



Milford Independent School District

Milford, Texas 76670
972-493-2911
Fax: 972-493-4600
Ath. Dir.: 972-493-2911

RANDOM DRUG TESTING POLICY	The District requires random drug testing of any student in grades 6–12 who chooses to participate in any school-sponsored extracurricular activity.
PURPOSE	The purposes of the random drug-testing program are to: <ol style="list-style-type: none">1. Provide for the health and safety of students who represent the school district in extracurricular activities;2. Undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs;3. Deter students from using drugs;4. Prevent injury or harm to students that may arise as a result of drug use; and5. Encourage students who use drugs to participate in a drug-treatment program.
DISTRIBUTION OF POLICY	The District shall provide each parent and student in grades 6–12 a copy of the random drug-testing policy and consent form at the beginning of each school year. A newly enrolled student shall receive a copy of this policy when he or she registers at his or her campus. This policy shall also be made available on the District's Web site.
CONSENT	Before a student is eligible to participate in a practice or competition for any covered extracurricular activity, the student shall be required annually to sign a consent form agreeing to be subject to the rules and procedures of the random drug-testing program. If the student is under the age of 18, the student's parent or guardian shall also sign a consent form. <u>If appropriate consent is not given, the student shall not be allowed to participate in the relevant extracurricular activities, events, practices, or competitions.</u>
USE OF RESULTS	<u>Because the purpose of drug testing is to identify those students in need of assistance in dealing with drug and alcohol issues, students who test positive will not receive any disciplinary consequences. The only consequence is the loss of extracurricular privileges.</u>

Nothing in this policy shall limit or affect the applicability of state law, local policy, or the Student Code of Conduct. A student who commits a disciplinary



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offense separate and apart from this testing policy shall be subject to appropriate consequences in accordance with the Student Code of Conduct.

GRADES A positive drug test shall not affect the student's grade in any academic course associated with the extracurricular activity. However, if participation in the extracurricular activity is required for the course or affects the student's grade, the student may be required to satisfy participation requirements in alternative ways.

CONFIDENTIALITY Drug test results shall be confidential and shall be disclosed only to the student, the student's parents, designated District officials who need the information in order to administer the drug-testing program, and other District officials with a legitimate interest in the information. Drug test results shall not be maintained with a student's academic record. Results shall not be otherwise disclosed except as required by law. Upon written request of parents/guardians or a student of legal age, the student's test results may be released to treatment facilities.

All test results shall be destroyed when the student graduates or transfers from the District or when the student's eligibility to participate in extracurricular activities expires. The test results shall not be transferred to another district.

TESTING LABORATORY The District shall contract with a nationally certified drug-testing laboratory to conduct testing of students' urine samples. The laboratory will follow strict procedures for the chain of custody and access to test results. The laboratory will provide qualified collectors to oversee collection of specimens. The service will provide Medical Review Officer (MRO) services for the interpretation and verification of positive results. The MRO will report all test results to designated school officials.

Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District.

SUBSTANCES FOR The substances the drug-testing laboratory shall test for those substances most commonly encountered by students, including but not be limited to:



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WHICH TESTS ARE CONDUCTED

amphetamines, barbiturates, benzodiazepines, phencyclidine, marijuana and cannabinoids, cocaine, methaqualone, methamphetamines, opiates, propoxyphene and alcohol.

COLLECTION PROCEDURES

Personnel from the drug-testing laboratory shall collect urine samples under conditions that are no more intrusive than the conditions experienced in a public restroom. When selected for testing, a student shall be escorted to the school's testing site by a District employee and shall remain under employee supervision until the student provides a sample. Samples shall be produced by a student from behind a closed restroom stall. A District employee of the same gender as the student shall be present when any samples are collected.

RANDOM TESTING

Random tests may be conducted throughout the school year as the District sees fit.

A percentage of the students participating in extracurricular activities shall be randomly selected for each test date.

The drug-testing laboratory shall use a random selection method to identify students chosen for random testing. Students shall not receive prior notice of the testing date or time.

REFUSAL TO TEST OR TAMPERING

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.

POSITIVE TEST RESULTS

If a student is absent on the day of the random test, a sample shall be collected on the next random testing date.



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An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive.

A positive test that results in a suspension in excess of the number of days remaining in the school year will continue on the first day of school of the next school year.

In those cases where the test result indicates the presence of a prohibited substance that could have a medical explanation, the student or the student's parent if the student is under the age of 18 will be contacted by a medical review officer (MRO) employed by the testing entity. An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive.

The MRO will confer with the student or parent and determine if there is a medical explanation for the positive test result. If the student, or parent if the student is under the age of 18, provides a valid medical excuse, with documentation, within five working days after the conference, the MRO will report the test result as negative.

However, without medical documentation, the MRO shall report a confirmed positive test result to the designated school administrator within one school day of conferring with the student or student's parent.

Upon receiving results of a positive drug test, the principal shall schedule a meeting with the student, or the student's parent if the student is under the age of 18, and the coach or sponsor of the extracurricular activity to review the test results and discuss the consequences.

