

STUDENT RIGHTS AND RESPONSIBILITIES  
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**Mandatory Drug-  
Testing Program**

Per FNF (Local), the District requires drug testing of any student in grades 7-12 who chooses to participate in school-sponsored competitive extracurricular activities. The District further requires drug testing of any student in grades 9-12 who requests a permit to park a vehicle on school property.

Covered Activities

School-sponsored, competitive extracurricular activities in grades 9–12 shall include the following activities:

- All University Interscholastic League (UIL)-sponsored athletic, fine arts, and academic programs;
- Cavalettes;
- Red Rubies;
- Student athletic trainers;
- Color guard;
- Winter guard;
- Powerlifting;
- Speech and debate;
- Texas Forensics Association;
- FFA;
- 4-H;
- Theater arts;
- Technical theater;
- VASE and Scholastic;
- HOSA;
- Model UN;
- DECA;
- Cavs Crew;
- Mock Trial;
- Film crew; and
- LT Fiddlers.

School-sponsored, competitive extracurricular activities in grades 7–8 shall include the following activities:

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- All UIL-sponsored athletic, fine arts, and academic programs;
- Dance;
- Cheer;
- Color guard;
- VASE;
- FFA; and
- 4-H.

Substances For  
Which Tests Are  
Conducted

Amphetamines  
Marijuana  
Cocaine  
Opiates  
Methamphetamines  
Heroin  
Ecstasy  
PCP  
Barbiturates  
Benzodiazepines  
Propoxyphene  
Synthetic Opiates  
Cotinine/Nicotine

Campus Drug  
Testing  
Administrator

Each middle school and high school campus shall appoint a Campus Drug Testing Administrator to coordinate the program. The Campus Drug Testing Administrator may assign an assistant or other school staff to assist him/her in the coordination and administration of the drug testing program.

Support and  
Consequences for a  
Student Testing  
Positive for Illegal  
Drugs

A student's offense level (*i.e.*, first offense, second offense, third offense) will start over after one calendar year has passed since the student's last positive drug test.

First Offense

Upon a first offense of receiving a confirmed positive drug test for an illegal drug:

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1. The Campus Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Campus Drug Testing Administrator will schedule a conference with him/her, the student, the parent, the Director of Health and Social Emotional Learning or designee, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for 14 calendar days from the date of the conference.
  - a. If the positive drug test occurs during a time in which the student is not performing or competing, the suspension will begin the Monday preceding the first competition or performance of the next school-sponsored competitive extracurricular activity in which the student participates. This may result in the suspension carrying over into the next school year.
4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Campus Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for 14 calendar days from the date of the conference.
6. The student must participate in and complete 4 district-provided substance abuse counseling sessions within a 4-week period. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Campus Drug Testing Administrator verifying attendance at 4 substance abuse counseling sessions within a 4-week period.
7. The student must complete 30 hours of community service within a 4-week period. The student must submit to the Campus Drug Testing Administrator written and signed verification of the dates, times, and activities performed.

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8. After the student's suspension is complete (*i.e.*, the 14 calendar days), the student will be allowed to return to competitions or performances and/or be allowed to have his/her parking permit privileges returned. However, if the student fails to complete the counseling and community services requirements within the stated time, the student will return to suspended status and will remain suspended from competitions and performances in all school-sponsored competitive extracurricular activities and/or remain suspended from parking permit privileges until the time in which all requirements are successfully completed.
9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or loss of his/her parking permit.
10. The student must be included in two (2) subsequent administrations of the random drug tests. These tests must be administered more than 15 calendar days after any positive test result.

Second Offense    Upon a second offense of receiving a confirmed positive drug test for an illegal drug:

1. The Campus Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Campus Drug Testing Administrator will schedule a conference with him/her, the student, the parent, the Director of Health and Social Emotional Learning or designee, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for 30 calendar days from the date of the conference.
  - a. If the positive drug test occurs during a time in which the student is not performing or competing, the suspension will begin the Monday preceding the first competition or performance of the next school-sponsored competitive extracurricular activity in which the student participates. This may result in the suspension carrying over into the next school year.

