



## **Devine ISD Student Drug Testing Questions & Answers**

The following is provided to better understand the drug testing program that was approved by the Board of Trustees on April 10, 2006. Official Policy FNF (LOCAL) will soon be available online in the Board Policy area of the district website.

### **GENERAL QUESTIONS**

#### **Why did the Devine ISD initiate a Student Drug Testing Program?**

Devine ISD has a vital interest in maintaining a safe and healthy environment for all of its students. The District understands that the use of illegal drugs poses serious health and safety risks to the user, those associated with the user, and potentially to the public.

The District has determined a need to implement a program of random drug testing of students in grades 9-12 as a condition of their participation in competitive extracurricular activities and/or as a condition of obtaining/maintaining a permit to park on campus.

#### **What are the objectives of the Student Drug Testing Program?**

The drug-testing program will not be designed as a punitive measure with the intent of identifying and punishing those who may use illegal drugs and/or performance-enhancing drugs. Rather, the following objectives shall serve as the foundation for the program.

- To ensure the health and safety of all students who represent the District in competitive extracurricular activities and students who desire parking permit privileges;
- To serve as a deterrent to the use of illegal drugs and/or performance-enhancing drugs among the student body;
- To offer students a credible means to resist peer pressure as it relates to the use of illegal drugs and/or performance-enhancing drugs;
- To provide a ready resource for support and assistance to any student who may be using illegal drugs and/or performance-enhancing drugs.

#### **What is a competitive extracurricular activity?**

Competitive extracurricular activities are those that are school-sponsored, school-related, competitive activities including elective offices, and participation in clubs, teams, or organizations.

#### **Which students are subject to random drug testing?**

All students in grades 9-12 who intend to participate in competitive extracurricular activities and/or obtain/maintain a permit to park on campus during the course of the school year are subject to random drug testing.

#### **Does a student need to have a signed consent form from the parent/guardian authorizing participation in the drug-testing program in order to tryout for an activity or run for office?**

Yes. Before a student may be allowed to participate in competitive extracurricular activities and/or obtain/maintain a permit to park on campus, the student and the parent/guardian must present written consent to the testing. Both the student and the parent must sign the consent form authorizing the student's participation in the drug-testing program.

**What happens if a parent or guardian does not consent to testing?**

The student will not be able to participate in competitive extracurricular activities or have parking privileges at Devine High School.

**What happens if a student refuses to be tested?**

Refusal on the part of any student to participate in a random drug test shall be considered to have tested positive and will be subject to the appropriate consequences.

**What happens if a student is absent on the day he or she is chosen for testing?**

If a student is absent on the day of the random test, a sample shall be collected on the next random testing date.

**How much is the drug testing program costing Devine ISD?**

The cost of the contract with Pinnacle is \$25 per random sample. Pinnacle is the same company the district uses for the drug-testing for Devine ISD bus drivers. Pinnacle is an independent laboratory that has met all standards for certification as established by the Substance Abuse and Mental Health Services Administration (SAMHSA). All testing is conducted by qualified laboratory personnel in accordance with accepted practices and procedures.

**What is the process for the drug testing and what method is used?**

Testing is done by urinalysis using accepted immunological screening procedures because it is accurate and reliable. The process includes collection, screening, confirmation and review.

**How often will drug testing be done?**

Testing times will be conducted randomly.

**How will students be selected for drug testing?**

Selection for drug testing is random and without suspicion. Students who are identified for drug testing will be placed in a pool from which the random selections will be made. Pinnacle will be responsible for randomly selecting students from established pools using electronic methods.

**Is it possible that a student could be chosen for drug testing more than once?**

Yes, because selection is random and without suspicion.

**What happens if a student quits all extracurricular activities and relinquishes campus parking privileges?**

Pinnacle will be contacted and the student's name will be pulled from the activity list. Remember, if a student quits all activities, he or she will be ineligible to participate in competitive extracurricular activities or park on campus for the remainder of the school year.

**What happens if a student tests positive?**

Any specimens that test positive are tested again for confirmation utilizing the Gas Chromatography/Mass Spectrometry (GC/MS) testing methodology. Parents are notified to determine if there is a medical explanation for the positive test result. If there is no medical explanation for the positive result, the district is notified.

