the program.

No participant shall be penalized academically for testing positive for using an illegal drug or alcohol. The results of drug tests pursuant to this policy shall not be documented in any student's academic records. 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, which the District shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent or guardian shall be notified before the District shall respond.

## **Consent**

All students who will participate in extracurricular activities or who volunteer to participate in the program, and their parents/guardian will be required to sign a consent form agreeing to be part of the drug testing program for New Home I.S.D. The form will only have to be signed once and will be valid for the entire time the student is enrolled at New Home I.S.D. The consent form may be rescinded at any time at the parent or student's written request. Students whose consent has been rescinded shall forfeit the privilege of participating in extracurricular activity following the date of rescission. For each school year, all participants in the drug-testing program will take a mandatory drug test early in the year. Following the initial drug screening, all students will be involved in random testing equivalent to a minimum of 10 percent of the participants in the program per month, during the school year. Students entering the district after the first test administration will be given the test at the next random testing date. Parental consent for a student to submit to biological testing is required as a condition, grades 6 through 12, for eligibility to participate in extracurricular activities. Refusal by a student or his/her parent/guardian, to execute consent forms for biological testing, will result in a forfeiture of the privilege to participate in the above named extracurricular activities. Voluntary participation by students not included in the above named

activities is permitted and encouraged.

## **Confidentiality**

All information relating to testing or the identification of persons as illegal drug or alcohol users shall be protected by the District as confidential, unless otherwise required by law or authorized in writing by the student or the student's parent/guardian. 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, which the District shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent or guardian shall be notified before the District responds. Results of tests shall only be reported to the student, parents/guardians of the student, and to designated District officials who need the information in order to administer the drug-testing program.

## **Drug Testing Procedures**

Licensed professionals will conduct testing, and lab work will be done at a certified lab. Students will be required to produce an industry accepted biological sample, which will be divided into two separate specimens and sealed, in the event a confirmation test is needed. Collections of samples will be conducted in a manner sensitive to the students' privacy, i.e., under conditions that are no more intrusive than the conditions experienced in a public restroom. Students and/or parents/guardians will have the opportunity to provide information concerning prescription medication being taken by the student, which might lead to an erroneous positive result. Parents can also request to be in attendance during the collection of their student's samples for testing.

## **Confirmation of Positive Test Result**

Testing of a biological specimen is a two-step process. If the initial screening tests positive, it will be confirmed by a second test, using the gas chromatography/mass spectrometry technique, on the same specimen. A sample shall not be reported as positive unless both tests are positive.

## **Appeal Process**

Within 72 hours of being notified of a test result, parents/guardians of any student testing positive will have an opportunity to request a conference with the principal, at which time the student or parents/guardians may offer an explanation of the positive result. Parents/guardians may provide any doctor's prescriptions of any drugs that the student was taking that might have affected the outcome of the test. Within the 72-hour time period, the parents/guardians of the student or the student him- or herself, if the student is 18 years old or older, may request a retest of the sample collected. Upon such a request, the urine sample shall be retested by the same lab and method as the previous test. If the retest is negative, the participant will remain in good standing. If the retest is positive, the parents/guardians are responsible for the cost of the retest, and the participant shall be subject to consequences under this policy. If a parent fails to make a request for a retest within 72 hours of receiving notice of a positive test result, the appeals process will be waived and the second sample will not be tested. The student shall remain eligible to participate in extracurricular activities during the 72-hour appeal period.

An appeal/complaint may be pursued in accordance with FNG (LOCAL) for a complaint other than for a positive result under this policy. The consequences for testing positive under the drug

testing policy shall continue while any FNG(LOCAL) appeal is pursued.

## **Consequences**

Consequences are cumulative in grades 6-12. All students coming in new to the District will begin with a clean record.

Refer to the student handbooks and the New Home ISD Student Code of Conduct for consequences concerning confirmed use and/or admittance of drug or alcohol use, by students while on campus or at school-related functions on or off campus.

