

## **Highland ISD Mandatory Drug Testing Program**

All students wishing to join a Highland ISD extracurricular program or any licensed driver who wishes to obtain a parking permit in grades 7-12 shall be subject to mandatory random testing for the presence of Controlled Substances at any time throughout the calendar year.

### **PURPOSE**

The purposes of the drug-testing program are to: 1) prevent injury, illness, and harm resulting from the use of illegal and performance-enhancing drugs; 2) help enforce a drug-free educational environment; 3) deter student use of illegal and performance-enhancing drugs; and 4) educate students regarding the harm caused by the use of illegal and performance-enhancing drugs.

### **DISTRIBUTION OF POLICY**

The District shall provide each parent and student a copy of the drug-testing policy and consent form prior to the student's participation in an affected activity.

### **PARENTAL CONSENT**

Parental consent for a student to submit to biological drug testing by urine or saliva shall be a required condition for participation in any Highland ISD extracurricular program or to obtain a parking permit. A parent's refusal to consent shall result in denial of the student's participation in any Highland ISD extracurricular program or driving privileges at school. Each student in grades 7-12 who wishes to participate in a Highland ISD extracurricular program or obtain a parking permit must sign a consent form agreeing to submit to the drug testing program. Unless the student and parent revoke consent in a separate signed writing, the signed consent form shall remain on file and in effect for the duration of the student's participation in any Highland ISD extracurricular program at any time in their school career at Highland ISD.

### **RANDOM TESTING**

All students in a Highland ISD extracurricular program or who wish to obtain a parking permit to park at school shall be subject to random drug testing for Controlled Substances, which may be conducted at any time while enrolled at Highland ISD. Students shall be selected for testing through a computer-generated random selection process conducted by a licensed testing company.

### **REASONABLE SUSPICION TESTING**

When the extracurricular director, coach, sponsor, teacher, or administrator has a reasonable suspicion that a student may be currently using or under the influence of a Controlled Substance, the school personnel involved may require the student to submit to testing during the next random testing date. The student's code will be given to the testing laboratory to be included in the random testing procedure. Reasonable suspicion may include, but is not limited to, an observed change in a student's behavior, personality or actions, a sudden, steady decline in a student's academic production, and reports given by a reliable source that the student may use or be under the influence of a Controlled Substance.

### **TESTING PROCEDURES**

The District shall contract with a nationally-certified drug testing laboratory, which shall conduct all drug testing authorized by this policy. The laboratory shall provide qualified persons to oversee the collection and labeling of all specimens and shall provide a medical review officer (MRO) services for interpretation and verification of results. The testing results will be posted on a secured database to be reviewed by the District's Drug Testing Administrator or designee. All positive test results will be determined based on the federal standard for drug testing criteria and content. The school reserves the right to have school officials present, and in close proximity, as a sample is being collected to ensure that the testing is being conducted without tampering.

### **PROTOCOL**

Drug testing may be performed by urinalysis and/or saliva testing in accordance with accepted practices and procedures as established by the laboratory with which the Highland ISD contracts. Student privacy shall be protected to the greatest extent possible during the collection and coding of urine specimens.

**DRUGS TESTED**

The “Controlled Substances” for which the drug tests will analyze a student’s specimen shall include:

1. Drugs that an individual may not buy, possess, use, sell or distribute under federal or state law including, but not limited, to marijuana, cannabinal, opiates, cocaine, phencyclidine, amphetamines, barbiturates, methadone, methaqualone, propoxyphene, hallucinogens and steroids (and their metabolites);
2. Alcohol;
3. Performance-enhancing drugs, including steroids;

**POSITIVE OR SUSPICIOUS TEST RESULTS**

The testing laboratory shall notify the department director and the District’s Drug Testing Administrator of any positive or suspicious test results. An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive. The department director and District’s Drug Testing Administrator shall notify the student and parents. If applicable, the District may contact the student’s physician to rule out any factors which may have caused the results to appear positive or may require the student to be retested to rule out any factors that may have caused the results to appear suspicious.

**REFUSAL TO TEST**

If a student refuses to submit to any test as required or authorized by this policy, the student shall be subject to the same consequences as if he or she tested positive for drugs.

**USE OF RESULTS**

Drug testing results shall be used only to determine eligibility for participation in extracurricular activities and driving privileges. Positive drug test results shall not be used to impose disciplinary sanctions or academic penalties.

**CONFIDENTIALITY**

Drug-testing results shall be confidential and shall be disclosed only to the student, the student’s parents, and designated District officials who need the information in order to administer the drug-testing program. Drug test results shall not be maintained with a student’s academic record. Results shall not be otherwise disclosed except as required by law.

**TAMPERING WITH THE DRUG TESTING PROCEDURE**

If a student is found guilty of aiding or directly hindering the testing process to avoid producing a positive test, the student(s) in question will be immediately placed on level two, level three or level four for this offense.

**ADMISSION OF DRUG USAGE**

If a student has admitted to using a Controlled Substance before the disciplinary panel while being a part of a Highland ISD extracurricular program, the student in question will be placed on the appropriate level of consequences as necessary.

**RECORDS**

All records relating to the Program, including consent forms, test results, and interventions actions, shall be maintained in a separate file from the student’s cumulative folder and academic records. Access to the records shall occur only in compliance with District policies and procedures, the Family Education Rights and Privacy Act, or other applicable state and federal laws and regulations

## **MINIMAL CONSEQUENCES FOR POSITIVE TEST RESULTS**

Upon any confirmed positive result, the student and parent(s) shall be contacted by the District's Drug Testing Administrator or designee to discuss the test results and the consequences. Consequences will begin in the 7<sup>th</sup> grade and carry over from one year to the next.