### **Who actually does the collection process?**

Pinnacle employees will oversee the collection of samples.

### **How will the student's privacy be ensured during collection?**

The collection and coding of specimen samples is done in a manner that ensures proper identification and confidentiality. The Pinnacle employee is always positioned in a way that gives each student his or her privacy. The samples are collected in a restroom suitable for the testing and which has been chosen by the Principal and a representative from Pinnacle.

### **How many samples will be taken?**

One sample is collected and that sample will be divided into two parts in the student's presence. Sample A will be used for the initial testing. If the test result of Sample A is positive for drugs or alcohol, a confirmation test will be conducted on Sample A. Sample B will be frozen and reserved for outside testing in the event of a challenge of the positive test result by the student or parent/guardian. All costs associated with testing the second half of the sample will be the responsibility of the student and parent/guardian.

### **For what drugs will students be tested?**

Any substance considered illegal by either federal or Texas law or that is controlled by the United States Food and Drug Administration including but not limited to the following:  
Amphetamines/methamphetamines (speed, uppers, diet pills), Barbiturates (downers, sleeping pills), Benzodiazepines (Valium, Librium), Cannabinoid (marijuana), Cocaine metabolite, Ethanol (alcohol), Hallucinogens (LSD), Opiates (heroin, morphine, codeine), Phencyclidine (PCP, angel dust), Propoxyphene (Darvon), Anabolic steroids (performance-enhancing drugs).

The District reserves the right to test for any and all illegal or controlled substances.

### **Will drug testing detect over-the-counter medications?**

No. Over-the-counter medications are not targeted in the District's drug testing program.

## **CONFIRMATION AND REVIEW**

### **What happens if a student tests positive?**

If a student tests positive, then Pinnacle will first further test the specimen using GAS Chromatography/Mass Spectrometry (GC/MS) methodology as confirmation. If the specimen still tests positive, Pinnacle will contact the student's parent or guardian to determine whether there is an alternative medical explanation for the positive test result. If there is no medical explanation for a positive result, the District will be notified. Parents may choose to have the second half of the sample taken during collection sent to a lab mutually agreed upon by the parent and Pinnacle for independent testing. All costs associated with testing the second half of the sample will be the responsibility of the student and parent/guardian.

### **Will I receive notification if my child tests negative?**

No. Parents are only contacted by Pinnacle if a student tests positive for drugs and alcohol.

## **What happens if my child receives a “false positive”?**

There is no such thing as a false positive. A test result is either positive or negative. Parents will be contacted in the event of a positive test result and asked if there is an alternative medical explanation for a positive result, i.e., a prescription medication.

## **How confidential are the drug testing results?**

Pinnacle retains control of all students records related to drug testing and will only communicate information related to a positive test result to the parent or guardian and the District’s designated vendor contact.

## **What are consequences for a positive test?**

### **First Offense**

The student testing positive through random drug testing will be suspended from any competitive extracurricular activity or driving privileges or off campus privileges during the instructional day for 30 calendar days starting on the date the District is notified of the positive test results. During the period of suspension, the student may participate in practices, but not in any performances or competitive activities. A medical release will be required prior to practicing with a team. The District will provide the student and parent/guardian information regarding external agencies that provide substance abuse education or counseling upon request. The student will be required to show proof of attendance in a certified drug-abuse program or to show proof of private drug-abuse counseling; however, any cost of such external services shall be the responsibility of the student and/or parent/guardian. Proof of counseling and testing must be provided to the principal prior to suspension withdrawal. The student will undergo drug testing at each testing date for one year (12 months). If the results of the subsequent tests are negative, the student will be eligible to participate in performances, competitions, activities, and/or regain driving privileges at the end of the 30 calendar day suspension period. A positive result in the subsequent drug testing will count as a second offense.

The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substances from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use by natural decay, then a negative result may be reported.