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4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Campus Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for 30 calendar days from the date of the conference.
6. The student must participate in and complete 6 district-provided substance abuse counseling sessions within 45 calendar-days. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Campus Drug Testing Administrator verifying attendance at 6 substance abuse counseling sessions within 45 calendar days.
7. The student must complete 60 hours of community service within 45 calendar days. The student must submit to the Campus Drug Testing Administrator written and signed verification of the dates, times, and activities performed.
8. After the student's suspension is complete (*i.e.*, the 30 calendar days), the student will be allowed to return to competitions or performances and/or be allowed to have his/her parking permit privileges returned. However, if the student fails to complete the counseling and community services requirements within the stated time, the student will return to suspended status and will remain suspended from competitions and performances in all school-sponsored competitive extracurricular activities and/or remain suspended from parking permit privileges until the time in which all requirements are successfully completed.
9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or parking permit privileges.
10. The student must be included in four (4) subsequent random drug tests. These tests must be administered more than 15 calendar days after any positive test result.

Third Offense      Upon a third offense of receiving a confirmed positive drug test for an illegal drug:

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1. The Campus Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Campus Drug Testing Administrator will schedule a conference with him/her, the student, the parent, the Director of Health and Social Emotional Learning or designee, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for one (1) calendar year from the date of the conference.
4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Campus Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for one (1) calendar year from the date of the conference.
6. The student must participate in and complete 8 district-provided substance abuse counseling sessions within one (1) calendar year. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Campus Drug Testing Administrator verifying attendance at 8 substance abuse counseling sessions within one (1) calendar year.
  - a. If the Director of Health and Social Emotional Learning or designee, in consultation with the student and parents, determines that the student's needs are greater than the counseling provided by the District, the Director or designee will develop an alternative plan and assist the parents and students in locating additional resources.
7. The student must complete 90 hours of community service within one (1) calendar year. The student must submit to the Campus Drug Testing Administrator written and signed verification of the dates, times, and activities performed.

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8. Failure to complete the counseling and community services requirements within the stated time will result in the student remaining suspended from participation/competition in all school-sponsored competitive extracurricular activities and/or remain suspended from parking permit privileges until the time in which all requirements are successfully completed.
9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or parking permit privileges.
10. The student must be included in eight (8) subsequent random drug tests. These tests must be administered more than 15 calendar days after any positive test result.

Support and  
Consequences for a  
Student Testing  
Positive for Nicotine

A student's offense level (*i.e.*, first offense, second offense, third offense) will start over after one calendar year has passed since the student's last positive drug test.

First Offense

Upon a first offense of receiving a confirmed positive test for nicotine:

1. The Campus Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. The Campus Drug Testing Administrator will provide the parent with a list of community resources.

Second Offense

Upon a second offense of receiving a confirmed positive test for nicotine:

1. The Campus Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Campus Drug Testing Administrator will schedule a conference with the DTA, the student, the parent, the Director of Health and Social Emotional Learning or designee, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for 14 calendar days from the date of the conference.

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- a. If a positive test occurs during a time in which the student is not performing or competing, the suspension will begin the Monday preceding the first competition or performance of the next school-sponsored competitive extracurricular activity in which the student participates. This may result in the suspension carrying over into the next school year.
4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Campus Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for 14 calendar days from the date of the conference.
6. The student must participate in and complete 4 district-provided counseling sessions within a 4-week period. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Campus Drug Testing Administrator verifying attendance at 4 substance abuse counseling sessions within a 4-week period.
7. The student must complete 30 hours of community services within a 4-week period. The student must submit to the Campus Drug Testing Administrator written and signed verification of the dates, times, and activities performed.
8. After the student's suspension is complete (*i.e.*, the 14 calendar days), the student will be allowed to return to competitions or performances and/or be allowed to have his/her parking permit privileges returned. However, if the student fails to complete the counseling and community services requirements within the stated time, the student will return to suspended status and will remain suspended from competitions and performances in all school-sponsored competitive extracurricular activities and/or remain suspended from parking permit privileges until the time in which all requirements are successfully completed.
9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or loss of his/her parking permit.



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10. The student must be included in two (2) subsequent administrations of the random drug tests. These tests must be administered more than 15 calendar days after any positive test result.

