LAKE TRAVIS ISD
POLICY FOR RANDOM STUDENT DRUG TESTING

STATEMENT OF NEED AND PURPOSE

Lake Travis ISD has a vital interest in maintaining a positive learning environment that is safe and healthy for all students. To fulfill that purpose, and as a proactive measure to keep our schools drug free, the District is adopting a random drug testing policy for: (1) students wishing to park their vehicles on school property, and (2) students voluntarily choosing to participate in random drug testing. The program is academically non-punitive. It is designed to create a safe, drug free environment for students and assist them in getting help when needed.

By adopting a random drug testing policy, the District desires to: (1) provide for the health and safety of all students, (2) undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs, (3) deter students from using drugs, (4) prevent injury or harm to students that may arise as a result of drug use, and (5) encourage students who use drugs to participate in a drug treatment program.

STUDENTS SUBJECT TO TESTING

A. **Students Parking on School Property.** Since drug use can increase the risk of injury to students driving to and from school, the District shall require all students in grades 9 through 12 who receive a parking permit allowing them to park their vehicles on school property during the school day to participate in the random drug-testing program.

B. **Voluntary Testing.** With prior written parental consent, students in grades 7 through 12 may voluntarily choose to participate in the random drug-testing program at no cost to the student.

Students may withdraw from the voluntary drug-testing program at any time upon presentation of a completed written withdrawal form signed by the parent or legal guardian. If the student is of legal age (age 18 or older), he or she may withdraw upon completing a withdrawal form. Withdrawal from the program will not defer consequences for a positive drug test obtained while in the program.

INFORMED CONSENT FOR TESTING

A. **Students Parking on School Property.** Written parental consent to random student drug testing must be completed before a student is issued a parking permit and allowed to park his or her vehicle on school property. No student may receive a parking permit until the consent form is executed and on file with the designated school official. If the student is of legal age (age 18 or older), he or she must sign the permission form. Consent forms are valid for the current school
year as defined by the Board of Trustees approved instructional calendar.

Because parking on school property is a privilege and not a right, refusal to consent to random drug testing will result in the denial of parking privileges.

B. **Voluntary Testing.** Written parental consent to random student drug testing must be completed before a student will be tested under the voluntary drug-testing program. If the student is of legal age (age 18 or older), he or she must sign the permission form. Consent forms are valid for the current school year as defined by the Board of Trustees approved instructional calendar.

**DISSEMINATION OF INFORMATION**

This random drug testing policy shall be distributed to all students in grades 7 through 12 at the beginning of each school year. Newly enrolled students will receive a copy of the policy as they register at their campus.

Prior to the commencement of drug testing each school year, an orientation session will be held with all students to explain the drug testing policy. The students will be informed of the sample collection process, privacy arrangements, drug testing procedures and other areas which may help to reassure the student and help avoid embarrassment or uncomfortable feelings about the drug testing process. A parent orientation session will also be offered to provide information and answer questions.

**TESTING PROCEDURES**

A. **Frequency.** During the first semester of each school year, an initial randomly selected baseline test will be administered to: (1) those students in grades 9 through 12 who receive a parking permit allowing them to park their vehicles on school property during the school day, and (2) those students in grades 9 through 12 voluntarily participating in the program. Grades 7 and 8 will not be subject to a baseline test. At least once each quarter (every nine weeks), a percentage of student participants (grades 7-12) will be randomly tested.

Each school year, the Board of Trustees or its designee will determine the percentage of students to be tested based on the number of participants; the Board of Trustees or its designee may determine that up to 100% of the identified student participants will be tested.

The testing entity will be solely responsible for selecting the dates for conducting the quarterly random drug test; the selection of dates will not follow any predictable pattern.

B. **Random selection of students.** The District will provide the testing entity with a list of all identified participants. Students will be chosen for the testing by computer-generated random selection conducted by the testing entity. The
random selection process eliminates subjective factors from playing a role in the selection of the students to be tested.

C. **Testing standards.** Testing will be conducted through accepted scientific means using approved practices and procedures established by the testing entity selected by the District. The testing parameters shall be set at industry standards as defined by the National Institute for Drug Abuse. The testing laboratory will be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) following the guidelines of the Texas Department of Health and Human Services. The testing entity will have experience in toxicology testing and chain-of-custody procedures.

