

# Arab City Board of Education Competitive Extracurricular Activity/Student Parking Privilege Substance Abuse Policy

## I. OVERVIEW

The Arab City Board of Education (the Board) recognizes its students as present and future assets to the educational process. Students who participate in competitive extracurricular activities serve as role models for other students and are keys to the goal of providing the best possible education for all students. To achieve that goal and to maximize the skills and talents of all students, it is important that every student, as well as employees of the school system understand the dangers of drug and/or alcohol use.

Substance abuse is a serious threat to the school system, its students, visitors, and its employees. Use of drugs and/or alcohol by students significantly affects the health and safety of the using student, the student's classmates, and the school community, as well as undermining the educational process. Practical experience and research indicate that appropriate precautions are necessary to safeguard students and participants in the school community from the dangers of illegal drug and/or alcohol use and misuse. The Board has decided that a drug-testing program is one such appropriate precaution.

Two groups of students have been selected for inclusion in this testing program – those who participate in competitive extracurricular activities and those who have on-campus parking privileges. Students who participate in competitive extracurricular activities serve as role models for other students and are expected to adhere to high standards of leadership and conduct. Competitive extracurricular programs all involve some degree of interdependence among members, and students participating in those programs represent not only themselves, but their teammates, the school, and their community. Significant time, effort, and funds are expended by students, sponsors, parents, and volunteers to make the programs successful, and the expectation is that all participating students be at their best while participating. Moreover, many competitive extracurricular activities involve physical contact, athletic performance, and demanding decision-making that are essential to success in the activity and safety of the participants. The dangers posed by drug and/or alcohol use can be immediate and tragic in those activities or can be more subtle but nonetheless detrimental.

Likewise, students who drive automobiles or other motorized vehicles on campus have safety responsibilities beyond those of the average student. Students who wish to take advantage of driving a vehicle on school property and parking a vehicle on school property should be allowed to do so in a safe, drug and/or alcohol free environment. The dangers posed by drivers who are not attentive, not alert, not cautious, and not focused are well established. These dangers are even more prevalent among those who have just begun driving, who lack experience, and who are expected to exercise care, caution, and concern among numerous other drivers who are similarly inexperienced. The impact of drug and/or alcohol use (or the secondary effects of that use) by driving students may have immediate, tragic, and devastating consequences, not only for the student involved in drugs

and/or alcohol but also for other members of the school community.

It is the belief of the Board and the Arab High School community that the benefits derived from a drug-testing program that requires testing of students involved in competitive extracurricular activities and students with parking privileges outweigh the potential inconvenience to students. The Board earnestly solicits the understanding and cooperation of all students and parents in implementing this program. The Board already requires that all students report to school, practices, and competitive events without prohibited substances in their system. The Student Code of Conduct provides prohibitions against drug and/or alcohol use, distribution, dispensation and possession, and prescribes consequences for violating those prohibitions. The Board has elected to implement this testing program as an additional and complementary measure to prevent and deter the use of drugs and/or alcohol.

In order to enforce these rules, the Board reserves the right to require all students who desire to participate in competitive extracurricular activities or who wish to park on Board property at any time while under the supervision or care of the school system, to submit to drug testing to determine the presence of prohibited substances.

Students applying to participate in competitive extracurricular activities or for parking privileges may be tested for drugs and/or alcohol as a condition to participation in the activity of their choice or to issuance of a parking permit. Students may also be required to undergo screening in conjunction with any scheduled physical examinations, without advance notice, and as part of follow-up testing in the event of a violation of the program. Violations of these rules (including testing positive and/or refusal to undergo screening) has consequences, including suspension from competitive extracurricular activities or parking privileges, in accordance with the provisions set forth herein. No student testing positive, refusing to test, refusing to cooperate with testing, or being in violation of this program will be penalized academically. The Board reserves the right to depart from these policies and procedures where it deems appropriate. This policy addresses drug and/or alcohol testing and the guidelines herein apply when a drug test shows the presence of drugs and/or alcohol. When that happens, the consequences prescribed by this program shall be imposed. However, when Board rules in the Student Code of Conduct regarding rules are broken, disciplinary action will be imposed, and the authority of the Board shall not be limited by anything in this program.