Consequences for a positive random drug test are as follows:

### **1<sup>st</sup> Offense**

- Mandatory Substance Abuse Counseling, phase one, as approved by New Home ISD.
- Suspension from participation in all extracurricular activities for 30 calendar days, other consequences as set forth by coach or sponsor, and until he/she tests negative. The suspension will begin after the 72-hour appeals deadline has expired. The student will be administered another test at the end of the 30 day period. The student will be reinstated to the status of “good standing” and may begin competing in activities after the 30-day suspension period if the student has submitted a negative test and completed the required counseling is completed.
- The student may participate in practices and rehearsals during the suspension period.
- Testing in each subsequent random testing for the next calendar year following expiration of the suspension period.

### **2<sup>nd</sup> Offense**

- Mandatory Substance Abuse Counseling, phase two, as approved by New Home ISD.
- Suspension from participation in all extracurricular activities for 60 calendar days, other consequences as set forth by coach or sponsor, and until he/she tests negative. The suspension will begin after the 72-hour appeals deadline has expired. The student will participate in the random testing administered during the 60 day period. The student will be reinstated to the status of “good standing” and may begin competing in activities after the 60-day suspension period if the student has: (1) submitted samples and received negative test results during the random tests administered during the suspension period; and (2) completed the required drug abuse counseling.
- The student may participate in practices and rehearsals during the suspension period.
- Testing in each subsequent random testing for the next calendar year following expiration of the suspension period.

### **3<sup>rd</sup> Offense**

- Mandatory Substance Abuse Counseling, critical phase, as approved by New Home ISD.
- Suspension from participation in all extracurricular activities for one calendar year, including practices and rehearsals, and until the student tests negative. Other consequences may be set forth by coach or sponsor. The suspension will begin after the 72-hour appeals deadline has expired. Once the student submits a negative test result at the test administered immediately prior to the expiration of the suspension period and completed the drug counseling, the student will be reinstated to the status of “good standing” and may begin practicing and competing in activities after the one year suspension period.
- Testing in each subsequent random testing for the next calendar year following reinstatement

to good standing.

#### **4<sup>th</sup> Offense**

- Suspension from participation in all extracurricular activities for the remainder of the student's academic eligibility in the District. The suspension will begin after the 72-hour appeals deadline has expired.

#### **Refusal to Test or Tampering with Requested Samples**

A student who refuses to be tested when selected or who is determined to have tampered with a sample shall be deemed to have a positive test result and shall be subject to the appropriate consequences depending on previous positive test results, if any.

If a student is absent on the day of the random test, a sample shall be collected from the student upon the student's return to school as soon as deemed possible by the principal.

#### **Required Submission to Further Testing Upon Testing Positive**

Any student testing positive will be removed from the random testing pool and will be required to be tested at the time of each random testing for a minimum period of one calendar year from the date of the expiration of the applicable suspension.

#### **Students Opting Out of Program or Activity**

If a student who leaves or quits a program/activity after testing positive wants to be reinstated, he or she must have the permission of the sponsor/coach and principal and test negative at the next random testing. If these requirements are met, the student shall be reinstated to the program/activity in the same capacity as when he or she left the program/activity and shall be required to complete any suspension period, if any, still in effect.

#### **Reasonable Suspicion Testing**

Upon reasonable suspicion by a staff member that a student is under the influence of a drug or alcohol while at school or a school-related activity, that student may be required by the principal or designee to submit to a drug use or alcohol test at any time. A student found to have possessed, distributed, used, or been under the influence of an illegal drug or alcohol while on school grounds or while participating in or attending a District activity on or off District property shall be punished as provided in the New Home I.S.D. Student Code of Conduct and student handbook.

#### **Definitions**

**Activities**--Interscholastic athletics, cheerleading, drill team, academic clubs, special interest clubs, musical performances, dramatic productions, student government, fine arts organizations, industrial technology and agricultural organizations, and any other activity or group that participates in contests, competitions, demonstrations, or community service projects on behalf of or as a representative of the district.

**Biological Testing**--for this plan, the scientific analysis of an industry-accepted biological specimen for the purpose of detecting the use of an illegal drug or alcohol.

**Drug Paraphernalia**--Any equipment, product, or material that is used, or is intended to be used, to conceal, inject, inhale, or otherwise introduce into the human body, an illegal drug.

**Good Standing**--Having met the requirements in order to be able to pursue all educational and extracurricular activities as are available, with no restrictions or consequences.