Third Offense      Upon a third offense of receiving a confirmed positive test for nicotine:

1. The Campus Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Campus Drug Testing Administrator will schedule a conference with him/her, the student, the parent, the Director of Health and Social Emotional Learning or designee, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for 30 calendar days from the date of the conference.
  - a. If the positive drug test occurs during a time in which the student is not performing or competing, the suspension will begin the Monday preceding the first competition or performance of the next school-sponsored competitive extracurricular activity in which the student participates. This may result in the suspension carrying over into the next school year.
4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Campus Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for 30 calendar days from the date of the conference.
6. The student must participate in and complete 6 district-provided counseling sessions within 45 calendar-days. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Campus Drug

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Testing Administrator verifying attendance at 6 substance abuse counseling sessions within 45 calendar days.

7. The student must complete 60 hours of community service within 45 calendar days. The student must submit to the Campus Drug Testing Administrator written and signed verification of the dates, times, and activities performed.
8. After the student's suspension is complete (*i.e.*, the 30 calendar days), the student will be allowed to return to competitions or performances and/or be allowed to have his/her parking permit privileges returned. However, if the student fails to complete the counseling and community services requirements within the stated time, the student will return to suspended status and will remain suspended from competitions and performances in all school-sponsored competitive extracurricular activities and/or remain suspended from parking permit privileges until the time in which all requirements are successfully completed.
9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or parking permit privileges.
10. The student must be included in four (4) subsequent random drug tests. These tests must be administered more than 15 calendar days after any positive test result.

Students Who Are  
Absent on Day of  
Testing

If a student is selected to participate in a drug test and the student is absent on the day the test is administered, the following procedures will be administered:

1. The student will be administered a test no later than 5 days after the student returns to school.
2. Either personnel from the drug testing laboratory or a trained District employee will utilize a urine collection kit (a.k.a. "delay kit") provided by the drug testing laboratory and will collect a sample from the student.
3. Either personnel from the drug testing laboratory or the trained District employee will follow all collection procedures required by District policy and by the drug testing laboratory in order to collect the sample.
4. The sample will be provided to the drug testing laboratory for analysis.

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Students Who Are  
Unable to Produce  
a Urine Sample  
("Shy Bladder")

If a student is selected to participate in a drug test and the student is unable to produce a urine sample ("shy bladder"), the following procedures will be followed:

1. The student will remain under supervision at the designated testing site for approximately 30 minutes.
2. If the student has not produced a urine sample within approximately 30 minutes after being provided the opportunity, the student will either be escorted to the nurse's office or remain under adult supervision at the testing site. The student will be given approximately 30 more minutes to produce a urine sample either at the testing site or in the nurse's office (if taken to the nurse's office, the nurse will be provided a kit and instructions on how to administer the kit). The Campus Drug Testing Administrator may exercise his/her discretion on whether to give the student more than 1 hour to produce a urine sample; however, no student shall remain out of class more than 1.5 hours and the student must remain under adult supervision at all times.
3. If the student is ultimately unable to produce a urine sample within the time allotted, he/she will be sent back to class.
4. The Campus Drug Testing Administrator will call the student's parent and inform him/her that the student was unable to produce a urine sample and inform the parent that the District will attempt another collection as promptly as possible but no later than 5 days from the date of the original administration using a delay kit (see procedures above).
5. If a student is unable to produce a urine sample (after following the procedures outlined in 1-4 above), the student will automatically be included in the next administration of the random drug test.
6. On the next administration, if the same student is unable to produce a urine sample (after following the procedures outlined in 1-4 above), the student shall be deemed to have a positive test result and the appropriate support / consequences will be applied.

Inconclusive  
Results

If the result of a student's drug test comes back as "inconclusive," the following procedures will be followed:

1. The Campus Drug Testing Administrator will contact the parent and inform him/her of the inconclusive result.
2. Inconclusive results will not be considered a positive test result.

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3. The Campus Drug Testing Administrator will offer the parent the opportunity for his/her student to be immediately retested (using a delay kit in the nurse's office).
4. If the parent declines the opportunity for the student to be immediately retested, the student will be automatically included in the next random drug test.
5. If the parent consents to the student being immediately retested, the results of that test will determine the student's drug testing outcome and appropriate support/consequences, if any.

