

Dexter Consolidated Schools

DRUG USE IN SCHOOL EXTRA-CURRICULAR ACTIVITIES (Random Drug, Alcohol, and Tobacco Screening)

A Statement of Need and Purpose

The Board of Education recognizes that abuse of tobacco, alcohol and other drug use are problems afflicting our society and that they are treatable health-related problems. Health problems of youth are primarily the responsibility of the home and community. The school shares that responsibility because substance-abuse problems often interfere with school behavior, student learning, maximum development, and the educational process. The Board of Education further recognizes the health and safety problems which substance abuse can create for student athletes and students involved in extra-curricular activities.

Therefore, the Board prohibits the use of tobacco products, in any form, and the use or possession of alcohol or drugs, as defined below, by students involved in extra-curricular activities. These activities may include but are not limited to: FFA, Volleyball, Football, Basketball, Softball, Baseball, Track, Band, Choir, Drama, and any other activity sanctioned by the New Mexico Activities Association (NMAA).

Objectives

- To provide for the health and safety of all students involved in school activities
- To undermine the effects of peer pressure by providing a legitimate reason for students involved in school activities to refuse to use illegal drugs
- To encourage students involved in school activities who use drugs to participate in drug treatment programs. The program is designed to create a safe, drug free, environment for students involved in school activities and provide them with a list of agencies to seek help when needed.
- To prevent injury, illness, and harm as a result, of drug use and its effects.
- To ensure that students involved in school activities set an appropriate example for their fellow students, for whom they are often role models.

Use of Prohibited Substances

No student covered by this policy shall distribute, dispense, possess, use, transport, give, sell, or be under the influence of any substance which may include, but are not limited to:

- Alcoholic beverages
- Marijuana; Cocaine; Opiates; Amphetamines; Methaqualone; Benzodiazepines; Phencyclidine (PCP); Methadone; Barbituates; and Propoxyphene
- All prescription drugs that were obtained without authorization
- All prescription *and/or* over-the-counter drugs that are being used in an abusive manner
- Performance-enhancing drugs
- Tobacco Products
- Inhalants
- Other substances used for intoxication
- “look-alike” drugs

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- Any other controlled substance

The use of tobacco in any form and use or possession of alcohol, drugs and other substances, as listed above, is prohibited by state law and school policy while on school property or participating in a school sponsored event. Further, abstinence from the use and possession of these substances is required of the student during participation in extra-curricular activities season or off-season program. Students involved in extra-curricular activities should serve as role models, and therefore are expected to not knowingly attend an event where any of these controlled substances are present.

Consent for Drug Testing

All students in middle and high school who wish to participate in at-least one extra-curricular activity during the course of the school year at Dexter Consolidated Schools must declare that intention at the time of their registration each school year. The student shall be provided a copy of this policy, DRUG USE IN SCHOOL ACTIVITIES (Random Drug, Alcohol and Tobacco Screening). They will also be provided with a “Drug/Alcohol/Tobacco Testing Consent Form” which shall be read, signed, and dated by the student and parent or legal guardian before that student shall be eligible to practice or participate in any extra-curricular program. They will then be subject to the random testing program for the entire school year. All students will participate in the first scheduled drug testing after their initial enrollment at Dexter Consolidated Schools or after the implementation of this policy. Students who do not declare their desire to participate in an extracurricular activity upon their initial enrollment each school year and later decide to join an extra-curricular activity will not be eligible to participate until they have completed a drug test. They may participate in the next random drug test or their guardian may choose to pay for the expense of an individual drug test.

Selection for Drug Testing

The Superintendent will approve up to ten (10) drug tests per school year. Students will be selected for each drug testing based upon the following factors:

- 1) Chosen by the random selection basis;
 - a) At least ten percent (10%) and not more than twenty-five percent (25%) of students involved in extra-curricular activities shall be randomly selected to be tested for drug use at each test. A random selection process will be used to select students on the testing dates. The drug testing company will randomly determine which students are to be tested to ensure that all students in the pool will have an equal chance of being selected on an unannounced basis for the testing. Students who are selected to be tested during one (1) test period will be eligible for future tests and if selected may be tested in successive tests.
- 2) Chosen based upon reasonable suspicion from observed behavior or valid reports;
- 3) Required by a previous violation;
- 4) A student voluntarily discloses, or a parent reports, use or abuse by the student;
- 5) Has yet to complete their initial enrollment test; and
- 6) Did not declare their intention to participate in extra-curricular events at the beginning of the school year.

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Students who are selected to be tested for drug use will be required to provide a sample when requested to do so. A refusal to provide a sample, or the alteration or falsification of a specimen or test result, will be treated as resignation from all extra-curricular activities for the next 365 calendar days.

Procedures for Drug Testing

All aspects of the drug-testing program will be conducted in a manner that will safeguard the personal and privacy rights of the students to the maximum degree possible. The random testing of students shall be performed by a certified drug testing company contracted by the District. The company chosen to conduct the testing shall be required to have detailed written procedures to assure proper chain of custody of the samples, proper laboratory control, and scientifically validated testing methods. Tests for alcohol use may be by means of a breathalyzer or saliva test.

