

EXTRACURRICULAR ACTIVITY DRUG TESTING

The Terrebonne Parish School Board, hereinafter referred to as the Board, is a legal entity charged with the task of providing the best possible education to all students with strong commitment to their health, safety and welfare. The Board acknowledges that extracurricular activities are not an essential aspect of the educational process in Louisiana as enunciated in State Bulletin 741. Therefore, student participation is not an absolute right but a privilege afforded the eligible students on an equal opportunity basis and thus is voluntary and not required by Board policy or state and/or federal law. In the Board's commitment to maintain a safe and secure educational environment, a clear policy related to the detection, treatment referral, and prevention of substance abuse by students involved in extracurricular activities is required.

PURPOSE

In Terrebonne Parish, extracurricular activities play a prominent role in our community, and student participants are generally admired in their schools and in the community. The Board believes that drug use by students affects not just the users, but the entire student body and faculty, as well as disrupting the educational process. Expert testimony before the United States Supreme Court has confirmed the deleterious effects of drugs on motivation, memory, judgment, reaction, coordination and performance, thus increasing the risk of injury. Therefore, the express purpose of this policy is:

1. To discourage students involved in extracurricular activities from using drugs, and
2. To protect the health and safety of students who voluntarily choose to participate in extracurricular activities, and
3. To provide identified students with a referral to an educational assistance program, and
4. To preserve and maintain a positive learning environment for the students entrusted to the care of the Board who acts as guardian and tutor of the State as Schoolmaster.

SCOPE

Each student who wishes to participate in extracurricular activities is subject to this drug testing program. Participation in this program is not based upon suspicion, and therefore is not intended to be disciplinary or punitive in nature as to the student's educational rights. Therefore, no student shall be expelled or suspended from school as a result of any confirmed "positive" test conducted under this program, other than stated herein. This program does not supersede other drug policies or search and seizure regulations currently adopted by the Terrebonne Parish School Board or enacted by state or federal law.

IMPLEMENTATION

The sponsor/coach of each extracurricular activity shall provide all prospective participants a copy of this policy. Students shall also receive a resource list of local agencies that provide professional assistance for drug abuse. With written parental/guardian approval, a student has the right to remove himself/herself from the drug testing pool. If the student removes himself/herself from the drug testing pool before his/her name is randomly drawn, then the student shall not be eligible to participate in extracurricular activities for the remainder of the school year. This request is to be made in writing to the Superintendent by the parent/guardian. This right is extended up to the time the student's name is randomly drawn. Once a student's name is randomly drawn, any student who refuses random testing will be treated as a confirmed positive. To be eligible to participate in extracurricular activities, upon proper removal of a student's name from the random pool, the student must:

1. Submit a consent form signed by their parent/guardian,
2. Submit to a drug test using a laboratory selected by the Superintendent and approved by the Board, at the student's expense,
3. Submit a negative drug test result taken within one month of the beginning of the school year.

TESTING PROCEDURE

To preserve the integrity and validity of this drug testing program, all urinalysis testing shall be performed by a certified laboratory selected by the Superintendent and approved by the Board. In the first year of implementation, every student in grades 9 - 12 wishing to participate in extracurricular activities for the school year shall submit to an initial drug screening offered in the Fall to be paid by the Terrebonne Parish School Board. After the initial screening in the first year of implementation, only ninth graders and students new to the Terrebonne Parish School system will be subject to the mandatory initial screening offered in the Fall semester. All initial screenings and random drug tests will be paid by the Terrebonne Parish School Board. Students will be assigned a number that will be placed in a random drug testing pool for the remainder of their high school career. Testing will occur at random intervals with no student being given advance notice of the testing. Students will be tested the same day their random number is drawn. Students shall remain under supervision as outlined herein, until they produce a sample. Students unable or refusing to produce a sample will be treated as a confirmed positive. A strict chain of custody will be enforced. A student who provides an adulterated sample as ascertained by the screening agent or the certified laboratory shall be treated as a confirmed positive. Students new to any extracurricular activities, who have not signed the consent form and taken the initial screening offered in the Fall, will be required to submit a consent form and to submit to a urinalysis screening in conformity with this policy at a laboratory selected by the Superintendent and approved by the Board, at the student's expense.