**Illegal Drug**--Any drug which is not legally obtainable; any drug which is legally obtainable, but has not been legally obtained; any prescribed drug not being used for the prescribed purpose; any over the counter drug being used at a dosage level different than recommended by the manufacturer, being used for a purpose not in accordance with bona fide medical therapy. Examples of illegal drugs include, but are not limited to: alcohol, performance enhancing substances, including anabolic steroids; marijuana; cocaine; methaqualone; benzodiazepines; phencyclidine (PCP); methadone; barbiturates; propoxyphene; amphetamines; opiates; and metabolites of any of these substances. Examples may also include so-called designer drugs and look-alike drugs.

**Possession**--The presence of any detectable amount of an illegal substance, whether on the person, their personal or assigned property, or in the body system.

**Premises of New Home ISD**--All property of the school district, including, but not limited to, the facilities and surrounding areas on district-owned or leased property, parking lots, and storage areas. The term also includes school district owned, leased, or used vehicles and equipment, wherever located. According to state law, the premises of New Home ISD may extend to 300 feet of school property.

**Random Drug Testing**—A testing process in which selection for testing is made by a method employing objective, neutral criteria, which ensures that every person subject to testing has a substantially equal statistical chance of being selected. This method does not permit subjective factors to play a role in selection.

**Reasonable Suspicion**--Based on specific personal observation concerning the appearance, speech, or behavior of the student that indicates the effects of drug or alcohol use. Information provided by a reliable source, if based on personal knowledge, may also constitute reasonable suspicion.

**Under the Influence**—A condition in which a person is affected by a drug or alcohol.

**NEW HOME INDEPENDENT SCHOOL DISTRICT  
STUDENT ACKNOWLEDGEMENT FORM**

I have received and read a copy of the New Home I.S.D. Drug & Alcohol Deterrent Policy. I understand that this policy is part of the school district's rules, and that it applies to all New Home I.S.D. students, grades six through twelve, who participate in extracurricular activities (as that term is defined herein) or the voluntary drug-testing program for the duration of their enrollment in such grades.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

**NEW HOME INDEPENDENT SCHOOL DISTRICT  
PARENTAL CONSENT FOR RANDOM DRUG TESTING PROGRAM  
FOR EXTRACURRICULAR ACTIVITIES OR  
THE VOLUNTARY DRUG TESTING PROGRAM**

(For all students, grades 6-12 who are involved in extracurricular activities or participate in the Voluntary Student Drug Testing Program)

I, \_\_\_\_\_, as a parent or guardian of \_\_\_\_\_, a student enrolled in New Home ISD, hereby agree to the following for the duration of his/her enrollment at New Home ISD grades 6 through 12:

I understand the school district's policy regarding substance abuse. I understand that it is the practice of the District to conduct drug and alcohol testing, including an initial drug test at the beginning of each school year and random and reasonable suspicion drug and alcohol tests thereafter, for the purpose of carrying out this policy.

I understand that my child cannot be compelled to give a biological specimen, including a urine, breath or saliva sample (hereafter "sample"). I understand that if he/she gives a sample, it will be tested for illegal drugs and/or alcohol. I understand that as a condition of my child's participation in Jr./Sr. High School extracurricular activities and in order to remain in good standing, my child must give a sample when requested by the District. If my child is not involved in extracurricular activities, I hereby request that my child be allowed to participate in New Home ISD's Voluntary Random Drug Testing Program and waive his/her rights to the extent needed for New Home ISD to conduct drug testing on my child under its Voluntary Drug Testing Program. I understand that if my child fails to provide a sample or his or her sample reveals an unexplained presence of an illegal drug and/or alcohol, the District will implement the steps associated with the random drug testing policy, student handbook, and student code of conduct, as applicable.

Prescription drugs currently taken as prescribed: \_\_\_\_\_  
\_\_\_\_\_

Comments: \_\_\_\_\_

At this time, I hereby agree to my child giving a biological specimen, including urine, breath, and/or saliva, for purposes of drug and alcohol testing.

\_\_\_\_\_  
Parent/guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Student ID Number

The completed form must be turned to the office of the principal by Sept. 2, 2011.