

## **TCS Board Policy Section VI**

### **6.22 Student Parking Privileges – Substance Abuse Policy**

In order to promote the safety and welfare of students and others who work on or visit school campuses, to encourage the development of safe and responsible driving practices, and to serve the general purposes of maintaining a drug and alcohol free school environment, students will be granted the privilege of driving and parking on school property only if they are free of the effects of alcohol or other illegal or controlled substances. Accordingly, any student who desires to drive a vehicle on school property or park on school property may be required to submit to periodically or randomly administered sobriety or drug tests as a condition to issuance of a permit authorizing the operation or parking of a motor vehicle on school grounds. Principals may impose reasonable additional conditions or requirements for the privilege of driving or parking a vehicle on school property including, for example, conditions relating to maintenance of academic and attendance standards and the payment of fees. Principals may also establish priorities for issuance and assignment of parking permits. The Board reserves Trussville City Board of Education Students Policy Manual the right to require that sobriety or drug tests or screenings be passed as a condition to maintaining parking or vehicle permits, or privileges relating to use of a motor vehicle. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws and procedures that are developed by the Superintendent for approval by the Board. [Approved: August 18, 2016]

### **6.23 Student Competitive Extracurricular Activity Substance Abuse Policy**

In order to promote the safety and welfare of students who participate in competitive extracurricular activities, to insure that such participation 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 of alcohol and illegal drugs or controlled substances, the Board reserves the right to require any student who participates in extracurricular competitive programs or activities to submit to sobriety tests or screening for illegal drugs or controlled substances prior to, during, or following a competitive event, practice, competition, or at any other time while the student is under the supervision of the school system. Such testing or screening may also be performed whenever a school official observes or is made aware of circumstances that provide reasonable suspicion or belief that the student has used alcohol, illegal drugs, or other substances in violation of the Board's substance abuse policies. All such testing or screening will be performed in accordance with local, state and federal laws, and procedures that are developed by the Superintendent for approval by the Board.

## **DRUG AND ALCOHOL PROGRAM PROCEDURES (found in TCS Code of Student Conduct)**

### **General Policy**

Practical experience and research has proven that even small quantities of Prohibited Substances can impair judgment and reflexes which can create unsafe conditions for students. Even when not readily apparent, this impairment can have serious results for students. Drug-using students are a threat to other students and themselves, and may make injurious errors. For these reasons, the Trussville City Schools Board of Education (the Board) has adopted a policy that all students must report to school, to all practices and competitive events, or to any extracurricular activity while under the care of this school system completely free from the effects of Prohibited Substances, unless used as prescribed by a physician.

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

All students are prohibited from using, possessing, distributing, manufacturing, or having Prohibited Substances present in their system while at school, at practice, while participating in competitive events, or while under the care of this school system.

### **Alcohol Use/Possession/Impairment**

All students are prohibited from possessing, drinking or being impaired or intoxicated by alcohol while at school, practice, participating in a competitive event, or while under the care of this school system.

### **After School Hours Conduct**

Use of Prohibited Substances after school hours is prohibited. Students should realize that these regulations prohibit all Prohibited Substances during and away from school activities.

### **Prescription Drugs**

The proper use of medication prescribed by a physician is not prohibited; however, the Board of Education prohibits the misuse of prescribed (or over the counter) medications and requires all extracurricular activity students using drugs at the direction of a physician to notify their coach, faculty sponsor, and school nurse where these drugs may affect their performance, such as by causing drowsiness. The Board requires all students with parking privileges using drugs at the direction of a physician to notify the school nurse where these drugs may affect their ability to drive safely.

### **Substance Screening**

**Applicants:** Substance screening may be required for all students desiring to participate in an extracurricular activity or organization and for all students desiring parking privileges. Such testing may be required either alone or as part of a pre-practice or preparticipation evaluation. Applicants are required to sign a consent/release form before being submitted to screening. Applicants will not be allowed to participate in any activity or receive parking privileges when they test positive, refuse to submit to a test, or refuse to execute the required consent/release form.