## II. OBJECTIVES

- A. To create and maintain a safe, drug and/or alcohol-free environment for all students on campus, particularly for those participating in competitive extracurricular activities and for those who park and drive on campus.
- B. To encourage any student with a dependence on, or addiction to, alcohol or other drugs to seek help in overcoming the problem.
- C. To reduce the likelihood of incidents of accidental personal injury to students and/or damage to property.
- D. To minimize the likelihood that school property will be used for illicit drug activities.
- E. To protect the reputation of the school system and its students.
- F. Undermine the efforts of peer pressure by providing a legitimate reason for students to refuse the use of prohibited substances.

- G. To prevent and deter drug **and/or alcohol** use by students who participate in extracurricular activities and for those who park on campus.

### III. DEFINITIONS

- A. **Competitive Extracurricular Activities** – Any middle or high school sanctioned or sponsored extracurricular activity involving competition, comparison, or judging of the individual(s) or groups with other individual(s) or groups. Competitive extracurricular activities include, but are not limited to, athletic programs, cheerleading, band, academic teams, choir, scholars' bowl, or Career Technical teams.
- B. **Parking Privileges** – The privilege of a student to drive a vehicle on school Property and/or park in any parking space on school property or otherwise park on the property owned under the control of the Arab City Board of Education.
- C. **Prohibited Substances** - Alcohol, amphetamines, anabolic steroids, benzodiazepines, methadone, opiates, phencyclidine, propoxyphene, barbiturates, cocaine, cannabinoids, marijuana, hallucinogenic drugs, and all drugs which the narcotic and drug abuse laws of the United States, local municipalities, and/or the State of Alabama classify as illegal or controlled. Prohibited substances also include prescribed medications taken by a student athlete, unless such medication has been prescribed for the specific student athlete and is being taken in the dosages specified by the prescribing physician.
- D. **Authorized, Trained School Employee** - A principal, coach, assistant coach, or other school official or designee who has been trained on alcohol misuse and controlled substance misuse. The training will cover the physical, behavioral, speech, and performance indicators of probable use and misuse of alcohol and other prohibited substances. Documentation of training attendance must be maintained by the Drug Program Coordinator.
- E. **Drug Testing Agent** - The licensed and qualified independent agent testing agency or medical office selected by the Board to carry out the screening of students.
- F. **Drug Program Coordinator** - An employee of the Arab City Board of Education appointed by the Board responsible for the overall implementation of this program.
- G. **Medical Review Officer (MRO)** - A licensed physician employed by the Drug Testing Agent responsible for interpreting and evaluating the data generated from screenings.

### IV. GENERAL PROVISIONS

Practical experience and research have proven that even small quantities of narcotics, abused prescription drugs, or alcohol can impair judgment and reflexes, which can create unsafe conditions for students. The use of controlled substances can have serious results for students engaged in competitive extracurricular activities and for those operating motor vehicles on campus. Students who use drugs **and/or alcohol** are a threat to co-participants, other students, and themselves and

may make injurious errors. For these reasons, the Arab City Board of Education has included in its Student Code of Conduct provisions designed to prevent the use and prescribe consequences for those who do. In addition, those provisions are designed to ensure that all school or school-related events and students, at all times while under the care and supervision of the school system, are completely free from the effects and/or the presence of other prohibited substances. The use of drugs **and/or alcohol** while participating in any such activities, or while driving an automobile, is patently dangerous and detrimental to those involved. The effects of drug **and/or alcohol** use “off campus” or while participating in activities not directly related to school has secondary consequences that are similarly detrimental and deleterious to students themselves and the school community. Accordingly, drug testing will reduce the dangers that may be posed by such off campus use, will make it more difficult for students to conceal such use (whether the use is related in time to school activities or not), and will deter any and all use by students.

#### **A. Drug Use/Distribution/Impairment/Possession**

All students participating in Competitive Extracurricular Activities and students participating in Parking Privileges are prohibited from using, possessing, distributing, manufacturing, or having prohibited substances, abusing prescription drugs or any other mind-altering or intoxicating substances, or having any prohibited substance in their system while at practice, participating in competitive events, while driving a vehicle on campus, **while attending any school activity,** **or otherwise while under the care of the school system.**

#### **B. Alcohol Use/Possession/Impairment**

All students participating in Competitive Extracurricular Activities and students participating in Parking Privileges are prohibited from possessing, drinking, or being impaired or intoxicated by alcohol while at practice, participating in a competitive event, while driving a vehicle on campus, **while attending any school activity,** **or while under the care of the school system.**

#### **C. Prescription Drugs**

The proper use of medication prescribed by a physician is not prohibited; however, the Board prohibits the misuse of prescribed (or over-the-counter) medications and requires all students participating in Competitive Extracurricular Activities and students participating in Parking Privileges using medications at the direction of a physician to notify their coach, sponsor, and/or school administrator when taking these medications, and said drugs must be intended specifically for the student.

