

# **Livingston Independent School District Drug Testing Policy for Random Drug Test**

Livingston Independent School District has recognized and observed the use of alcohol and illicit drugs in Livingston ISD is present, and a program will be instituted as a proactive approach to having a truly drug free school.

Livingston ISD has a vital interest in maintaining a positive learning environment that is safe and healthy for all of its students. Likewise students who drive to school and/or participate in extracurricular activities such as: athletics, band, FFA, choir, theater, drill team, cheerleading and athletic training, pose a threat to their own health and safety, as well as others students. The purpose of the program is:

- to provide for the health of all students
- allow each student to make a commitment against drug and alcohol use
- To undermine the effects of peer pressure by providing an effective tool for students to refuse to use illegal drugs and alcohol.
- To encourage assistance to extracurricular participants who may be identified as having substance abuse problems
- To deter drug use by students participating in extracurricular activities.

Random urine drug testing of public school interscholastic athletes is legal determined by the United States Supreme Court in case of Vernonia School District 47j (Oregon) vs. Wayne and Judy Action. Random urine drug tests of public schools extra-curricular activity students are legal as determined by Pottawatomie County Independent School District #94 vs. Earls. The students subject to testing will be determined by the Livingston ISD School Board. Livingston Independent School District reserves the right to test any participant in extracurricular activities if there is a justified suspicion on the sponsor's part to drug test the student during the next drug testing session.

Procedures for drug testing students will need informed consent of students upon their registration for extracurricular activities into the LISD programs and/or their application for a parking permit. A list of extracurricular activities at Livingston High School that will be drug tested are as follows but not limited to: academic decathlon, band, baseball, basketball, BPA, cheerleading, choir, cross country, debate, DECA, drill team, FCCLA, football, Future Farmers of America, golf, journalism, powerlifting, ROTC/NDCC, soccer, softball, student athletic trainers, swimming, tennis, track and field, volleyball, UIL Academics, VICA. Any student not giving consent to take part in the random drug testing will not be allowed to participate in the program or drive to school until such consent is given. The Livingston ISD School Board will determine the frequency and number of students tested. Any student refusing to submit to urine drug testing will not be allowed to participate in the extracurricular activity he/she is signed up for.

Testing procedures will be 55 high school students and 20 junior high students to be tested during each testing date. The frequency of testing will be 9 times during a school calendar year. The banned substance list consists of amphetamines, barbiturates, benzodiazepines, marijuana, cocaine, methaqualone, methadone, opiates, human growth

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hormone, propoxyphene, PCP, alcohol, nicotine, and MDMA/MDA (ecstasy) and Steroid NCAA Panel I.

The drug testing program of Livingston Independent School District applies to all students participating in extracurricular activities in grades 7-12.

### **Sanctions for positive drug test:**

- **First Offense** – There will be a conference with the student, his/her parent, guardian, principal, and the person(s) responsible for administering the extracurricular activity the student participates in (if applicable). Student will be suspended from competition in extracurricular activities and/or have their parking privileges revoked for 15 calendar days. The student will subsequently agree to be tested for nine additional tests and/or one calendar year from his/her original positive test.
- **Second Offense** - There will be a conference with the student, his/her parent, guardian, principal, and the person(s) responsible for administering the extracurricular activity the student participates in (if applicable). Student will be suspended from competition in all extracurricular activities and/or have their parking privileges revoked for 30 calendar days. The student will subsequently agree to be tested for nine additional tests and/or one calendar year from his/her last positive test.
- **Third Offense** - There will be a conference with the student, his/her parent guardian, principal, and person(s) responsible for administering the extracurricular activity the student participates in (if applicable). The student will be suspended from all extracurricular activities and/or have their parking privileges revoked for one calendar year. Upon completion of the suspension the student has to write a letter to the superintendent on his/her intentions to be able to be a part of extracurricular activities at Livingston Independent School District. The student will subsequently agree to be tested for the remainder of his/her participation in extracurricular activities at Livingston Independent School District.
- **Refusal to Test** – Each time a student refuses to take a drug test, after having signed the consent form, it will be treated as a positive test. If a student whose name is on the list should leave school without testing and/or following the proper check out procedures, it will be treated as a positive test.

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If a student tests positive they will have the option to attend 5 hours of voluntary drug counseling. If a student provides documentation of completing the drug counseling they will be re-tested for the next six tests instead of the next nine tests. Documentation of completing their drug counseling must be received after each positive test, and can only be done after their first and/or second positive test. If a student tests positive for a third time the punishment set forth in this policy will be followed without the option of reducing the number re-tests through counseling.

A student that quits the extracurricular program after testing positive for a drug test can not return to the activity unless he/she completes the sanction(s) assigned depending on the offense.