

Use of Alcohol, Drugs and Other Prohibited Substances

DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

DEFINITIONS

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under [KRS 218A.010](#).

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs and prohibited volatile substances as defined in [KRS 217.900](#) that are used or intended for use for an abusive and/or intoxicating purpose.

AUTHORIZED MEDICATION

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

PENALTY

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, Principals shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

DRUG-TESTING PROGRAM PURPOSE

In this day and time alcohol and other forms of drug abuse have grown to major proportions in our society. School settings are not exempt from this phenomenon. Therefore, it is critical that educators and parents continually look for ways to institute programs that encourage a drug-free lifestyle for their students/children. It is to that end that this program is created to provide the appropriate action plan to address and foster a drug-free environment for grades 6-12.

The program consists of two components:

1. Education and Prevention Plan
2. Drug-Testing Policy

EDUCATION AND PREVENTION PLAN

Educational Seminars. Each semester at least one (1) educational seminar on alcohol and drug abuse shall be conducted by qualified substance abuse educators. These seminars shall be accessible to all students in grades six through twelve (6-12) but shall be required for all athletic and competing extracurricular team members.

Seminars for Parents/Guardians. Educational seminars for parents/guardians that will address alcohol and other forms of drug abuse will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information to parent toward drug prevention.

ALCOHOL AND DRUG SAFETY POLICY

All student athletes/competing extracurricular participant and their parents/guardians must read this policy and accompanying procedures and must acknowledge, in writing, that they have read the policy and procedures, understand the policy and procedures, and agree to be bound by the terms and conditions contained in the policy and procedures.

Statement of Need. All athletic and competing extracurricular team coaches/sponsors and the administration of grades six through twelve (6-12) recognize that the unlawful use of alcohol and other drugs seriously impairs the health, safety, education, and future success of students in grades six through twelve (6-12) engaged in that use. It is also recognized that the unlawful use of alcohol and other drugs is a potential problem for sixth through twelfth (6-12) grade students.

Athletic teams and competing extracurricular activities covered by this policy shall apply to all sixth through twelfth (6-12) grade students participating in varsity and subvarsity athletic and competing extracurricular activities. The subsequent addition of any competing extracurricular activity or varsity or subvarsity sport shall immediately be subject to this policy.

Statement of Purpose. This policy is intended to support the comprehensive educational policies and programs of the District in educating students and their parents/guardians as to the dangers inherent in the unlawful use of drugs. The policy is further intended to provide encouragement to sixth through twelfth (6-12) grade students who voluntarily choose to participate on athletic teams, and in competing extracurricular activities to avoid such use and to strive to benefit from effective rehabilitation when such use has occurred.

Administrators shall not use information obtained in the course of administering this policy for disciplinary purposes other than those set forth herein. This policy is not designed to be used, nor shall it voluntarily be used in any manner, to provide a source of information for law-enforcement agencies or for the prosecution of the student or to limit the student's participation in the school activities, other than the limitations imposed by this policy. Without a specific written authorization from the tested student or parent/guardian, if the student is under eighteen

(18) years of age, the administrator shall not release any student's test results to any person other than those described within this policy or as required by law or a lawfully issued subpoena or court order.

In order to accomplish its purposes, this policy establishes a program for procedures to deter the unlawful use of drugs and alcohol and to provide for suspension and termination of participation on the teams when deterrence is unsuccessful. To determine compliance with the policy, it provides a testing program to identify student participants who are unlawfully using drugs. For these students this policy provides incentives for rehabilitation through possible reinstatement to the specific athletic team or competing extracurricular activity involved.

Consistent with its purposes, this policy also seeks to achieve the following objectives:

1. To protect District students from impairing their health, safety, education, and future success through the unlawful use of alcohol and other drugs;
2. To protect District students and their opponents from potential injury during competition resulting from the unlawful use of alcohol and other drugs;
3. To protect District students from the potential stigma of unsubstantiated allegations of unlawful use of alcohol and other drugs; and
4. To assure students, parents, teachers, and the community that the health, safety, education, and future success of student participants are the primary concerns of the District.

Implementation, Review, and Evaluation. All student participants and their parents/guardians must sign the "Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing" form before the student shall be permitted to try out for any athletic team or become a member of a competing extracurricular activity at the sixth through twelfth (6-12) grade level. A Substance Abuse Prevention Committee (Committee) shall be established and shall establish procedures as needed to implement the policy fairly and efficiently. The Committee may consist of the school Principals, Head Coaches of the athletic teams, designated sponsors of competing extracurricular activities, Athletic Director, Title IV Coordinator, School Health Coordinator, Counselor, Superintendent, and Board Members.