TEST RESULTS

Test results shall be disclosed according to strict procedures regarding the chain of custody and access to the results. Test results shall be maintained in the office of the Superintendent or his designee. All samples yielding a positive result shall be immediately re-tested for confirmation purposes. A confirmed positive result shall be conclusive evidence that drugs were present in the student's system at the time of the drug test. If the confirmation test is negative, no further action is taken. If the confirmation test is positive, the following procedures are enacted:

1. *First Violation* - Upon receipt of a first confirmed positive test, the principal/designee will notify the parents and the student. The principal then notifies the athletic director/sponsor. Upon receipt of a confirmed positive result, the student will be immediately suspended from all extracurricular activities. The student must attend the prescribed six (6) weeks mandatory educational assistance program and show verification of attendance. The student must then submit to a re-test at the student's expense using a laboratory selected by the Superintendent and approved by the Board. Upon written notification of a negative re-test from a testing laboratory selected by the Superintendent and approved by the Board, and proof of completion of the prescribed educational program, the student is then eligible to participate in extracurricular activities.
2. *Second Violation* - Upon receipt of a second confirmed positive test, the student will be immediately dismissed from all extracurricular activities for twelve calendar months. Before re-entry into any extracurricular activities, the student shall undergo a drug assessment by a certified substance abuse professional and provide written proof of completion of any prescribed recommendations, at the student's expense. Additionally, the student must test negative on a re-test after completion of any prescribed recommendations, at the student's expense, using a laboratory selected by the Superintendent and approved by the Board.
3. *Third Violation* - Upon receipt of a third confirmed positive test, the student shall be terminated from all extracurricular activities for the remainder of his/her high school career.

Any re-tests must be conducted by a laboratory selected by the Superintendent and approved by the Board. Any expense for the re-test, the educational component, and the drug assessment prescribed above, is the responsibility of the student.

CHAIN OF CUSTODY

To, protect the student's identity, the laboratory shall identify each sample according to assigned numbers and not by student names. Only the Superintendent designee shall

have the master list of assigned numbers.

Once a student's number is drawn:

1. The student is escorted to the test site where the student signs in and completes a Chain of Custody Control form.
2. If a student is currently or has taken prescription medications, he/she shall provide to the screening agent notification to be given to the medical review officer for confirmation in the event of a confirmed positive test. All requested information concerning prescription medications shall be provided to the Board appointed medical review officer and kept confidential until a confirmed positive test result is received by the Superintendent/designee.
3. The student is then handed a specimen container and enters the designated stall or other partitioned area that allows for individual privacy.
4. The student shall remain under supervision until an adequate specimen can be produced.
5. The student shall hand the specimen to the monitor who will verify the temperature. The student then signs a form verifying that no tampering of the specimen has occurred. A safety seal is then placed over the specimen and sent to the laboratory for testing.
6. All specimens shall be routinely checked for cocaine, marijuana, amphetamines, opiates, phencyclidine, and/or the metabolites of the aforementioned substances. On a random basis, other illegal drugs, such as LSD, heroin and/or substances listed as a controlled dangerous substance by state statute and/or the metabolites of such substances, as customarily performed by the laboratory, may be screened at the request of the Superintendent/designee.

All collection procedures shall be conducted in accordance with 49 CFR, part 40 of the Code of Federal Register.