SECOND CONFIRMATION TEST

A parent or student who has been notified of a positive test result may request a second confirmation test using the same sample. A request for a second confirmation test must be submitted in writing to the Superintendent within 48 hours from the time the student and/or parent was notified of a positive test result. Students and/or parents shall bear the expense for any second confirmation test.

The parent or student may select the second testing entity from a list of nationally certified independent laboratories identified by the



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District. A list of approved laboratories may be obtained upon request.

The results of the second test conducted by an approved second testing entity shall be used in lieu of the results generated by the District's testing entity. However, test results from a non-approved second testing entity shall not be considered.

CONSEQUENCES	A student who has a confirmed positive drug test shall be subject to the following consequences.
FIRST OFFENSE	<p>The student shall be suspended from all covered extracurricular activity performances, scrimmages, and/or competitions for 30 calendar days following the date the student and parent are notified of the test results.</p> <p>During the period of suspension, the student may participate in practices but not in any competitive activities.</p>
RETESTING	If the student wishes to return to full participation in extracurricular activities, the student must be retested at the end of the period of suspension and have a negative test result; the student shall be retested during subsequent random test for the next three testings.
COUNSELING	The student shall attend a licensed/certified substance abuse counseling program, selected by the parents/guardians, in order to resume participation in a covered District activity. The student shall produce proof of participation in the substance abuse counseling program to the campus principal prior to the resumption of the activity. The Counselor shall provide a list of cost-free counseling programs to the student and parent.
FAILURE TO COMPLY	Failure to meet these requirements within the time lines specified shall result in the student being suspended from participation in all identified extracurricular activities until the requirements are satisfied.
GRADE-LEVEL EXCEPTION	While a student's eligibility to participate in covered extracurricular activities shall be reinstated in grade 9, if a student had one positive test in grades 6–8, that positive test does not carry over to grades 9–12. Therefore, the consequences for a first positive test result in grades 9–12 shall be the same first offense consequences as outlined in this policy.



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SECOND OFFENSE

The student shall be suspended from all covered extracurricular activities, including, but not limited to practices, travel, performances, scrimmages, and/or competitions for 60 calendar days.

RETESTING

If the student wishes to return to participation in extracurricular activities, the student must be retested at the end of the period of suspension and have a negative test result; the student shall be retested during subsequent random test the next three testings.

COUNSELING

The student shall attend a licensed/certified substance abuse counseling program, selected by the parents/guardians, in order to resume participation in a covered District activity. The student shall produce proof of participation in the substance abuse counseling program to the campus principal prior to the resumption of the activity. The Counselor shall provide a list of cost-free counseling programs to the student and parent.

FAILURE TO COMPLY

Failure to meet these requirements within the time lines specified shall result in the student being suspended from participation in all covered extracurricular activities until the requirements are satisfied.

GRADE-LEVEL EXCEPTION

While a student's eligibility to participate in covered extracurricular activities shall be reinstated in grade 9, if a student had two positive tests in grades 6–8, those two positive tests do carry over to grades 9–12. Therefore, the consequences for a first positive test result in grades 9–12 shall be the same consequences as outlined in this policy for a second offense.

THIRD OFFENSE

For a student in grades 6–8 who tests positive for the third time, the student shall be suspended from all covered extracurricular activities, including, but not limited to practices, travel, performances, scrimmages, and/or competitions, for the remainder of his or her enrollment in grades 6 and 8. The student's eligibility to participate in covered extracurricular activities shall be reinstated in grade 9.

However, the consequences for a first positive test in grades 9–12 shall be the same as outlined in this policy for a second offense.



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A third offense in grades 9-12 will result in removal from all extracurricular activities for the remainder of the students High School career.

APPEALS

A student or parent may appeal a decision made under this policy in accordance with FNG(LOCAL). The student shall be ineligible for participation in extracurricular activities while the appeal is pending.

Student Name: _____

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**Student Drug Testing Program
Parental Notification and Consent Form**

_____ I acknowledge that the student named above participates in extracurricular activity(ies) at Milford ISD and, as such, is required to participate in the student drug testing program.

_____ The student named above does not participate in extracurricular activities at Milford ISD. However, as parent/guardian, I give my consent for the



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student named above to participate in the District's drug testing program.

I acknowledge that I have received a copy of Board Policy FNF and the Administrative Procedures for the Milford ISD Mandatory Drug Testing Program for Students Participating in Extracurricular Activities. I have read and understand the purposes, requirements, and consequences of the drug testing program as described in those documents.

I acknowledge that the Medical Review Officer will contact the student's parent or adult student through the Milford ISD contact person if a drug test is positive. The purpose of this contact with the Medical Review Officer is to determine if there is an acceptable reason for the positive test result, in which case the test result will be considered negative.

I hereby consent and agree to the testing of the student named above as provided in Board Policy FNF and the Administrative Procedures for the Milford ISD Mandatory Drug Testing Program for Students Participating in Extracurricular Activities.

Parent / Guardian Signature: _____

Student Signature: _____

Date: _____