The drug test is performed by urinalysis. All specimens collected shall be initially tested using immunoassay methodology, with all presumptive positive results then confirmed by gas chromatography/mass spectroscopy.

D. **Collection of the sample.** Upon the testing entity’s arrival at school, the randomly selected student names will be given to the designated school official who will arrange for these students to report to the collection area.

Any student randomly selected for testing who is not in school on the day of testing will be tested at the next available testing time; arrangements may be made for special collections with prior approval of the designated school official.

Students will be tested in an isolated facility under the supervision of a school official of the same sex. Students will provide a urine sample in a restroom or other private facility behind a closed stall. Neither the supervising school official nor the testing entity representative will directly observe the students providing their urine sample. Facilities are secure with only one student testing at a time to assure security and confidentiality of each individual.

The urine sample will be collected in a sealed split specimen (parts A & B) collection container provided by the testing entity. The students will provide the collected sample to the testing entity representative and the supervising school official will confirm that the student’s identification information on the sample is correct. The split specimen bottle will be sealed and witnessed by the student. The testing entity representative will take all specimens to the laboratory for analysis.

A copy of the specimen collection and chain of custody procedures used by the District and the testing entity shall be made available to any parent or student upon request.

E. **Refusal.** Refusal to provide a sample or noncompliance with the testing procedures by any identified student participant will be considered a positive test result and will be reported to the appropriate school administrative designee.
F. **Substances.** The District reserves the right to test for alcohol, amphetamines, anabolic steroids, barbituates, cocaine, LSD, marijuana, methadone, methaqualone, opiates, and phencyclidine or any other illegal substance.

**TEST RESULTS**

A. **Confidentiality of results.** Student privacy will be protected in accordance with all applicable laws. Records of test results will be kept confidential and provided only to parents, administrators, personnel responsible for administering the extracurricular activity, other school officials with a legitimate interest in the information, or as otherwise required by law or overriding health and safety concerns.

Test results are kept separate from other school records. School personnel are only allowed to view the information if they have a legitimate educational interest in the results. Results will not be shared with law enforcement, except as required by subpoena, court order, or as otherwise required by law. Upon written request of a parent/guardian or a student of legal age, test results may be released to treatment facilities.

B. **Medical Review Officer (MRO).** The testing entity will provide an MRO for interpreting and verifying test results. The MRO services will be provided by a licensed physician who is certified by the Medical Review Officer Certification Council or the American Association of Medical Review Officers as having proven by examination to have had the appropriate medical training to interpret and evaluate drug test results and thus qualified for certification as an MRO.

C. **Notification.** Whenever a student’s test result indicates the presence of a prohibited substance identified in this policy, the parent or guardian will be contacted by an MRO employed by the testing entity within one school day of receiving a **confirmed** positive test result.

The MRO will confer with a parent or guardian and determine if there is a medical explanation for the positive test result. If the medical explanation is verified by the MRO, the test result will be reported as negative. However, without verification by the MRO, a confirmed positive test result will be reported to the designated school official within one school day of conferring with the student’s parent or guardian.

If the MRO is unable to contact the parent or guardian within one school day, the MRO will ask the designated school official for help in locating the student’s parent or guardian. This request in no way implies a positive test result. The designated school official should only assume that the MRO has questions for the student’s parent or guardian.
The MRO may use quantitative results to determine if positive results on required repeat testing indicate recent use of illegal drugs or the natural decline of levels of the illegal drug from the body. If the MRO feels the quantitative levels do not reflect current use, then a negative result may be reported.

Upon receiving notice from the MRO that a student has a confirmed positive test result, the designated school administrative official will contact the student and parents to discuss the consequences of the positive test result.

E. **Retest.** Students that test positive or the parent/guardian of the student may request a retest. A request for a retest must be made to the designated school administrative official in writing within forty-eight (48) hours from the time the parents were first notified of a positive test result by the MRO. Students and/or their parents/guardians bear the expense for any retest.

Once a request for retest is made, the District’s testing laboratory will send bottle “B” of the split specimen directly to the second laboratory for retesting. The student may select the second laboratory from a list of nationally certified independent laboratories identified by the District. A list of approved laboratories may be obtained upon request.