### **V. SUBSTANCE SCREENING**

The Board will require students participating in any competitive extracurricular program or activity, and those desiring Parking Privileges, to submit to drug testing as a condition of that participation. The following three (3) types of testing may be required under this Program:

#### **A. Pre-participation Screening**

Drug testing may be required for students before being allowed to participate in Competitive Extracurricular Activities and before being allowed Parking Privileges. Such testing may be included with a physical examination required under other applicable rules and regulations. Before participation in competitive extracurricular programs or activities is

permitted, students and parents will be required to sign the Competitive Extracurricular Activity/Parking Privileges Consent and Release Form which authorizes drug testing under this Program. Similarly, before Parking Privileges are extended to any student, the student and his/her parent or guardian will be requested to execute the Competitive Extracurricular Activity/Parking Privileges Consent and Release Form, which authorizes drug **and/or alcohol** testing. A student will not be allowed to participate in any competitive extracurricular program or activity or exercise Parking Privileges if the student refuses to submit to the testing or if the student or parent fails to execute the applicable consent and release form.

## **B. Participation Screening**

Once a student is a participant in any Competitive Extracurricular Activity **and/or** exercising Parking Privileges, he/she shall be **subject to reasonable suspicion screening, group identified screening, or random substance screening** when on school property, at a school function, or while under the care, custody, or supervision of the school district.

### **1. Reasonable Suspicion**

All students participating in Competitive Extracurricular Activities or exercising Parking Privileges will be required to submit to screening whenever an authorized trained school employee observes circumstances which provide reasonable suspicion to believe that the student has used alcohol or another prohibited substance, or has otherwise violated the Student Competitive Extracurricular Activity/Student Parking Privilege Substance Abuse Policy. These observations and circumstances must be at a time when the student is on school property, at a school function, or under the care, custody, and/or supervision of the school district. **The authorized trained school employee requesting a reasonable suspicion screening shall prepare and sign a written report to the school site principal explaining the circumstances and evidence upon which they have relied. The school site principal shall have the final authority of approving a Reasonable Suspicion Screening Request.**

### **2. Group Identified Maintenance Screening**

**In order to promote the safety and welfare of and for all students, to insure that such participation in competitive extracurricular activities is neither impaired nor any risk of injury exacerbated, to provide incentives to students to maintain safe and healthful practices, and to promote a school environment that is free from drugs and/or alcohol, the Arab City Board of Board reserves the right to require group(s) of students who participates in competitive extracurricular activities to submit to maintenance screening for prohibited substances prior to, during, or following any competitive event, practice, or competition, while attending any school activity or at any other time while the student is under the care and/or supervision of the school district. The principal or his/her designee has the ultimate responsibility for the granting of approval for all Maintenance Screening that occurs within his/her school facility.**

### **3. Random Substance Screening**

All students participating in competitive extracurricular programs or activities or

being allowed Parking Privileges will be subject to random unannounced drug and/or alcohol tests. The Drug Program Coordinator or his/her designee will provide a master list of all students subject to random testing (both those in the Competitive Extracurricular Activity programs and those who have Parking Privileges) to the Drug Testing Agency. The Drug Testing Agency will produce from the master list random sample lists of students and present the random sample list to the Drug Program Coordinator. Students whose names appear on the random sample list will be notified and required to report to the designated collection sites for testing immediately. Each time a random test is conducted, the foregoing procedure will be used, and all students will have an equal chance of being chosen for a random test each time a test is given. The fact that a student was selected for one random screening does not eliminate that particular student from the master list to be used in the next random screening.

### **C. Return to Participation Screening**

All student athletes who have been suspended from participation in competitive extracurricular activities or whose Parking Privileges have been suspended for violations of this program will be required to provide a negative screening prior to reinstatement and will be subject to unannounced screenings for the remainder of his/her Arab City School System tenure.

## **SCREENING PROCEDURES**

**General Guidelines**—The Board and the Drug Screening Agency shall utilize, when practical, well-established screening procedures and methods which may include those set forth by the Federal Department of Transportation, Procedures for Transportation Workplace Drug Testing Programs, 49 C.F.R. parts 40.1 through 40.39, the Omnibus Transportation Employee testing Act provided in 49 C.F.R. parts 382, 291, 392, and 395, the Alabama Code and implementing regulations.

