

# Santo ISD



## Deterrent to Illegal Drug Use and Alcohol Policy

2022-2023

(Revised August 8, 2022)



## SANTO INDEPENDENT SCHOOL DISTRICT

P.O. BOX 67  
SANTO, TEXAS 76472

ADMINISTRATION  
940-769-2835  
FAX  
940-769-3116

August 8, 2022

Dear Parents/Guardians:

Santo ISD will again conduct random drug/alcohol testing for **all students in grades 7-12 involved in extracurricular activities or who park a vehicle on school property**. The Board of Trustees approved this policy as a proactive incentive for the health and safety of students. The design and format is to provide students with “a reason to say No” regarding the peer pressures that are prevalent at this age. The drug testing policy is a preventative measure and a tool for students to utilize the school as a support system if there is a usage problem.

Students are required sign the “Student Acknowledgement Form,” and his/her parent/guardian must sign the “Parental/Guardian Consent for Random Drug Testing Program” form to participate in extra-curricular activities in the 2021-2022 school year. **These signed forms must be returned to the student’s respective campus office by the date on pages ten (10) and eleven (11).** Students who do not return the signed forms by the deadline will not be allowed to participate in extracurricular activities or park on school property. *\*Signed forms will be kept on file on the student’s respective campus.*

The responsibility of SISD is to provide a safe and secure environment for students to learn. If the testing initiative, along with effective support programs and the presence of a search dog, helps deter drug and alcohol use among students, it will be considered a success. The intent of random drug testing is to serve as a deterrent and does not affect a student’s academic record, discipline record, or cumulative information. Please read the Notice on page 5 regarding the medicinal use of CBD and hemp oil.

Should you have questions regarding this program, please feel free to call Santo ISD administrative staff.

Sincerely,

Greg Gilbert  
Superintendent

## **Purpose/Objectives**

A student participating in extra-curricular activities, requesting a parking permit, or parking on school property shall be randomly tested for the presence of illegal drugs and alcohol throughout the school year.

The purpose of the drug-testing program is to prevent injury and harm resulting from the use of illegal drugs or alcohol; help enforce a drug-free educational environment; deter student use of illegal and performance-enhancing drugs or alcohol; and educate students regarding the harm caused by the use of illegal drugs or alcohol.

Specifically:

1. To prevent illegal drug and alcohol use.
2. To educate students on the serious physical, mental, and emotional harm caused by illegal drug and alcohol abuse.
3. To alert students with possible substance abuse problems to the potential harms of illegal drug and alcohol abuse.
4. To strive for an environment within the District free of illegal drug and alcohol use and abuse.
5. To prevent injury, illness, and harm as a result of illegal drug or alcohol abuse.
6. To give students a valid reason to resist peer pressure to use illegal drugs or alcohol.

## **Initial Mandatory Test Dates/Times**

The Superintendent or Campus Principal will schedule random testing dates and times.

## **Random Testing**

Random tests will be conducted throughout the school year [see page 7 for more details].

## **Guidelines For Drug And Alcohol Testing**

The District shall maintain a drug and alcohol testing program for students in grades 7-12 who participate in Board approved extra-curricular activities or park a vehicle on school property. No student/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.

## **Student Code of Conduct**

The conduct of a student in extra-curricular activities should reflect positively on oneself, community, parents, the District, and the activity in which one is participating. The student who participates in extra-curricular activities is a role model for the District and shall maintain the highest standards of conduct. Any action that reflects detrimentally on the District shall not be tolerated.

## **Participation In School Activities**

Participation in school-sponsored extra-curricular activities is a privilege. Extra-curricular activities regarding this policy include band, athletic programs, cheerleading, academic activities, One Act Play, FFA, or any other club or organization that participates in performances, contests, demonstrations or competitions.

## **Participants / Selection For Testing**

All extra-curricular participants/students who park a vehicle on school property shall annually sign a random drug testing consent form at the beginning of each school year, when enrolling in the district, or at the time of obtaining a parking permit. Any refusal by the parent or the student to sign the consent form shall be treated as a forfeiture of participation in extra-curricular activities or being allowed to park a vehicle on school property.

Each student in grades 7-12 participating in Board-approved extra-curricular activities or driving a vehicle to school shall be subject to random drug and alcohol testing for the entire school year or until they discontinue participation in extra-curricular activities.

A student shall also be required to provide urine samples when there is reasonable suspicion that the student is under the influence of illegal drugs or alcohol at school or a school related event, whether such event occurs on or off campus.