The results of the retest conducted by an approved second laboratory will be used in lieu of the results generated by the District’s testing laboratory (i.e. the results of the retest control what consequences, if any, will apply under the student drug testing policy). However, retest results from a non-approved second laboratory will not be considered.

F. **Statistical reporting.** The District will receive a quarterly report showing the number of tests performed, the rate of positive and negative test results, and the substances found in the positive urine specimens. The quarterly report will not include the individual results of an identifiable student. The testing laboratory may not release any statistics on the rate of positive drug tests to any person, organization, news publication, or media without express written consent of the Board of Trustees or the designee.

**RELATIONSHIP TO THE STUDENT CODE OF CONDUCT**

This drug testing policy does not in any way modify the disciplinary provisions of the Lake Travis ISD Student Code of Conduct or Chapter 37 of the Texas Education Code. If a student sells, gives, delivers, possesses, uses, or is under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol the student will be subject to the disciplinary provisions of the Student Code of Conduct. A positive drug test is not in and of itself proof that a student has violated the Student Code of Conduct. For more information on the District's disciplinary rules regarding drugs and alcohol, please refer to the Lake Travis ISD Student Code of Conduct.
CONSEQUENCES

Whenever a student tests positive for a drug in a test conducted under the provisions of this policy or the MRO rules the urine specimen adulterated, the student will be considered “not in good standing” and will face the consequences described below.

Once a student is “not in good standing,” it is up to the student to complete the appropriate consequences to regain “good standing” status. No timeline is established to regain “good standing;” thus, students may re-earn “good standing” at their own pace. Once a student re-earns “good standing,” he or she will regain the privileges, but not the opportunities lost during the time the student was “not in good standing.”

Consequences do not carry over from middle school to high school (meaning that students will begin 9th grade in “good standing” regardless of their standing during 7th or 8th grade.) However, consequences are cumulative for the Middle School (meaning the student’s first offense could be during the 7th grade and second offense in the 8th grade) and High School careers respectively (meaning the student’s first offense could be during the freshman year, and the second offense could be during the sophomore year, etc.)

A. First positive test result – “not in good standing”

The following consequences apply for the duration of time the student remains “not in good standing:”

1. If applicable, the student will surrender their parking permit to the designated school administrator and relinquish all parking privileges.
2. If applicable, the student will not be allowed to participate in any school sponsored or school-related ceremonies, public performances, scrimmages, contests, or competitions. However, the student will be allowed to participate in school-sponsored or school-related meetings, practices, or other activities.

After the first positive test result, regardless of a student’s “standing,” if applicable, the student will relinquish any and all elected leadership positions in school-sponsored or school-related activities for which they are currently involved for the period of time that activity/organization is active during the school year.

To regain “good standing,” the student must:

1. Participate in a conference between the designated school administrative official; personnel responsible for administering the extracurricular activities the student participates in, if applicable; the student; and the parent or guardian;
2. The student must provide documentation (see attached) to the designated school official that he or she attended and successfully completed 2 hours of substance abuse counseling from an approved provider; and
3. The student must submit to a new drug test and provide documentation to the designated school official of a negative (clean) test result.

B. Second positive test result – “not in good standing”
The following consequences apply for the duration of time the student remains “not in good standing:”
1. If applicable, the student will surrender their parking permit to the designated school administrator and relinquish all parking privileges.
2. If applicable, the student will not be allowed to participate in any school-sponsored or school-related ceremonies, public performances, scrimmages, contests, or competitions. However, the student will be allowed to participate in school-sponsored or school-related meetings, practices, or other activities.

After the second positive test result, regardless of the student’s “standing,” if applicable, the student will relinquish and forfeit eligibility for any and all elected leadership positions in school-sponsored or school-related activities for the remainder of the school year.

To regain “good standing,” the student must:
1. Participate in a conference between the designated school administrative official; personnel responsible for administering the extracurricular activities the student participates in, if applicable; the student; and the parent or guardian;
2. The student must provide documentation (see attached) to the designated school official that he or she attended and successfully completed 4 hours of substance abuse counseling from an approved provider; and
3. The student must submit to a new drug test and provide documentation to the designated school official of a negative (clean) test result.
4. The student must submit to be tested in the next two random testing opportunities.

