

**FORSYTH R-III SCHOOL DISTRICT
EXTRACURRICULAR AND CO-CURRICULAR ACTIVITY
STUDENT DRUG TESTING POLICY**

The Forsyth R-III Board of Education recognizes that drug use is one of the most serious problems confronting our community and, in an effort to protect the health and safety of all students from illegal drug use and abuse or injuries resulting from the use of drugs, thereby setting an example for all students of the Forsyth R-III School District, adopts the following policy for drug testing of students participating in extracurricular and/or co-curricular activities.

Statement of Purpose and Intent

It is the desire of the Board of Education, administration, and staff that every student in the Forsyth R-III School District refrain from using, possessing, or distributing illegal drugs. The sanctions of this policy relate solely to limiting the opportunity of any student in violation of this policy to participate in the extracurricular and or co-curricular activities. This policy is intended to supplement and complement all other policies, rules and regulations of the Forsyth R-III School District regarding possession or use of illegal drugs.

Participation in school sponsored extracurricular and/or co-curricular activities at Forsyth R-III School District is a privilege. Accordingly, students in extracurricular and co-curricular activities carry a responsibility to themselves, their fellow students, their parents and/or guardians and their school to set the highest possible example of conduct, which includes avoiding in the use of illegal drugs. The purpose of this policy is to prevent illegal drug use and to strive within the Forsyth R-III School District for an environment free of illegal drug use and abuse. The sanctions of this policy relate solely to limiting the opportunity of any student found to be in violation of this policy to participate in extracurricular and or co-curricular activities. If the discipline policy of the Forsyth R-III School District is violated with respect to alcohol and drugs, the student will be subject to the penalties of the discipline policy. The violation will also be counted as a violation of this policy.

Use of illegal drugs (as defined below) is incompatible with participation in extracurricular and/or co-curricular activities at the Forsyth R-III School District. For safety, health, and well-being of the students of the Forsyth R-III School District, the District has adopted this policy for use by all students participating in extracurricular and/or co-curricular activities.

DRUG TESTING PROCEDURE

Each student participating in extracurricular and/or co-curricular activities shall receive copies of the "Student Extracurricular and/or Co-Curricular Activates Drug Testing Policy" and "Student Extracurricular and/or Co-Curricular Activities Drug Testing Consent" form which shall be read, signed, and dated by the student, parent and/or guardian. Students must turn in a consent form to the high school office before the student will be allowed to begin practice or participate in any extracurricular and/or co-curricular activity. Any student who does not turn in the required consent form within 20 days of enrollment will not be eligible to participate in extracurricular and/or co-curricular activities for the remainder of the school year.

Students in extracurricular and/or co-curricular activities to be drug tested include, but are not limited to the following: Interscholastic, Sports, Cheerleading, Band, FFA, Family, Community, And Career Leaders of America (FCCLA), Future Business Leaders of America, Select Choir, Flags, Dance, Jazz Band, Foreign Language Clubs, Academic Teams, National Honor Society, Student Council, School Musical, Math Club, ROTC, Chess and Speech. Student dances are not considered an extracurricular and/or co-curricular activity.

Definitions

Co-Curricular Activities – activities that students participate in outside of the classroom as a result of being enrolled in a school-offered class.

Extracurricular Activities – activities that take place outside the regular course of study in school.

Drug Use Test – scientifically substantiated method to test for the presence of illegal drugs in a person's urine.

Illegal Drugs – the use, possession, distribution, sale or solicitation of alcohol, drugs (their imitators), unauthorized prescription and non-prescription drugs, drug-related paraphernalia, narcotic substances, marijuana or other intoxicants and any other substances, which an individual may not sell, possess, use, distribute, or purchase under either federal or Missouri law.

Positive Test Result – when referring to a drug test administered under this policy, a toxicological test result which is considered to demonstrate the presence of an illegal drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

Reasonable Suspicion - A suspicion based on specific personal observations concerning the appearance, speech, or behavior of a participating student, and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion.

Procedure

ALL STUDENTS IN EXTRACURRICULAR/CO-CURRICULAR ACTIVITIES MAY BE TESTED AT THE BEGINNING OF THE SCHOOL YEAR

Students will be required to provide urine samples as follows:

1. On a random selection basis during the regular school year, approximately 10% of the students will be chosen approximately every month, from a list of all students participating in extracurricular and/or co-curricular activities; and
2. At any time requested based on reasonable suspicion.

Any drug test required by the Forsyth R-III School District under the terms of the policy will be administered by or at the direction of a professional laboratory chosen by the Forsyth R-III School District using scientifically validated toxicological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control and scientific testing.

All aspects of the drug-use-testing program, including the taking of specimens, will be conducted so as to safeguard the person and privacy rights of students to the maximum degree possible. The test specimen will be obtained in a manner designed to minimize the intrusiveness of the procedure. In particular, the student will be allowed to give the specimen in a private restroom behind a closed door. The monitor will wait outside the door until the specimen is produced. The student will hand the specimen to the monitor who will thereafter verify the normal warmth and appearance of the specimen. The monitor will then test the specimen. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the principal who will then determine if a new sample should be obtained.