RE-TEST PROCEDURES

A student who has a confirmed positive drug test, or his/her parent/guardian may request a re-test of the same specimen provided by the student, with 24 hours of notification of the confirmed positive result. This request is to be made in writing to the Superintendent/designee. The cost of the re-test shall be the responsibility of the student. Should the student request a re-test, the re-test shall be administered by a laboratory selected by the Superintendent and approved by the Board. Moreover, the re-test shall be administered in accordance with the terms, conditions and provisions of

this drug testing policy. Verification of the original results will act as the only appeal to the conditions set forth in this policy. A negative result from a re-test of a specimen previously tested as a confirmed positive will restore the student's eligibility status upon the Superintendent/ designee's receipt of the results of the re-test.

SELF-REFERRAL

In accordance with this policy, a student may initiate a self-referral under the following conditions:

1. A self-referral may not occur on the day the student is to be drug tested (initial/random).
2. A student may self-refer one time during his/her high school career.
3. A student must have never received a confirmed positive result from a drug test under this policy.

Immediately upon a self-referral the student will be ineligible to participate in any extracurricular activities. A principal/parent conference will be required for the student to enroll in the six (6) week mandatory drug education program. This student will become eligible to participate in extracurricular activities ten (10) calendar days from the date of the student's enrollment in the mandatory drug education program and written notification to the Superintendent/designee of a negative drug test taken after the self-referral from a laboratory selected by the Superintendent and approved by the Board, at the student's expense. Failure to enroll and complete the mandatory education program within the time period set by the Superintendent/designee, will be treated as a confirmed positive result.

CONFIDENTIALITY

The Superintendent/designee shall ensure the fair enforcement of this policy and maintain confidentiality. The drug test results of each student shall be kept separate from the student's academic records and shall be destroyed upon the student's graduation, or within two years of the student leaving the Terrebonne Parish School System and the student not re-enrolling in the Terrebonne Parish School System within that two year period. Confidentiality of the test results shall be maintained at all times, other than in the case of a legal subpoena being made in the course of a legal investigation. The Terrebonne Parish School Board nor any of its employees shall notify law enforcement personnel in the case of any positive test results acquired directly from this drug testing policy.

FINANCIAL RESPONSIBILITY

All costs associated with the administration of this drug testing program shall be the sole and exclusive responsibility of the Terrebonne Parish Public School Board, except as

noted herein. Any evaluation, treatment, or drug counseling which may be mandated as a result of any positive test result shall not be the responsibility of the Terrebonne Parish School Board.

OTHER MATTERS

The parents, guardians, and student shall release the Terrebonne Parish Public School Board, its members, individually and in their official capacity, as well as any employee, teacher, principal or other school administrator, or personnel, from any and all liability in connection with this policy, the administration of testing procedures and/or test results, any warranties addressing the accuracy of said tests, and any and all medical and laboratory procedures employed by the referring laboratory. It is expressly understood that the Terrebonne Parish Public School Board assumes no responsibility for the diagnosis or treatment of any condition that may become known as the result of any laboratory test conducted in the implementation of this drug testing program.

TERMINOLOGY

Extracurricular Activities:

The following activities that have a paid sponsor/coach:

- Athletics
- Cheerleaders
- Band (performing)
- Drill Squad
- Choir (performing)
- Safe/Drug-Free School Mentors

Drug: Any substance considered illegal by Louisiana Statute.

Certified Laboratory: A laboratory State or NIDA certified.

CONSENT FORM

It is mandatory that each student participating in extracurricular activities shall sign the consent form and obtain the written consent of their parent/guardian permitting the required drug test. By submitting this drug test consent form, the parent/guardian, and student consent to the administration of the drug test and waive any claim of invasion of privacy or any objection to action which may be taken in the implementation of this drug testing program or any liability as outlined in the Terrebonne Parish School Board's student drug testing program. Refusal to sign this form or to submit to the test shall result in nonparticipation in extracurricular activities offered by the school system as delineated in the Terrebonne Parish drug testing policy.

Adopted: July 1999

Ref: La. Rev. Stat. Ann. §§17:81, 40:961, 49:1111 et seq; Board minutes, 7-20-99.