In addition, the Committee shall review and evaluate the effectiveness of the drug-testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. The Committee shall not have access to any of the test results. The Committee's purpose is limited to procedures and evaluation of this policy.

Applicability. This policy applies to all students choosing to participate in any competing extracurricular activity, including students/players at the varsity and subvarsity levels.

Education. At least once each semester, all coaches/sponsors and appropriate certified staff shall require attendance at educational seminars on drug abuse for all student participants (as outlined in the Education and Prevention Plan section of this policy). These seminars shall be open to attendance by student participants and their parents/guardians and shall be presented by qualified substance abuse educators. Those participating will be asked to demonstrate an understanding of the main components of the drug education seminar.

Testing Program. Testing shall be accomplished by the analysis of urine specimen obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered to ensure:

1. Randomness of selection procedures;
2. Proper student identification;
3. Identification of each specimen with the appropriate student participant;
4. Maintenance of the unadulterated integrity of the specimen; and
5. Integrity of the collection and testing process, as well as the confidentiality of test results.

The specific testing process shall be on file at the testing laboratory approved by the Board.

Substances Tested. Student participants' urine specimen shall be tested for the following, which include, but may not be limited to:

1. Amphetamines;
2. Marijuana (THC);
3. Cocaine and its derivatives;
4. Opiates;
5. Phencyclidine (PCP);
6. Benzodiazepine;
7. Propoxyphene; and
8. Other abused, illegal, or controlled substances as determined by the Committee.

CONFIDENTIALITY

The Superintendent shall develop a process to reasonably ensure privacy during the taking of samples, security of samples once obtained, and designation of laboratory services that are accurate and reliable. Appropriate measures shall be taken to protect confidentiality throughout the testing process and in the handling of test results. Access to drug testing results shall be restricted on a need-to-know basis to those persons in positions designated by the Superintendent.

CONSEQUENCES

Students who sign and return the "Consent to Test" form and then refuse to be tested shall be consider a violation and sanctions of the first offense administered.

Sanctions.

First Offense

1. Notify the parent or guardian.
2. Due process hearing shall be conducted by the Principal per board policy.

First Offense (continued)

3. Student shall be given the option of:
 - A) Participate in assistance programs and take a weekly drug test for six (6) weeks. or,
 - B) Be suspended from participating in competing extracurricular activities for eighteen (18) weeks.

Second Offense

1. Notify the parent or guardian.

2. Due process hearing shall be conducted by the Principal per board policy.
3. Student shall be given the option of:
 - A) Participate in assistance programs and suspended from participation for eighteen (18) weeks with frequent drug testing during that time. or,
 - B) Be suspended from participation for thirty-six (36) weeks.

Third Offense

1. Notify the parent or guardian.
2. Due process hearing shall be conducted by the Principal per board policy
3. Student is suspended from participation for two (2) years.

PREVENTION PROGRAM

The Superintendent shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

Student Drug-Testing Procedures

These procedures apply to all students choosing to participate in any competing extracurricular activity, including students/players at the varsity and subvarsity levels.

DRUG TESTING PROCEDURES

1. Prior to trying out for or joining a competing extracurricular team or activity, including athletics, the student participant and his/her parent/guardian must read Policy 09.423 and must **ACKNOWLEDGE, IN WRITING, THAT THEY HAVE READ THE POLICY AND PROCEDURES, UNDERSTAND THE POLICY AND PROCEDURES, AND AGREE TO BE BOUND BY THE TERMS AND CONDITIONS CONTAINED IN THE POLICY AND PROCEDURES.** The student participant and his/her parent/guardian must also sign the “Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing” form before the student will be permitted to try out for any athletic team, join a competing extracurricular activity at the middle- or high-school levels.
2. Prior to giving a urine specimen, each student participant shall complete both a “Medical History Form” (which shall include disclosure of all prescription drugs currently taken) and a “Consent to Test and Chain of Custody Form.” The forms shall identify the student participant only by a confidential number and shall be placed in a sealed package, which shall be forwarded to the testing laboratory with the urine specimen.
3. Testing shall be done at the following times: All student participants shall be subject to random testing at any time between the student’s selection to or membership in the competing extracurricular team or activity and the date of the last game of the season for the athletic team or the date of the last competing extracurricular meeting or activity of the school year.
4. The collection of urine specimen for the random testing shall be conducted on the school campus.
5. The testing laboratory approved by the Board shall determine which student participants are to be tested by the random drawing of names from all student participants.
6. Collection procedures for urine specimen shall be developed, maintained, and administered by the testing laboratory in an effort to minimize any intrusion or embarrassment for each student, to ensure the proper identification of students and the student’s specimen, to minimize the likelihood of the adulteration of a urine specimen, and to maintain complete confidentiality of test results. To that end, the procedure will require:
 - a. The presence of a sponsor (coach or staff member) or the Principal/Assistant Principal or their designee immediately prior to the collection process to ensure proper student identification.
 - b. The presence of one (1) or more representatives of the testing laboratory when the specimen is taken.
 - c. The testing laboratory shall provide each student present for the collection process a receptacle for the collection of urine. The student shall be permitted absolute privacy during the collection process.
 - d. Immediately prior to entering the private bathroom facility utilized for the collection process, the student shall be required to leave all personal belongings (including jackets,