### **1. Scope of Substances to be detected by Screening**

Students may be screened for any prohibited substance. The specific substances screened for shall be determined by the Drug Program Coordinator, and may be expanded at the discretion of the Coordinator.

### **2. Methods of Screening**

The Board reserves the right to utilize blood, hair, breath, saliva or urinalysis testing procedures or a combination thereof. All urine specimens that test positive for prohibited substances will be confirmed by gas chromatography/mass spectroscopy (GC/MS) or other appropriate confirmation process.

### **Collection Sites**

The Drug Program Coordinator will designate collection sites for student screening. Screening shall be conducted on-site at the student's home school whenever feasible.

## **Collection Procedures**

The Board, the Drug Testing Agency, and its laboratory will develop and maintain documented procedures for collecting, shipping and accessing urine and other specimens. A tamper-proof sealing system, identifying numbers, labels, and seal shipping containers will also be used for specimen transportation. The Board, the Drug Testing Agency, and its laboratory will utilize a standard custody and control form for all student screenings.

The school will provide instructions and training emphasizing the responsibility of the supervisory personnel to protect the integrity of the specimen and adhere to appropriate collection procedures. In addition, to protect the reasonable privacy interest of those being screened, all screening involving a urinalysis will be monitored by a school official of the same gender as the student being screened and shall allow each student providing a urine sample a private location in which to provide the sample that is not in plain view of the employee or other students. The designated school official may, however, monitor the provision of the sample if he/she reasonable believes there have been attempts to alter any sample.

## **Evaluations and Return of Results**

The Drug Testing Agency will transmit, in writing, the results of the test to the Medical Review Officer. The Medical Review Officer will be responsible for reviewing test results of the students who have tested positive for prohibited substances. Upon confirmation of a positive test, the Medical Review Officer shall notify the student and the student's parent or legal guardian and give them an opportunity to discuss the results. Any unreasonable delay by the student and/or the student's parent/legal guardian could be viewed as a waiver of this meeting.

If, after examination of the results and conferring with the student and the student's parents and/or legal guardian, the Medical Review Officer is of the opinion that the student has violated the Competitive Extracurricular Activity/Student Parking Privilege Substance Abuse Policy, the Medical Review Officer will promptly report to the principal the name of the student and the results of the test.

The principal will then schedule a conference with the student and student's parent or legal guardian to discuss the Medical Review Officer's report and the disciplinary action to be taken.

## **Request to Retest**

The student and/or parent/guardian may request a retest of any specimen or split specimen within seventy-two (72) hours of notification of a positive screening. Any request for a retest must be submitted in writing to the Medical Review Officer, and must be within seventy-two (72) hours. Retests will be paid for by the requesting party.

## **Release of Screening Results**

All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the Board through its Competitive Extracurricular Activity/Student Parking Privilege Substance Abuse Program are confidential communications and may not be



used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except in accordance with the Competitive Extracurricular Activity/Student Parking Privilege Consent and Release Form and as provided by applicable law.

It is the responsibility of the principal to maintain the confidentiality of all documents relating to student screenings and to implement procedures to prevent the unauthorized release of such information. The Medical Review Officer and the principal shall maintain individual student screening results for a reasonable period of time.

## **VIOLATIONS**

Any student who violates this policy shall be subject to the consequences set forth herein. The following are minimum consequences and the Drug Program Coordinator, in conjunction with the administrator(s) of the student's school, may impose a more severe penalty for violation if circumstances so warrant:

**First Violation**—Upon the first violation of the Competitive Extracurricular Activity/Student Parking Privilege Substance Abuse Policy, a student will be suspended from participating in any competitive extracurricular activity and/or parking privileges for a minimum period of thirty (30) calendar days from the date of student notification of a positive drug and/or alcohol screen by his/her school principal.

Before the suspended student can be reinstated to any competitive extracurricular activity, or otherwise be eligible to participate or try out for any competitive extracurricular activity, and/or resume parking privileges, he/she must (1) test negative for any Prohibited Substance and, (2) provide a letter of completion from an alcohol/drug education program that has been approved by principal or his/her designee. Such substance abuse management plan shall be optional and all costs associated with its implementation shall be borne by the student or parent/guardian.

**Second Violation**—In addition, upon the second violation of the Competitive Extracurricular Activity/Student Parking Privilege Substance Abuse Policy the student will be suspended from participating in any competitive extracurricular activity and/or parking privileges for a minimum period extending one full calendar year from the date of student notification of a second positive screen by his/her school principal.