### **All Current Students Consenting to Drug Testing**

**Reasonable Suspicion:** All extracurricular activity students and students with parking privileges may be tested during the initial implementation of the program. An extracurricular activity student or student with parking privileges will be required to submit to screening whenever a coach, assistant coach, faculty sponsor or school official observes circumstances which provide

reasonable suspicion to believe that the student has used Prohibited Substances or has otherwise violated the substance abuse rules. The coach's, assistant coach's, faculty sponsor's, or school official's determination that reasonable suspicion exists to require the student to undergo an alcohol and drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the student. The required observations for alcohol and/or controlled substance reasonable suspicion testing shall be made by a coach, assistant coach, faculty sponsor, school official or designee who has been trained for at least 60 minutes on alcohol misuse and an additional 60 minutes on controlled substance misuse. The adult requesting testing shall prepare and sign written documents explaining the circumstances and evidence upon which they relied. This documentation must be submitted within 24 hours of the testing, or before the results of the tests are released, whichever is earlier. While one coach, assistant coach, faculty sponsor or school official may request a reasonable cause test, when feasible, he or she is encouraged to obtain a second adult's opinion as a witness.

### **Random Testing**

The Board may conduct random unannounced screening of extracurricular activity students and students with parking privileges. The drug testing agency will provide computerized random sample lists to the principal or his/her designee. The list of students in the random pool will be updated periodically. Randomized students will be escorted by the principal or his/her designee to the designated site for specimen collection.

### **Testing Procedures**

**General Guidelines:** The School Board and its lab shall rely, when practical, on the guidance of the federal Department of Transportation, Procedures For Transportation Workplace Drug Testing Programs, 49 C.F.R. Parts 40.1 through 40-39, and on the further guidance of the Omnibus Transportation Employee Testing Act provided in 49 C.F.R. Parts 382, 391, 392 and 395.

**Substances Tested:** Students consenting to drug testing may regularly be tested for any Prohibited Substances, including but not limited to: amphetamines, cannabinoids, cocaine, barbiturates, benzodiazepines, opiates, cotinine, steroids, and alcohol. Students may be tested for any other Prohibited Substances without advance notice as part of tests performed by the Board for safety purposes. Such tests will be coordinated with the Drug Testing Coordinator.

**Testing Procedure:** The Board reserves the right to collect and test blood, hair, saliva, breath or urine. Urine will be collected for pre-practice and pre-competitive event and random testing. All initial positive findings, with the exception of alcohol, may be confirmed with gas chromatography/mass spectrometry.

**Collection Sites:** The Board will designate collection sites in areas where individuals may provide specimens. For the most part, collections will be conducted on-site at the appropriate designated school.

**Collection Procedures:** The Board, the drug testing agency, and the laboratory, will develop and will maintain a documented procedure for collecting, shipping and accessing urine specimens. The Board, the drug testing agency, and the laboratory will utilize a standard Urine Custody and Control Form for all student testing. The Board, the drug testing agency, and the

laboratory will utilize a standard Breath Alcohol Testing Form for all alcohol testing. A tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers will also be used for specimen transportation. Collection sites will maintain instructions and training emphasizing the responsibility of the collection site personnel to protect the integrity of the specimen and maintain as proper a collection procedure as reasonable. All alcohol testing will be performed by a certified Breath Alcohol Technician (BAT). Where the Board has an employee collect the specimen, the Board will provide instruction and training to that employee. All extracurricular activity students and students with parking privileges will be required to execute the Trussville City Schools Board of Education Activity Student Consent Form before specimen collection occurs.

#### **Evaluations and Return of Results to the School Board**

The laboratory will transmit (by fax, mail or computer, but not orally over the telephone) the results of all tests to the Medical Review Officer (MRO). The MRO will be responsible for reviewing test results of students and confirming that the individuals testing non-negative have used drugs or adulterated or substituted the specimen in violation of the System's policy. Prior to making a final decision, the MRO shall give the parent/individual an opportunity to discuss the result either face to face or over the telephone. The MRO shall then promptly tell a designated school official which students test positive. A school official will then schedule a conference between the student and parents or legal guardians to discuss the positive test result.

#### **Request for Retest**

Where a split specimen has been collected a student may request a retest of the split specimen within 72 hours of notification of the final test result. Where a single specimen is submitted for testing the student may request a retest of the original sample within 72 hours after notification of the final test result. Request must be submitted to the MRO. The student will be required to pay the associated costs of retest in advance but will be reimbursed if the result of the retest is negative. **Release of Test Results**

All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received by the Board through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings except in accordance with the Policy Consent/Release Form. However, all extracurricular activity students and students with parking privileges will be required to execute a consent/release form permitting the Board to release test results and related information to the school officials who have a need to know. Parents or guardians will be informed of confirmed positive test results by the Drug Testing Coordinator or another Board designee. The MRO shall retain the individual test results for five (5) years.