The Superintendent or the Superintendent's designee shall designate a staff member to accompany the students to a restroom or other private area where the sample is to be produced under supervision and presence of a designated health care professional. The monitor(s) shall not observe the student while the sample is being produced but shall remain within hearing distance in order to guard against tampered samples and to ensure an accurate chain of custody of the sample. If at any time during the sampling procedure a monitor has reason to believe that a student is tampering with the sample, the monitor may inform administration who will then determine if a new sample should be obtained.

The monitor shall give each student a form on which the student may list any medications the student has taken or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding four (4) days. All samples will be identified with students' individual student identification number, sealed, and submitted to a licensed professional for testing.

The licensed professional will promptly contact the Superintendent or the Superintendent's designee if the result of the drug use test for any students involved in extra-curricular activities is positive. The principal and/or athletic director will promptly contact the student and the student's parents or guardians, if the student is under the age of eighteen (18). A conference will be scheduled at which time the student or parents may offer any explanation of the positive result. Parents or guardians may provide any doctor's prescriptions of drugs that the student was taking that might have affected the outcome of the drug use or alcohol test and may request that another test be conducted on the remaining portion of the sample. The parent or legal guardian will be financially liable for the additional test.

Violation of Drug Use Policy

A violation of this policy shall be determined when:

- A student tests positive to a drug/alcohol/tobacco test administered under this policy.
- A student is found by any school employee, law enforcement official or investigation by coach/sponsor/administrator to be using (including the smell thereof), in possession of, or under the influence of, any prohibited substance.

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- A violation of this policy shall also be determined if a student attends an event where any of these prohibited substances are present, and the student does not make an appropriate attempt to immediately leave the event.

Sanctions

All offenses are cumulative for the student's enrollment middle and high school in the Dexter Consolidated School District. A student found to have been in violation of this policy shall be subject to the following consequences:

A. Drugs, Alcohol, and Tobacco

1. First Offense:

- a) The student will be suspended for 15 school days from their combined extra-curricular activities for the current season (fall, winter, or spring). A minimum of 2 games/contests/activities suspension will also be applied. The student must complete the NMAA course "Life of an Athlete". If a student is not currently competing, the suspension will begin when a student begins a season during the next 365 calendar days.
- b) The student will attend mandatory counseling with the school counselor. Counseling must be completed before resuming activities.
- c) The student will be subject to each random drug test for the remainder of the current school year and for the entire next school year.

2) Second Offense:

- a) The student will be declared ineligible for the next 365 calendar days.
- b) The student will attend mandatory counseling with an approved outside agency. (Outside agency will be at the student/guardian expense). Counseling must be completed prior to resuming competition.
- c) The student will be subject to each random drug test for the remainder of their time at Dexter Consolidated Schools.

3) Third Offense:

- a) The student will be suspended from participation in all extra-curricular activities for as long as he/she attends Dexter Consolidated Schools.

Appeals

A student may appeal a suspension under this policy by providing a written notice of appeal with the Superintendent and a copy to the principal whose decision is being appealed within five (5) school days of the principal's decision. The notice shall state the reasons the suspension should be reversed. The principal shall provide the Superintendent the reasons the suspension should be sustained.

The Superintendent or the Superintendent's designee shall review the principal's suspension decision in light of the provisions of this policy and issue a decision in writing sustaining or reversing the suspension.

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A student may appeal the Superintendent's decision to the Board of Education by providing a notice of appeal to the Superintendent within five (5) school days of the date of the Superintendent's decision. The Superintendent may provide the Board with the reasons the suspension should be sustained. The Board's decision shall be final.

Students will remain ineligible for extra-curricular activities pending appeals.

Self-Referral Policy

Students with drug dependence may voluntarily be tested and obtain intervention. Students who voluntarily come forward and ask for help for their drug problem should be given help without automatic loss of eligibility, if the self-referral happened prior to the day of the random drug testing and prior to any investigation by administration, coaches, or other staff. The student will be required to attend mandatory counseling with the school counselor as a condition of this self-referral policy. An athlete may only self-refer one (1) time while they are enrolled in the Dexter Consolidated School District.

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DRUG USE IN SCHOOL ACTIVITIES

DRUG/ALCOHOL/TOBACCO TESTING CONSENT FORM

According to District policy, all students in middle and high school who wish to participate in at-least one extra-curricular activity during the course of the school year at Dexter Consolidated Schools must declare that intention at the time of their registration each school year. The student shall be provided a copy of policy: DRUG USE IN SCHOOL ACTIVITIES (Random Drug and Alcohol Screening). They will also be provided with a "Drug Testing Consent Form" which shall be read, signed, and dated by the student and parent or legal guardian. **Students shall NOT be eligible to practice or participate in any extra-curricular activity until this form is turned into the office.**

Student's Name: _____ School Year: _____

I intend to participate in an extra-curricular activity during this school year.