## **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 or guardian. Results of tests shall only be reported to the student, parents/guardians of the student and to the administrator(s) involved. Activity sponsors and coaches shall be notified of a suspension from activities only **after** the appeal process is complete or no longer applicable.

## **Substances Subject Of Drug Testing**

The District shall not test for medical conditions under this policy. Drug testing may screen for any illegal drugs the District may choose, including, but not limited to, the following:

1. marijuana/cannabis;
2. amphetamines/methamphetamines;
3. opiates/morphine; and,
4. alcohol

\*The term "illegal drug" means all drugs that an individual may not buy, use, sell or distribute under Federal or Texas law, including any prescribed medication for which a student does not have a current prescription. The District will determine which drugs it will screen for prior to identifying the students to be tested.

### **Notice:**

**The use of CBD and Hemp Oil for medicinal purposes may trigger a positive test for the use of cannabis. Testing cannot distinguish between legal and illegal use. Any person subject to random drug testing should not use these products. A student in possession of synthetic urine will automatically be assumed as a positive test. All positive test results will follow written protocols for the district.**

### **Testing Methods**

All participants in Board-approved extra-curricular activities, who park a vehicle on school property, and their parents shall receive copies of the Santo ISD Deterrent To Illegal Drug And Alcohol Use Policy and the consent forms.

**No student shall be allowed to practice or participate in any extra-curricular activity nor park a vehicle on school property until the student has returned the properly signed “Drug and Alcohol Testing Consent Form.”**

Drug tests shall be conducted by urinalysis. Alcohol tests may be conducted by urinalysis, breathalyzer, or saliva analysis, whichever the District chooses in its sole discretion. All tests shall be conducted in accordance with administrative regulations in a manner that shall safeguard the privacy of the student.

Each student shall be asked if there is any legitimate reason he/she has been in contact with illegal drugs or if there are medications he/she has taken that affect test results. ***If the student is taking or has recently taken prescribed medication, he/she may be required to provide proof of his/her prescription.*** The student is not required to disclose any medical condition and any medical information revealed will be kept confidential by the District, unless lawfully compelled to disclose.

### **Consequences**

The school administrator will follow policy for a student who is found to be under the influence of illegal drugs or alcohol while at school according to District policy. All offenses for testing positive for an illegal drug or alcohol are cumulative for the participant’s enrollment in grades 7-8 and then 9-12. Once a student has completed the 8<sup>th</sup> grade, they will have a clean slate upon entering high school. All students enrolling in the District with no prior enrollment in the District shall begin with a clean record. Any student who has tested positive as a result of properly taking prescribed medication shall be deemed to have a negative test.

### **First Offense**

Ten (10) **school**-day suspension from activity/parking and student will participate in practices. The student may not participate in any performances, demonstrations, competitions, or contests or park a vehicle on school property until the suspension is completed. The suspension shall begin after the appeals process has been completed or is no longer applicable.

If a student tests positive, he or she shall be required to test negative for the next three (3) testing cycles. Students will be accountable for written program consequences (ex: athletics, band, ag, etc.) in addition to district consequences. Such testing shall begin after the appeals process is completed or is no longer applicable.

### **Second Offense**

Thirty (30) **school**-day suspension from activity/parking and student will participate in practices. The student may not participate in any performances, demonstrations, competitions, or contests or park a vehicle on school property until the suspension is completed. The suspension shall begin after the appeals process has been completed or is no longer applicable.

If a student tests positive, he or she shall be required to test negative for the next three (3) testing cycles. Students will be accountable for written program consequences (ex: athletics, band, ag, etc.) in addition to district consequences. Such testing shall begin after the appeals process is completed or is no longer applicable.

### **Third Offense**

Ninety (90) **calendar**-day suspension from activity/parking and student will participate in practices. The student may not participate in any performances, demonstrations, competitions, or contests or park a vehicle on school property until the suspension is completed. The suspension shall begin after the appeals process has been completed or is no longer applicable.

If a student tests positive, he or she shall be required to test negative for the next three (3) testing cycles. Students will be accountable for written program consequences (ex: athletics, band, ag, etc.) in addition to district consequences. Such testing shall begin after the appeals process is completed or is no longer applicable.

### **Fourth Offense**

One year (365) **calendar**-day suspension from activity/parking and student will participate in practices. The student may not participate in any performances, demonstrations, competitions, or contests or park a vehicle on school property until the suspension is completed. The suspension shall begin after the appeals process has been completed or is no longer applicable.