#### **Consequences**

The Board will penalize students for any violation of the policy, including refusing to submit to screening, execute a release, or otherwise cooperate with an investigation or search by the administration. An MRO-verified positive test, an adulterated/substituted test, a refusal to test for alcohol/drugs, or any other violation of System policy will result in disciplinary action. All extracurricular activity students and students with parking privileges who test positive in a confirmative substance test will be subject to penalties set forth in this policy including immediate suspension from all extracurricular activities and parking privileges. No student may be returned to extracurricular activities or parking privileges after rehabilitation or testing positive unless determined to be safe and not using drugs by having a negative result on a return-to-

participation screen. Any student returned to participation after violating the policy or testing positive will be subject to aftercare and monthly testing as set out in a written Probation Agreement which he or she will be required to execute.

### **Training for School Personnel**

The Board's drug testing agency shall include education and training for coaches, assistant coaches, faculty and school officials who are authorized to determine reasonable suspicion testing. These adults must receive a minimum of 60 minutes on alcohol abuse and an additional 60 minutes of training on controlled substance use and abuse. The training shall cover the physical, behavioral, speech and performance indicators of probable use and misuse of alcohol and controlled substances. Documentation of training attendance must be maintained. The Drug Testing Coordinator should be contacted for further guidance.

### **Investigation/Searches**

Where a school official has reasonable cause to suspect that a student has violated the prohibited substance policy, he or she may inspect vehicles which a student brings on the Board's property, lockers, purses, book bags, or other belongings, and at locations where school related activities are being conducted without prior notice in order to ensure extracurricular activities and transportation to and from school occur in an environment free of prohibited substances. A student may be asked to be present and remove a personal lock. Where the student is not present or refuses to remove a personal lock, a school official will do so for him or her. Detection of prohibited substances from authorized searches will be communicated to the Drug Testing Coordinator.

## **PENALTIES**

The Trussville City Schools Board of Education is ever mindful of the dangers Prohibited Substances pose to the health, safety, and well-being of those students who participate in sports or other extracurricular activities. Extracurricular activity students are recognized as leaders and tend to serve as role models for other students in the school system. Our extracurricular activity students represent our schools, not only within the Trussville community, but also at events and activities throughout the state of Alabama. It is therefore imperative that our extracurricular activity students refrain from any involvement with Prohibited Substances, not only to project a positive image, but also to avoid jeopardizing the health and safety of others who may be involved in extracurricular activities.

Students with parking privileges drive to and from school. It is therefore imperative that our students with parking privileges refrain from any involvement with Prohibited Substances to avoid jeopardizing the health and safety of themselves as well as others who may be driving on school grounds.

All extracurricular activity students and all students with parking privileges are prohibited from possessing, using, selling, transmitting, intending to transmit, or being under the influence of Prohibited Substances as that term is defined in this policy and also in the Code of Conduct. Any extracurricular activity student or student with parking privileges who violates this prohibition shall be subject to the penalties set forth below. The following are minimum penalties

and a coach or sponsor may impose additional penalties with approval from a school administrator if the circumstances so warrant.

For purposes of these minimum penalties, a violation shall have been deemed to have occurred when (i) a student tests positive for a Prohibited Substance as a result of a drug test, or (ii) is observed by a school official or law enforcement member possessing, using, selling, transmitting, intending to transmit, or being under the influence of a Prohibited Substance, or (iii) the admission by a student upon confrontation by a school official to his/her possession, use, sale, transmission, intent to transmit Prohibited Substances, or being under the influence of a Prohibited Substance, or (iv) the school administration concludes, based on available evidence, that the student has committed a violation involving the possession, use, sale, transmission, or intent to transmit Prohibited Substances. Violations shall be cumulative from the time a student enters the Trussville City School System, and shall apply to all activities and parking privileges of a student throughout the calendar year, whether inside or outside the school setting and whether or not school is in session.

Upon the first violation students will be placed on monthly follow up testing for one calendar year.