- *Students will be subject to the random testing program for the entire school year. All students will participate in the first scheduled drug testing after their initial enrollment at Dexter Consolidated Schools.*
- *Students who are selected to be tested for drug use will be required to provide a sample when requested to do so. A refusal to provide a sample or the alteration or falsification of a specimen or test result, will be treated as resignation from all extra-curricular activities for the next 365 calendar days.*

I DO NOT intend to participate in an extra-curricular activity during this school year.

- *Students who do not declare their desire to participate in an extra-curricular activity upon their initial enrollment each school year and later decide to join an extra-curricular activity, will be required to participate in the next scheduled drug test.*

I have read the "Drug Use in Extra-curricular Activities Policy" and the "Drug/Alcohol/Tobacco Testing Consent Form." Any questions I have about the policy or the consent form have been answered. I further understand that if I violate the policy regarding the use of illegal drugs/alcohol, I will be subject to the consequences provided in the policy.

Signature of Student

Date

We have read and understand the Dexter Consolidated Schools "Drug Use in Extra-curricular Activities Policy" and the "Drug/Alcohol/Tobacco Testing Consent Form." We agree that if our student participates in an extracurricular activity, the student shall be subject to the terms of this policy and consent form. We further agree and consent to the reporting of the results of testing as provided in this policy.

Signature of Parents or Legal Guardian

Date

Signature of Parents or Legal Guardian

Date

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DRUG USE IN SCHOOL ACTIVITIES

PARENT NOTIFICATION OF STUDENT DRUG/ALCOHOL/TOBACCO TEST

DATE: ___/___/_____

Dear _____,

Your child was randomly tested on ___/___/_____ according to your agreement with Dexter School Board Policy. **The lab results have been received and your child tested negative for drugs and alcohol.**

Students are selected for each drug testing based upon the following factors:

- 1) Chosen by the random selection basis;
 - a) At least ten percent (10%) and not more than twenty five percent (25%) of the students involved in extra-curricular activities shall be randomly selected to be tested for drug use at each test. Students will be selected by a random selection process on the testing dates. A random number generator will be used to determine which students are tested to ensure that all students in the pool will have an equal chance of being selected on an unannounced basis for the testing. *Students who are selected to be tested during one (1) test period will be eligible for future testes and if selected may be tested in successive testes.*
- 2) Chosen based upon reasonable suspicion from observed behavior or valid reports;
- 3) Required by a previous violation;
- 4) A student voluntarily discloses, or a parent reports, use or abuse by the student;
- 5) Has yet to complete their initial enrollment; and
- 6) Did not declare their intention to participate in extra-curricular events at the beginning of the school year.

If you have any questions, please contact administration at 575-734-5420.

Sincerely,

Administration

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DRUG USE IN SCHOOL ACTIVITIES

VIOLATION OF DRUG/ALCOHOL/TOBACCO USE POLICY FORM

Date: ___ / ___ / ___

The undersigned administrator has determined that your child _____, has violated the Dexter Consolidated Schools “Drug Use in School Extra-Curricular Activities” Policy. The administrator has imposed the appropriate consequence or suspension for this offense, and the student has been made aware of the consequences of subsequent offenses.

Check One:

_____ **This is the student’s first drug/alcohol/tobacco offense.**

- 1) The student will be suspended for 15 school days from their combined extra-curricular activities for the current season (fall, winter, or spring). A minimum of 2 games/contests/activities suspension will also be applied. The student must complete the NMAA course “Life of an Athlete”. If a student is not currently competing, the suspension will begin when a student begins a season during the next 365 calendar days.
- 2) The student will attend mandatory counseling with the school counselor. Counseling must be completed before resuming activities.
- 3) The student will be subject to each random drug test for the remainder of the current school year and for their entire next school year.

_____ **This is the student’s second drug/alcohol/tobacco offense.**

- 1) The student will be declared ineligible for the next 365 calendar days.
- 2) The student will attend mandatory counseling with an approved outside agency. (Outside agency will be at the student/guardian expense). Counseling must be completed prior to resuming competition.
- 3) The student will be subject to each random drug test for the remainder of their time at Dexter Consolidated Schools.

_____ **This is the student’s third drug/alcohol/tobacco offense.**

- 1) The student will be suspended from participation in all extra-curricular activities for as long as he/she attends Dexter Consolidated Schools.

Signature of Student

Date

Signature of Parents or Legal Guardian

Date

Signature of Parents or Legal Guardian

Date

Signature of Administrator

Date

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DRUG USE IN SCHOOL ACTIVITIES REFUSAL TO SUBMIT TO RANDOM DRUG/ALCOHOL/TOBACCO TEST

Date: ___ / ___ / ___

Dear _____

Your child _____ was selected for testing under the Dexter Consolidated Schools "Drug Use in Extra-curricular Activities" policy on ___ / ___ / ___. He/she has refused to provide a sample to be tested on this date as required by Dexter School Board Policy and agreed to on the "Drug/Alcohol/Tobacco Testing Consent Form." As stated in the policy, a refusal to provide a sample, or the alteration or falsification of a specimen or test result, will be treated as resignation from all extracurricular activities for the next 365 calendar days.

Signature of Student

Date

Signature of Administrator

Date