C. Third positive test result – “not in good standing”
The following consequences apply for the duration of time the student remains “not in good standing:”
1. If applicable, the student will surrender their parking permit to the designated school administrator and relinquish all parking privileges.
2. If applicable, the student will not be allowed to participate in any school-sponsored or school-related ceremonies, public performances, scrimmages, contests, or competitions. However, the student will be allowed to participate in school-sponsored or school-related meetings, practices, or other activities.
3. The student will remain “not in good standing” for a minimum of one calendar year.

After the third positive test result, regardless of the student’s “standing,” if applicable, the student will relinquish and forfeit eligibility for any and all elected leadership positions in school-sponsored or school-related activities for the remainder of their school career.

To regain “good standing,” the student must:
1. Participate in a conference between the designated school administrative official; personnel responsible for administering the extracurricular activities the student participates in, if applicable; the student; and the parent or guardian;
2. The student must provide documentation (see attached) to the designated school official that he or she attended and successfully completed 6 hours of substance abuse counseling from an approved provider; and
3. The student must submit to a new drug test and provide documentation to the designated school official of a negative (clean) test result.
4. The student will automatically be tested during each subsequent random drug-testing event for one calendar year.

D. **Fourth positive test result – “not in good standing”**
The following consequences apply for the remainder of the student’s Junior High (grades 7 through 8) or High School (grades 9 through 12) career, as applicable:
1. If applicable, the student will surrender their parking permit to the designated school administrator and relinquish all parking privileges.
2. If applicable, the student will not be allowed to participate in any school-sponsored or school-related ceremonies, public performances, scrimmages, contests, or competitions. However, the student will be allowed to participate in school-sponsored or school-related meetings, practices, or other activities.

E. **Substance abuse counseling.** The District will accept substance abuse counseling provided by a certified chemical dependency counselor or at any agency certified by the Texas Department of Health or the Texas Department of Alcohol and Drug Addiction Services. A list of approved substance abuse counseling providers may be obtained upon request.

F. **Refusal.** Refusal to participate in a drug test after signing the consent form will result in the same consequences as if the student had received a positive test.

G. **Academically non-punitive.** A positive drug test will not affect the student’s grade in any curricular class associated with the extracurricular activities. However, if participation in the extracurricular activities is required for the class or affects the student’s grade, the student may be required to satisfy participation requirements in alternative ways. The result of the drug tests will not be documented in the student’s academic records.

**APPEAL PROCESS**

A parent or student may appeal the consequences of a positive drug test result in accordance with District Policy FNG (Local) governing student and parent complaints. Consequences established in this drug testing policy will not be deferred pending the completion of the appeal process.
I, ____________________________, as parent or guardian of ____________________________, a minor student enrolled in Lake Travis ISD and receiving a parking permit allowing my child to park his/her vehicle on school property during the school day, have read and understand Lake Travis ISD’s policy regarding random student drug testing.

I understand that my child will be asked to provide a urine sample for drug analysis, and I consent to such testing conducted as part of the District’s drug testing policy.

I also understand that while my child cannot be compelled to produce a specimen, the giving of a specimen when requested by the District is a condition of my child’s continued privilege of parking on school property during the school day. I understand that if my child tests positive, the consequences for my child will include termination of parking privileges and the loss of other privileges such as participation in extracurricular activities. I understand that refusal to submit to a test will have the same consequence as if my child had tested positive.

________________________________________  ____________________________
Parent/Guardian Signature                      Date

________________________________________  ____________________________
Student Signature                              Date
2004 - 2005

LAKE TRAVIS ISD

STUDENT DRUG TESTING CONSENT FORM FOR STUDENT AGE 18 OR OLDER

I, ______________________________________________, a student enrolled in Lake Travis ISD and receiving a parking permit allowing me to park my vehicle on school property during the school day, have read and understand Lake Travis ISD’s policy regarding random student drug testing.

I understand that I will be asked to provide a urine sample for drug analysis, and I consent to such testing conducted as part of the District’s drug testing policy.