## **DRUG AND ALCOHOL RELATED VIOLATIONS**

**First Offense:** For athletic extracurricular activity students, the student shall be suspended from participation for a minimum of 35% of any current or future athletic competitions, beginning no earlier than the opening game or event for the sport or activity. During the suspension, students in grades 7-12, may attend, but may not participate or dress out for any competitive event or activity. If the athlete is not participating in an in-season sport or activity, he/she will have a minimum 35% suspension at the beginning of the next season in which he/she participates, regardless of any other sanction or punishment imposed under this policy.

If an athlete is participating in other non-athletic extracurricular activities and/or has parking privileges, the athlete shall be suspended from the athletic activities in addition to the suspensions from other extracurricular activities and parking privileges set forth in this policy.

For non-athletic extracurricular activity students, the student shall be suspended from participation for a minimum of 35% of all extracurricular activities in which he/she is currently participating. In the event that 35% of regularly scheduled events is not readily apparent, a comparable restriction of participation as determined by the principal and faculty sponsor for the activity shall be imposed. Suspension from non-athletic extracurricular activities will not supersede suspension from athletic activities.

If a non-athlete extracurricular activity student is not currently participating in an extracurricular activity, he/she will have a minimum 35% suspension, at the beginning of the next extracurricular activity in which he/she participates.

For students with parking privileges, the student shall be suspended from parking privileges for a minimum of 63 days, which is 35% of the school year. In the event that there are not 63 school days left in the calendar year, the suspension from parking privileges shall carry over to the next school year. During the period of suspension, the student shall surrender any parking

pass, decal, or tag. Suspension from parking privileges will not supersede suspension from athletic activities or other extracurricular activities.

Suspension penalties shall apply to all extracurricular activities and parking privileges of the student as set forth in this policy. After serving their suspension, students who have violated the drug testing policy will be retested and must have a negative test prior to resuming athletic extracurricular activities, non-athletic extracurricular activities, and parking privileges. In addition, these students will be included in the monthly drug testing for one calendar year. Testing for the purpose of returning to activities or parking privileges may be done at the expense of the student. At the discretion of an appropriate school official, the student may be requested to undergo counseling with school counseling staff depending upon the circumstances of the violation.

**Second Offense:** Upon the second violation, the student will be suspended from participating in any extracurricular activity or parking privileges for a period extending for a full calendar year.

At the discretion of an appropriate school official, the student may be required to undergo counseling with school counseling staff depending upon the circumstances of the violation.

Before he/she can be eligible to participate in any extracurricular activity or regain parking privileges, (i) he/she must test negative for prohibited substances as a result of an approved drug test if the violation related to the consumption or use of a prohibited substance and the substance is capable of being detected by a drug test, and (ii) he/she shall have undergone mandatory counseling with school counseling staff as may be reasonably necessitated by the circumstances in the discretion of an appropriate school official. Testing for the purpose of returning to activities or parking privileges may be done at the expense of the student. Further disciplinary actions may be implemented by the coach or sponsor with approval from a school administrator.

**Third Offense:** Upon the third violation, the student will be permanently barred from participating in any extracurricular activity or from parking privileges in the Trussville City School System.

## **TOBACCO RELATED VIOLATIONS**

**First Offense:** For all activity and students with parking privileges, the student will be required to complete the tobacco cessation and education program recommended by TCS. This course will take place at school.\*

**Second Offense:** The student shall be suspended from participation in extracurricular activities for a minimum of 10% of any current or future events. Students with driving privileges shall be suspended for 18 days, which is 10% of the school year. The student will be required to complete the stage 2 tobacco cessation and education program recommended by TCS. This course will take place at school.\*

**Third Offense:** Upon the third violation, the student shall be suspended from participation in extracurricular activities for a minimum of 35% of any current or future events. Students with driving privileges shall be suspended for 63 days, which is 35% of the school year. The student

will be required to re-enroll in a tobacco cessation program. The student will be required to complete the stage 3 tobacco cessation and education program recommended by TCS. This course will take place at school.\*

**Fourth Offense:** Upon the fourth violation, the student will be suspended from participating in any extracurricular activity or parking privileges for a period extending for a full calendar year. The student will be required to re-enroll in a tobacco cessation program. The student will be required to complete the stage 4 tobacco cessation and education program recommended by TCS. This course will take place at school.\*

\*For tobacco based offenses- upon completion of the tobacco cessation and education program, monthly testing will occur for a calendar year. Students may exit monthly testing after one calendar year of negative tests.