### **LEVEL ONE - 1st Offense**

The student will be suspended for 15 days from any competitions and/or have parking privileges revoked for 15 days. The student will be allowed to practice during this 15-day period, but will not be allowed to compete in any games, performances, or events. The student shall be required to attend and successfully complete 4 hours of drug education counseling approved by the District Drug Testing Administrator or designee within 15 days, or the student in question will be suspended from competition and/or driving until the drug education program has been completed. Student will automatically be placed on the random testing list for the remainder of the year.

### **LEVEL TWO - 2nd Offense**

The student will be suspended for 30 days from any competitions and/or have parking privileges revoked for 30 days. The student will be allowed to practice during this 30-day period, but will not be allowed to compete in any games, performances, or events. A student intending to return to full participation in an extracurricular activity or park at school shall be retested, at the student or parent's expense, at the end of the 30-day removal. The student shall be required to attend and successfully complete an 8-hour drug education program approved by the District Drug Testing Administrator or designee within 30 days, or the student in question will be suspended from competition and/or driving until the drug education program has been completed. Student will automatically be placed on the random testing list for the remainder of the year.

### **LEVEL THREE - 3rd Offense**

The student will be suspended for the remaining school year from all competitions and/or parking at school. The student will be allowed to practice during the remaining school year, but will not be allowed to compete in any games, performances, or events. A student intending to return to full participation in an extracurricular activity or park at school shall be retested, at the student or parent's expense, at the beginning of the next school year. The student shall be required to attend and successfully complete a 16-hour drug education program approved by the District Drug Testing Administrator before being reinstated. Student will automatically be placed on the random testing list for the remainder of the school year.

### **LEVEL FOUR – 4th Offense**

The student shall be suspended from all participation in any Highland ISD extracurricular activity and/or from parking at school for the remainder of their career at Highland ISD.

### **APPEALS**

A student seeking to appeal a positive drug test result may be retested, at his or her own expense, by a nationally-certified drug testing laboratory. In addition, the student may have the positive test results reviewed, at his or her own expense, by an MRO who is a licensed physician with knowledge of substance abuse disorders. Such a request for a review shall be made to the district by a parent or legal guardian within three days of the positive test results. If the conclusion of the retesting or review is in the student's favor, the student shall be allowed to return to participation in the extracurricular program immediately. The student shall be suspended from participation in the district's extracurricular programs until the appeal process has been completed. Final decision(s) on any appeal request by the Highland ISD shall not be unreasonably withheld or delayed.

All other appeals may be taken to the superintendent for consideration.





# Highland ISD Drug Screening Test

## Parent/Student Consent Form

2021-2022

### Junior High & High School students ONLY

I, \_\_\_\_\_, am a parent/guardian of \_\_\_\_\_,  
(Print Name of Parent/Guardian) (Print Name of Student)  
a minor student enrolled in Highland ISD.

I represent that I have the authority to consent to drug and/or alcohol testing of my child. I understand Highland Independent School District's policy regarding drug/alcohol use and participation in Highland Independent School District (HISD) sponsored competitive extracurricular activities. I understand that it is a practice of HISD to conduct drug tests for the purpose of determining eligibility for participating in competitive extracurricular activities and/or driving a vehicle to school.

I understand that my child cannot be compelled to give a urine sample. I understand that if he/she gives a urine sample it will be tested for drugs and/or alcohol. I understand that the giving of a urine sample, when requested by HISD, is a condition of my child's continued participation in competitive extracurricular activities and driving a vehicle to school. I understand that my child's refusal to test will result in a positive test. I understand that if a test of my child's urine sample reveals an unexplained presence of a drug and/or alcohol, HISD may take action against him/her up to and including termination from participating in extracurricular activities and/or driving a vehicle to school as specified in the policy. An exception will be made for the use of legally prescribed medications taken under the direct supervision of a physician. Based on my understanding of the above, I hereby authorize the drug testing contractor and/or trained personnel to collect urine samples from my child for the purpose of testing for the presence of drugs and/or alcohol.

I further authorize the officers, employees, and agents of the drug testing contractor and HISD to communicate my child's drug/alcohol test results both orally and in writing to each other and the child's parent/guardian to communicate positive test results at any HISD administrative or legal proceeding. I also authorize the officers, employees, and agents of the drug testing contractor and HISD to have continued access to my child's urine sample/test results for the purpose of any further analysis or study that may be necessary and require the results be communicated to me prior to any HISD administrative proceedings or disciplinary action. I understand that no physician/patient relationship is established by the collection of this urine sample, and that no privilege of confidentiality will attach to these test results.

I agree to allow my child to participate in this program as:

\_\_\_\_\_ a student involved in extracurricular activities

\_\_\_\_\_ a student driving a vehicle to school

\_\_\_\_\_ a student enrolled voluntarily (student does not participate in extracurricular activities or drive a vehicle to school)

I hereby release and hold harmless Highland ISD, their trustees, employees, and medical staff members from any and all liability, claims, damages, and costs that may arise as a result of any action taken on an unfavorable outcome that occurs as a result of this drug/alcohol test.

This is a legal consent and release of liability form. Please read it carefully and be sure your questions have been answered before signing.

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name of parent/guardian

\_\_\_\_\_  
Student signature

\_\_\_\_\_  
Date

This authorization will be valid for the 2021-2022 school year in the Highland Independent School District.