If, during the drug testing procedure, a student delays urination beyond a reasonable period of time indicating an attempt to tamper with the specimen or otherwise interfere with the monitor's ability to detect illegal drugs, or if there is a reasonable suspicion of use of a test-altering substance, the District may send the sample to the drug lab for more specific and accurate tests regardless of whether the initial test is negative. If the initial drug test is positive, the initial test result will then be subject to confirmation by a second and different test of the same specimen. In order to keep the result of the initial testing confidential, the District may choose a certain number of samples for a confirmation test. The second test will use gas chromatography/mass spectrometry technique. A specimen shall not be reported positive unless the second test utilizing the gas chromatography/mass spectrometry procedure is positive for the presence of an illegal drug or the metabolites thereof.

If the gas chromatography/mass spectrometry test for any student has a positive result, the laboratory will contact the parents or guardians and solicit any information on medication, which would create a positive test. A medical review officer will confirm the positive result and contact the principal with the results. Once a positive is determined, the student will become ineligible to practice, compete, or participate in any extracurricular

and/or co-curricular activity.

Appeal Procedure

Within five (5) working days of the receipt of the positive test result, the principal or designee will contact the student, the parent or custodial guardian to schedule a conference. The conference shall be held within five (5) working days of initial contact with the student and parent or custodial guardian. If the student, parent or custodial guardian refuses to participate or respond to a request for a conference, the student will be deemed to have waived any right to further appeal the positive result.

If the conference is held, the principal will solicit any explanation of the positive result. If the student asserts that the positive test results are caused by other than consumption of an illegal drug, the student, parent, or custodial guardian will be given five (5) working days from the date of the conference to present evidence of such to the principal. If the student fails to or refuses to present any evidence within the five-day period, the student will be deemed to have waived any right to further appeal the positive result. The Forsyth R-III School District will rely on the opinion of the laboratory, which performed the confirmation test in determining whether the positive test result was produced by other than consumption of an illegal drug. The principal will make a decision within five (5) working days of presentation of the student's evidence.

This decision may be appealed in writing to the Forsyth R-III School District's superintendent within five (5) working days. Failure to appeal to the superintendent waives any further right to appeal the positive test results. The procedures set forth under Policy JGD will be followed in case of an appeal. The superintendent will make a written decision within five (5) working days.

The decision of the superintendent may be appealed in writing to the Forsyth R-III Board of Education within five (5) working days. Failure to appeal to the Board of Education waives any further right to appeal. The procedures set forth under policy JGD will be followed in case of appeal.

Initiating appeal procedures does not suspend imposition of the restrictions listed below while the appeal process is ongoing.

If a student tests negative in the initial screening, the student, the parent or custodial guardian will be contacted by the personnel of the Forsyth R-III School District within five (5) working days.

Retest After Service of Suspension

A student who has tested positive and has served the required suspension period will be required to undergo one or more additional drug-use tests at the expense of the student, parent or custodial guardian to determine whether the student is no longer using illegal drugs before he or she may rejoin an extracurricular and/or co-curricular activity.

Confidentiality

Test results shall be kept in the confidential separate files separate from a student's other educational records and released to school personnel only on a "need-to-know" basis.

Violations

Any student who tests positive in a drug-use test under this procedure shall be subject to the following restrictions:

First Offense

1. The Student will be suspended from all extracurricular and/or co-curricular activities or activity to be involved in, including all meetings, practices, performances, and competitions, for twenty-one (21) calendar days. The suspension will be reduced ten (10) calendar days if the student shows proof of receiving drug counseling and agrees to a second drug test. Students who are enrolled in a class that involves co-curricular activities will remain in the class during suspension period and may participate in classroom activities, but may not participate in any activities outside of the regularly scheduled activity.

If because of the suspension, the student is unable to participate in an activity, which constitutes a portion of the student's grade, the student will be given the opportunity to complete alternative assignments so that the student can earn the same grade as he/she would had if allowed to participate in the activity.

Second Offense

2. The student will be suspended from participating in all extracurricular and co-curricular activities including all meetings, practices, performances, and competitions for 18 continuous and successive weeks, (126) calendar days, from the date of the initial report of the second offense as stated in this procedure while school is in session.

If, because of the suspension, the student is unable to participate in an activity, which constitutes a portion of the student's grade, the student will be given the opportunity to complete alternative assignments so that the student can earn the same grade as he/she would had if allowed to participate in the activity.

Third Offense

3. The student will be permanently suspended from all extracurricular and co-curricular activities including meetings, practices, performances, and competitions for the length of the student's enrollment at Forsyth R-III School District from the date of the initial report of the offense as stated in this procedure.

If, because of the suspension, the student is unable to participate in an activity, which constitutes a portion of the student's grade, the student will be given the opportunity to complete alternative assignments so that the student can earn the same grade as he/she would had if allowed to participate in the activity.

Refusal to Submit to Drug Use Test

Students who refuse to submit to a drug-use test authorized under this policy will be subject to the following restrictions:

The student will be ineligible to participate in any extracurricular and/or co-curricular activities including all meetings, practices, performances, and competitions as indicated by the level of offense in the prior section and until such time that a drug use test has been administered and passed. The cost of the retest shall be the obligation of the student, parent, or custodial guardian. After the suspension period, the participating student shall be subject to the Forsyth R-III School district Drug Testing Policy.

Any student who has a positive initial test and refuses to cooperate in arranging for a confirmation test will be treated as refusing to submit to testing.

Adopted: June 26, 2003

Cross Refs: JG, Student Discipline

JGD Student Suspension and Expulsion

Forsyth R-III School District, Forsyth, Missouri