Before the suspended student can be reinstated to any competitive extracurricular activity, or otherwise be eligible to participate or try out for any competitive extracurricular activity, and/or resume parking privileges, he/she must (1) test negative for any Prohibited Substance and, (2) have undergone a mandatory alcohol/drug education program that has been approved by the principal or his/her designee and, (3) be evaluated by a certified substance abuse counselor who may recommend a substance abuse management plan. Such substance abuse management plan shall be optional and all costs associated with its implementation shall be borne by the student or parent/guardian.

**Third Violation**



For a third violation of this policy, the student will be permanently excluded from participating in any competitive extracurricular activity, and will be permanently ineligible for parking privileges.

## **SCOPE OF PROGRAM**

The disciplinary actions outlined herein are in addition to those in the Arab City Schools Student Code of Conduct and shall continue in full force and effect. Disciplinary action pursuant to the Code shall not be imposed solely because of a positive drug screening, but may be imposed if the facts and circumstances underlying that screening result constitute a violation of the Code. In that case, however, the disciplinary action shall be based on conduct other than simply screening positive for drugs. The availability of this Program shall not limit the other protective measures implemented by the Board to identify and eliminate the use of drugs and/or alcohol by students. For example, the Board reserves the discretion to conduct searches on school property and may conduct those searches in the event of a positive drug and/or alcohol screening. On-campus and school-related use, distribution, possession, or impairment shall continue to be addressed utilizing the Student Code of Conduct.

The program does not, and shall not, be construed to create a right or entitlement to be selected for or to participate in any activity or to park on campus. No right or entitlement not otherwise provided by law is extended by the operation of this Program.

## **COST**

All costs associated with the initial screening and any other costs associated with the implementation of this program, unless specifically outlined herein, shall be borne by the Board.

## **APPEAL**

If the student is dissatisfied with the findings of the Drug Program Coordinator or wants to provide additional facts or information that are relevant to application of this Policy or the consequences proposed by the Director, the student or parent/guardian may present all such facts, circumstances, contentions, or requests in writing to the Board within seventy-two (72) hours of notice of action taken under this Program. Any removal of privileges provided for by this Program shall continue in full force and effect while said review is pending. The Board may review all said materials and reconsider any consequences imposed. The decision of the Board shall be final.

## **INVESTIGATIONS/SEARCHES**

Board Policy (JCAB), "Interrogations and Searches" authorizes teachers and administrators who have reasonable suspicion that a student or students are in possession of weapons, illegal drugs, stolen property, or other items harmful to the student or to the welfare of the student body to search the person of said student(s) under certain conditions and limitations. The provisions of Board Policy (JCAB) shall apply to all students when on school property, at a school function, or when under the care, custody, or supervision of the School District.

**ARAB CITY BOARD OF EDUCATION  
COMPETITIVE EXTRACURRICULAR ACTIVITY/STUDENT PARKING PRIVILEGE  
CONSENT AND RELEASE FORM**

I have read and understand the Arab City Board of Education Drug Testing Program for Students Participating in Competitive Extracurricular Activities and for Students with Parking Privileges and agree to abide by the terms and conditions of the Program. I understand that the Program prescribes Drug and/or Alcohol Testing, and I agree to submit to those tests at any time as a condition for my initial or continued participation in competitive extracurricular activities or to utilize parking privileges. I specifically consent and agree to submit urine, breath, hair, and/or blood samples for testing to determine the existence of prohibited substances. I authorize any laboratory or medical provider to release test results to the Board, the MRO, the Drug Program Coordinator, to persons providing counseling as required by the Program and to local school officials who have a need to know.

I also expressly authorize the Board and/or the MRO to release any test-related information, including positive results (a) as directed by my specific, written consent authorizing release of the information to an identified person, (b) to the court or attorneys representing any party in any lawsuit, grievance, or other proceeding initiated by or on behalf of myself, and/or (c) under compulsion of law.

I understand that the refusal to submit to testing for the use of prohibited substances will prohibit me from my initial and continued participation in the competitive extracurricular programs offered by the Arab City Board of Education and will render me ineligible for parking privileges.

I understand that it is a privilege, not a right, to be allowed to operate a motor vehicle and to park on Board owned properties and to participate in the competitive extracurricular programs offered by the Arab City Board of Education, and that I must comply with the terms and conditions of the Program in order to be offered the privilege to participate in these events.

This document will remain in effect and serve as my continued consent and release while I am a student in the Arab City Schools, unless and until revoked by me or my parent/guardian in writing.

\_\_\_\_\_  
Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian

\_\_\_\_\_  
Date