Tampered Samples

If the result of a student's drug test comes back as adulterated or tampered the following steps will be taken before making a final determination that a urine sample has been tampered with or adulterated:

1. The Campus Drug Testing Administrator will contact the parent and inform him/her of the result.
2. The Campus Drug Testing Administrator will offer the parent the opportunity for his/her student to be immediately retested (using a delay kit in the nurse's office).
3. If the parent declines the opportunity for the student to be immediately retested, the student will be determined to have tampered with the urine sample and will be deemed to have a positive test result. The student shall be subject to the appropriate support/consequences depending on previous positive test results, if any.
4. If the parent consents for his/her student to be immediately retested (using a delay kit in the nurse's office), the results of the second test will determine the student's drug testing outcome and appropriate support/consequences, if any.
  - a. If the results of this second opportunity come back as adulterated or tampered, the student will not be offered another opportunity to immediately retest and will be determined to have tampered with the urine sample. The student will be deemed to have a positive test result and shall be subject to the appropriate support/consequences depending on previous positive test results, if any.

Medical Explanation

Per the policy, a student or parent has 3 school days following notification to provide a medical explanation to the Campus Drug Testing Administrator for a positive result. Acceptable proof for a medical explanation must be either a copy of a valid prescription

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	issued by a doctor or a photograph or copy of a valid prescription bottle.
Detailed Analysis	Upon request by a parent, the Campus Drug Testing Administrator will provide the parent a copy of a more detailed analysis of his/her student's drug testing results.
Outside Drug Test Results	The District will not accept the results of a drug test processed by any facility other than the certified drug-testing laboratory that contracts with the District.
Accommodations	Requests for individual accommodations for restroom facilities or other changes in these procedures must be made to the Campus Drug Testing Administrator. The Campus Drug Testing Administrator, in consultation with any other school official with a legitimate educational interest in the information, will review the request. Accommodations will be approved and provided when determined to be necessary, appropriate, and reasonable.
Withdraw	<p>If a student withdraws from all school-sponsored competitive extracurricular activities and/or elects to no longer have a parking permit, the student will be removed from the Mandatory Drug-Testing Program. The parent will be required to fill out a withdrawal form, which must be signed by both the student and parent.</p> <p>If a student withdraws from all school-sponsored competitive extracurricular activities and/or elects to no longer have a parking permit after receiving a positive drug test and prior to completing the required consequences, following the completion of the written withdrawal form signed by the parent and student, the student will no longer be subject to the consequences. However, if the student seeks to rejoin any school-sponsored competitive extracurricular activity and/or seeks to obtain a parking permit, the student must first complete any consequences the student did not complete prior to withdrawing.</p>
<b>Voluntary Drug-Testing Program</b>	<p>Per FNF (LOCAL), a parent or guardian whose minor student in grades 7-12 is not subject to the District's mandatory drug-testing program may request that his/her child be tested.</p> <p>To the extent applicable, the District shall apply all of the same procedures, supports, and consequences to these students as the student's participating in the mandatory drug-testing program.</p>
<b>Limitations on Use of Drug Test Results</b>	Other than the support and consequences outlined in this regulation, no other additional discipline (i.e., Student Code of Conduct, academic penalties, Extracurricular Code of Conduct) will be administered to a student who has a positive drug test as a result of the mandatory drug-testing program.

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Nevertheless, nothing in the policy or this regulation shall limit or affect the application of state law, local policy, the Student Code of Conduct or the Extracurricular Code of Conduct. A student who commits a disciplinary offense shall be subject to consequences in accordance with the Student Code of Conduct and/or the Extracurricular Code of Conduct.

**Retention**

Negative test results for student drug/alcohol testing shall be retained for 1 year. (SD3625-06a)

Positive test results for student drug/alcohol testing shall be retained until date of withdrawal, graduation, or 5 years, whichever is sooner. (SD3625-06b)

All documentation should be maintained separate from the student cumulative folder and only released to the student, his/her parents or person in lawful control of the student, Superintendent, Head Coach / Sponsor of extracurricular activity, and other school officials with a legitimate interest in the information. Results shall not be shared with law enforcement except as required by law.