If a student tests positive, he or she shall be removed from the random testing pool and be required to test negative for the next three (3) testing cycles if they remain in the program. Students will be accountable for written program consequences (ex: athletics, band, ag, etc.) in addition to district consequences. Such testing shall begin after the appeals process is completed or is no longer applicable.

### **Refusal To Be Tested**

Any refusal by a participant/student to take a drug test as required under this policy shall have the same effect and consequences as a positive test.

### **Missed Random And / Or Mandatory Testing Periods**

If a student to be tested is absent when urine samples are collected, they will automatically be included in the next random student drug testing collection.

## **Students Opting Out Of Program / Activity**

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

## **Selection For Testing (Mandatory & Random)**

All students who participate in Board approved extra-curricular activities in grades 7-12 and grades 9-12 or who park a vehicle on school property shall be including in the random student drug testing program.

### ***Random tests will be conducted at randomly selected times for students in grades 7-12.***

Students who participate in an extra-curricular activity or park a vehicle on school property after the school year begins must obtain permission from the coach or director/sponsor of the sport or activity in question, the athletic director (if applicable), and the principal or assistant principal. Students who declare late shall be placed in the appropriate pool and be subject to the random testing program.

***Students who are selected for testing during one random test date shall be eligible for future random tests and, if selected, may be tested in consecutive tests.***

## **Voluntary Student Testing**

Students who do not participate in extra-curricular activities, but whose parents' desire their child to be drug tested may participate in the District's Voluntary Random Drug Testing Program. Parents must make a request to the appropriate campus principal or assistant principal, and the parent and student must both sign the drug testing consent form. Students who voluntarily participate shall be placed in the applicable pool and be tested in the same manner as students who participate in extra-curricular activities or park a vehicle on school property.

Any refusal by the student and/or parent to sign the consent form shall be treated as forfeiture of participation in the voluntary testing program. Any refusal by a student in the Voluntary Program to be tested will be reported to his or her parents or guardians.

## **Drug Testing Procedures**

Students selected for testing shall be accompanied to a restroom by a monitor. The monitor will give the student a form where the student **may** list any medication he/she is taking or explain any legitimate reason for having been in contact with illegal drugs. The monitor shall not observe the student while the sample is being produced, but shall stand outside the restroom to guard against a sample being tampered with and to ensure the proper chain of custody. All urine samples shall be identified with a random number assigned to the student, sealed, and submitted to a laboratory for testing. The sample shall be divided into two separate bottles, in the event a test for an appeal is needed. If at any time a sample is being collected the monitor has reason to believe that a

student is tampering with a sample, the monitor will inform the appropriate administrator who will determine if a new sample is needed. Any laboratory chosen by the District conducting drug tests shall have a detailed, written procedure to assure proper chain of custody and security of the samples, proper laboratory controls, and use specifically validated testing methods.

### **Confirmation Of A Positive Test Result**

Testing a urine sample is a two-step process. If the initial test is positive, it will be confirmed by a second test on the same sample. A sample shall not be reported as positive unless both tests are positive. The laboratory will return the test results of all students tested to the District as soon as possible. If a test result is positive, the Superintendent will immediately contact the student and the student's parents/guardians.

### **Appeal Process**

Within seventy-two hours (3 days) of being notified of a test result, parents/guardians of any participant testing positive shall have an opportunity to schedule 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 a doctor's prescription of any drugs the student was taking that might have affected the outcome of the test and may request a retest. Upon such a request, the urine sample from the second bottle originally obtained shall be retested by another lab and another 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.

## **Definitions:**

**Biological Testing** – for this plan, the scientific analysis of urine (with the exception of reasonable suspicion tests for alcohol, which may be conducted by urinalysis, breathalyzer, or saliva test) for the purpose of detecting 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

**Drug Testing** – for this plan, the scientific analysis of urine, breath, or saliva for the purpose of detecting an illegal drug or alcohol

**Extra-curricular Activities** – extra-curricular activities regarding this policy are those approved by the Board

**Good Standing** - having met requirements in order to be able to pursue all educational and extra-curricular 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; and any drug being used for a purpose not in accordance with bona fide medical therapy. Examples of illegal drugs include, but are not limited to: cannabis substances (such as marijuana and hashish), cocaine, heroin, phencyclidine, PCP, and so-called “designer 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 (School)** - 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

**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 in any detectable manner