### **Second Offense**

The student testing positive for a second time in random drug testing will be suspended from any competitive extracurricular activity or driving privileges or off campus privileges during the instructional day for 90 calendar days starting on the date the District is notified of the positive test results. During the period of suspension, the student may participate in practices, but not in any performances or competitive activities. A medical release shall be required prior to practicing with a team. The District will provide the student and parent/guardian information regarding external agencies that provide substance abuse education or counseling upon request. The student will be required to show proof of attendance in a certified drug-abuse program or to show proof of private drug-abuse counseling; however, any cost of such external services shall be the responsibility of the student and/or parent/guardian. Proof of counseling and testing must be provided to the principal prior to suspension withdrawal. The student will undergo drug testing at each testing date for one year (12 months). If the results of the subsequent tests are negative, the student will be eligible to participate in performances, competitions, activities, and/or regain driving privileges at the end of the 90 calendar day suspension period. A positive result in the subsequent drug testing shall count as a second offense.

The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substances from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use by natural decay, then a negative result may be reported.

### **Third Offense**

The student testing positive for the third time in a random drug-testing will be suspended from any competitive extracurricular activity or driving privileges or off campus privileges during the instructional day for one calendar year starting on the date the District is notified of the positive test results. The student will also be suspended from the athletic program, all competitive extracurricular practices, performances, competitions, activities, and/or driving privileges for one calendar year. The District will provide the student and parent/guardian information regarding external agencies that provide substance abuse education or counseling upon request. The student will be required to show proof of attendance in a certified drug-abuse program or to show proof of private drug-abuse counseling; however, any cost of such external services shall be the responsibility of the student and/or parent/guardian. Proof of counseling and testing must be provided to the principal prior to suspension withdrawal. The student will undergo drug testing at each testing date for one year (12 months). If the results of the subsequent tests are negative, the student will be eligible to participate in performances, competitions, activities, and/or regain driving privileges at the end of the one year suspension period. A positive result in the subsequent drug testing will count as a second offense.

The MRO may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substances from the body. If the MRO feels the quantitative levels determined to be above the established cutoffs do not reflect current use by natural decay, then a negative result may be reported.

### **Fourth Offense**

The student will be suspended from participation in any competitive extracurricular activity and/or parking permit privileges or off campus privileges during the instructional day for the remainder of the student's enrollment in the District.

The District will provide the student and parent/guardian information regarding external agencies that provide substance abuse education or counseling upon request.

### **What is the process for appeals?**

Should a student and/or parent/guardian elect to appeal a positive test result, the second half of the specimen in question may be tested by a laboratory agreed upon by the District. In such cases, the student and/or parent/guardian will assume responsibility for payment of all fees related to the second test. A written request to appeal a positive test result must be submitted to the Superintendent or designee within five working days from the first notification from the MRO or authorized representative of the results. The student will be ineligible for participation in competitive extracurricular activities while the appeal is pending. A student and/or parent/guardian may appeal a decision made under this policy to the Superintendent's designee by filing a written complaint according to the provisions and time lines as set forth in policy FNG(LOCAL). The student will be ineligible for participation in competitive extracurricular activities while the appeal is pending.

### **Are there disciplinary consequences for testing positive?**

No. The drug testing policy is intended to identify those students in need of assistance in dealing with drug and alcohol issues. Students who test positive for drugs or alcohol will not receive any disciplinary consequences. The result of testing positive is the loss of competitive extracurricular activity privileges and/or driving privileges as previously described.

### **Will law enforcement be notified or intervene in any way in case of a positive result?**

No. The only consequences from testing positive are suspension from participation in competitive extracurricular activities and/or loss of driving privileges as previously described.

## **STUDENT ASSISTANCE**

### **How will the District provide support and assistance to students who test positive?**

The District will provide the student and parent/guardian information regarding external agencies that provide substance abuse education or counseling upon request.

### **Can the student seek private counseling services?**

Yes, but the student will be required to show proof of participation in a **certified** drug-abuse program or private drug-abuse counseling. Any cost of such external services shall be the responsibility of the student and/or parent/guardian.

### **Where can a parent go to get more information about drug testing in schools and about substance abuse in general?**

The Office of National Drug Control Policy, <http://www.whitehousedrugpolicy.gov>, provides information and resources on policies regarding drug testing in schools, as well as information on substance abuse.