

STUDENT DRUG TESTING POLICY

MISSION STATEMENT

The Jasper School District recognizes that drug abuse is a significant health problem for students, detrimentally affecting overall health, behavior, learning ability, reflexes, and the total development of each individual. The Jasper Board of Education is determined to help students by providing another option for them to say "No". Drug abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of legal drugs and medications.

DEFINITIONS

Drug: Any substance considered illegal by Arkansas Statutes or which is controlled by the Food & Drug Administration unless prescribed by a licensed physician.

Activity Programs: Any Activity that meets the guidelines of the Arkansas Activities Association and/or sponsored by the Jasper School District. This includes all school sponsored academic, athletic/spirit and student groups.

School Year: From the first day of classes in the fall, unless the activity begins prior to the first day of classes, in which event, from the first day of practice through the last day of classes in the spring.

POLICY STATEMENT

Jasper School District ("the district") conducts a mandatory drug-testing program for students. Its purpose is threefold: (1) to provide for the health and safety of students in all Activity Programs grades 7 -12 and students who park on campus; (2) to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs; and (3) to encourage students who use drugs to participate in drug treatment programs.

PROCEDURES FOR STUDENTS

Consent: Each student wishing to participate in any activity program or park on campus, and the student's custodial parent or guardian, shall consent in writing to drug testing pursuant to the District's drug testing program. Written consent shall be in the form attached to this policy. No student shall be allowed to participate in any activity program or park on campus absent such consent.

SELECTION PROCESS

Student Selection: Random testing will be conducted monthly during the school year. Selection for random testing will be by lottery drawing from a "pool" of all students participating in activity programs or who or park on campus in the district at the time of the drawing. The number of names drawn will be no less than 2% and no greater than 15% of the population.

The superintendent or designee shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not necessarily limited to, assuring that the names of all participating students are in the pool, assuring that the person drawing names has no way of knowingly choosing or failing to choose particular students for the testing, assuring that the identity of students drawn for testing is not known to those involved in the selection process and assuring direct observation of the process by the least intrusive means possible while assuring brevity and privacy.

Refusal to Submit to Testing or Adulteration of Sample: Any student selected who refuses to submit to random drug testing and/or re-testing, who adulterates a sample, or violates the policy in any way will be subject to the provisions of a positive test.

Concerned Parent: A concerned parent may request a home drug testing kit from the school principal. These kits test for a variety of illicit and prescription drugs including, but not limited to: marijuana (THC), cocaine, opiates (heroin), methamphetamines, benzodiazepines, and oxycodone. This test is done in the privacy their own home and only parents know these test results.

SAMPLE COLLECTION

Samples will be collected at a scheduled time on the same day the student is selected for testing or if the student is absent on that day, on the day of the student's return to school. If a student is unable to produce a sample at any particular time, the student will remain until a sample is provided.

All students providing samples will be given the option of doing so alone in an individual stall with the door closed.

TESTING AGENCY

The district will choose a qualified agency for the purpose of processing sample results and maintaining privacy with respect to test results and related matters.

PRESCRIPTION MEDICATION

Students who are taking prescription medication may provide a copy of the prescription or a doctor's verification, which will be considered in determining whether a "positive" test has been satisfactorily explained. That documentation will be forwarded to the testing lab with instructions for the lab to consider the student's use of such medication to assure the accuracy of the result. Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests."

SCOPE OF TESTS

Student samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug intoxication. As a quality control measure, the school reserves the right to send any urine sample that appears unusual in color and/or consistency to a laboratory for testing and confirmation or non-confirmation.

RECORDS

The results of drug tests pursuant to this policy will not be documented in any student's academic records. The results will be reported only to the superintendent or his designee. All records concerning chemical abuse testing will be maintained by the Superintendent or his/her designee in a separate, locked file. The files on each student will be destroyed upon graduation or two years after termination of enrollment. A student and the student's custodial parent/legal guardian may obtain a copy of his/her chemical abuse testing records upon written request.

PROCEDURES IN THE EVENT OF A POSITIVE RESULT

Whenever a student's test result indicates the presence of illegal drugs ("positive test"), the following will occur: If the sample tests positive, a custodial parent or legal guardian will be notified and a meeting will be scheduled with the Superintendent or his designee, the student, the custodial parent or legal guardian, and the student's principal and head coach or sponsor.

For a positive result, the student will be recommended for counseling. The Jasper School District offers School Based Mental Health services on each campus. If any charge is incurred, it will be the responsibility of the parents. The student will be placed on probation and not be allowed to participate in competitions, presentations and activities of Jasper School District or park on campus for a specified period of time, as described below.

A student may be required to practice or participate in off-season activities at the head coach's or sponsor's discretion. He/she cannot compete or dress out for any competition.

FIRST POSITIVE RESULT – PARTICIPATION IN COUNSELING

With the consent of the student and his or her parents/guardians, the superintendent or designee may reduce the suspension so that the student is only prohibited for participating in covered activities for a total of ten (10) participation days as long as the student meets the following requirements:

1. Within one (1) week of the conference, the student must receive or be enrolled in substance abuse counseling or School Based Mental Health services. The parents/guardians are responsible for all costs associated with the counseling. The parent/guardian must provide written verification that the student has been seen for counseling at least once before the student is allowed to begin participation again. If the student does not attend counseling as promised, the district will immediately implement the original consequences.
2. The student will be required to submit to drug tests for the rest of the school year at the expense of the parent/guardian.

On day eleven, eligibility will be restored provided student submits to a school test with negative results.

FIRST POSITIVE RESULT – REFUSAL OF COUNSELING

For the first positive result the student will be suspended from participating in activities or parking on campus for 20 school days.

On day twenty-one, the student will be allowed to be retested (at the expense of parent-guardian). If the tests results are found to be negative, the student will again become eligible for competitions, presentations and activities relating to Jasper School District and parking on campus. However, the student must submit to a mandatory school drug screen or lab test on a monthly basis at the expense of the parent/guardian for the next three months.

SECOND POSITIVE RESULT – PARTICIPATION IN COUNSELING

With the consent of the student and his or her parents/guardians, the superintendent or designee may reduce the suspension so that the student is only prohibited from participating in parking and district sponsored activities for a total of forty-five (45) school days as long as the student meets the following requirements:

1. Within one (1) week of the conference, the student must receive or be enrolled in the substance abuse counseling or School Based Mental Health services. The parents/guardians are responsible for all cost associated with the counseling. The parent/guardian must provide written verification that the student has been seen for counseling at least once before the student is allowed to begin participation again. If the student does not attend counseling as promised, the district will immediately implement the original consequences.
2. The student will be required to submit to monthly drug test for the rest of the school year at the expense of the parent/guardian.

SECOND POSITIVE RESULT – REFUSAL OF COUNSELING

For the second positive result in the same year or any two consecutive calendar years, the student will be suspended from participating in activities or parking on campus for 90 school days.

THIRD POSITIVE RESULT

For the third positive result, the student will be suspended from participating in activities or parking on campus for the remainder of his enrollment with the district. The parent/guardian may appeal to the superintendent.

NON-PUNITIVE NATURE OF POLICY

No student shall be penalized academically for testing positive for illegal drugs. Information regarding the results of drug tests will 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 legal guardian will be notified as soon as possible by the district.