purses, book bags, pocket contents, etc.) in the custody of the school representatives present for student identification.

- e. Prior to entering the private bathroom facility utilized for the collection process, the testing laboratory shall treat water in the private bathroom facility with a coloring substance (frequently referred to by testing laboratories as “bluing the water”) to prevent a student from attempting to dilute or otherwise adulterate the urine specimen.
7. All scientific analyses of the collected specimen shall be conducted by the professional testing laboratory. Each specimen shall initially be tested by using a highly accurate immunoassay technique (EMIT). Initial positive results must be confirmed by gas chromatography/mass spectrometry (GC/MS). If the initial presumptive positive result is not confirmed by the GC/MS technique, the test shall be deemed to be negative. Only after the GC/MS confirmation shall a test result be reported as positive.
8. A portion of each urine specimen given by each student participant shall be preserved by the testing laboratory for at least six (6) months.
9. Written confirmation of all test results shall be forwarded by the testing laboratory to the Drug Coordinator (DC) and a designated Medical Review Officer (MRO) who will assist the DC in determining if the test result might be due to a legal prescription or over-the-counter (OTC) drug. At no time is the MRO to know the student’s identity, or have any direct contact with the student or the student’s parent. To ensure student confidentiality and anonymity is maintained, the DC will handle all communication with the student’s parent/guardian to determine if the student was taking any legal prescription or OTC drug either before or at the time of the drug test. A copy of the actual prescriptions or a doctor/health facility statement must be provided to the DC. The DC will then report the name(s) of the drug(s) and the dosage to the MRO, who will advise whether the prescription/OTC drug caused the positive drug test. Only after a prescription drug has been ruled out as the cause will the drug test be reported as positive by the DC to the Principal and the extracurricular activity sponsor/coach/staff member.
10. In the event that a student participant’s urine specimen produces a positive result, the Principal and sponsor shall meet with the student participant and the student’s parent/guardian, if the student is under the age of 18, to disclose and discuss the test results. At this meeting the student shall be advised of his/her procedural rights.
11. Any student participant who has tested positive or the student’s parents/guardians, if the student is under the age of 18, may contest the test result by informing the Principal of their wish to have a hearing with the Principal within seventy-two (72) hours of receipt of notice of the positive test result. The student and parent/guardian shall be given the opportunity to present relevant evidence to defend the charge of violation of this policy prior to implementation of sanctions. The Principal may require written documentation (such as a doctor’s statement) of information that the student feels may have affected the test results. Failure to present written documentation to support the student’s defense of the case may result in the student being subject to the sanctions provided in this policy for a positive test result. Any further laboratory analysis shall be conducted with the student participant’s remaining urine specimen preserved by the testing laboratory. Student’s parents/guardians, if the student is under the age of 18, may request another drug-test, at their own expense. A final decision of the Principal shall come within five (5) days of receiving notice to contest the test results.
12. The final determination of the student participant’s eligibility shall be made at the school level by the Principal.

13. One (1) year after the student turns 18 years or older or one (1) year after the student's graduation, whichever is later, all records in regard to this policy concerning each student participant shall be destroyed, and at no time shall these results or records be placed in the student's academic file or be voluntarily turned over to any law-enforcement agency, or used for any purpose other than those stated herein.

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I hereby acknowledge that I have read Policy 09.423 (Use of Alcohol, Drugs, and Other Controlled Substances) and Procedure 09.423 AP.1 (Student Drug Testing Procedures), that I understand the policy and procedures, and that I agree to be bound by the terms and conditions contained in the policy and procedures.

Parent/Guardian's Name (Please Print)

Parent/Guardian's Signature

Date

Student's Name (Please Print)

Student's Signature

Date