I also understand that while I cannot be compelled to produce a specimen; the giving of a specimen, when requested by the District, is a condition of my continued privilege of parking on school property during the school day. I understand that if I test positive, the consequences will include termination of parking privileges and the loss of other privileges such as participation in extracurricular activities. I understand that refusal to submit to a test will have the same consequence as if I had tested positive.

__________________________________________________________________________  __________________________________________________________________________
Student Signature Date

Parent Acknowledgment

As the parent or guardian of ______________________________________________, I have read and understand Lake Travis ISD’s policy regarding random student drug testing. I acknowledge such testing is conducted as part of the District’s drug testing policy. I understand that if my child tests positive, the consequences for my child will include termination of parking privileges and the loss of other privileges such as participation in extracurricular activities. I understand that refusal to submit to a test will have the same consequence as if my child had tested positive.

__________________________________________________________________________  __________________________________________________________________________
Parent/Guardian Signature Date
I, ______________________________________________, as parent or guardian of __________________________________________________, a minor student enrolled in Lake Travis ISD, have read and understand Lake Travis ISD’s policy regarding voluntary random student drug testing. My child did not receive a parking permit allowing my child to park his/her vehicle on school property during the school day and is not subject to mandatory random drug testing. However, I wish for my child to participate in Lake Travis ISD’s voluntary drug testing program.

I understand that the cost for participating in the voluntary student drug-testing program will be borne by Lake Travis Independent School District.

I understand that my child's participation in the program is strictly voluntary, and that I may withdraw my student from participation in the program at any time.

I understand that my child will be asked to provide a urine sample for drug analysis, and I consent to such testing conducted as part of the District’s drug testing policy.

I also understand that my child cannot be compelled to produce a specimen. I understand that if a specimen is given upon request, it will be tested for drugs.

I understand that if my child tests positive, the District may require my child to receive drug counseling and submit to additional drug testing in accordance with the District's drug testing policy. I also understand that my child may lose privileges, including but not limited to, loss of participation in extracurricular activities. I understand that refusal to submit to a test will have the same consequence as if my child had tested positive.

I hereby agree to my child giving a specimen as part of the District's voluntary random student drug testing program.

________________________________________ ____________________________
Parent/Guardian Signature Date

________________________________________ ____________________________
Student Signature Date
I, ____________________________, a student enrolled in Lake Travis ISD, have read and understand Lake Travis ISD’s policy regarding voluntary random student drug testing. I did not receive a parking permit allowing me to park my vehicle on school property during the school day, and I am not subject to mandatory random drug testing. However, I wish to participate in Lake Travis ISD’s voluntary drug testing program.

I understand that my participation in the program is strictly voluntary, and that I may withdraw from participation in the program at any time. I understand that the cost for participating in the voluntary student drug-testing program will be borne by Lake Travis Independent School District.

I understand that I will be asked to provide a urine sample for drug analysis, and I consent to such testing conducted as part of the District’s drug testing policy. I also understand that I cannot be compelled to produce a specimen. I understand that if a specimen is given upon request, it will be tested for drugs.

I understand that if I test positive the District may require me to receive drug counseling and submit to additional drug testing in accordance with the District's drug testing policy. I also understand that I may lose privileges, including but not limited to, loss of participation in extracurricular activities. I understand that refusal to submit to a test will have the same consequence as if I had tested positive.

I hereby agree to giving a specimen as part of the District's voluntary random student drug testing program.

________________________________________ ____________________________
Student Signature Date

Parent Acknowledgment

As the parent or guardian of ____________________________, I have read and understand Lake Travis ISD’s policy regarding voluntary student drug testing. I acknowledge such testing is conducted as part of the District’s voluntary drug testing policy. I understand that if my child tests positive, the District may take action against my child up to and including the loss of privileges such as participation in extracurricular activities. I understand that refusal to submit to a test will have the same consequence as if my child had tested positive.

________________________________________ ____________________________
Parent/Guardian Signature Date
LAKE TRAVIS ISD
CONFIRMATION OF DRUG COUNSELING

This is to certify that ____________________________ has completed a minimum of ______ clock hours in one or more of the following settings:

Check all that apply

☐ a series of individual counseling sessions concerning drug-use and abuse;
☐ a group counseling program providing intervention for drug use;
☐ a curriculum-based instructional program on drug-use prevention; or
☐ ________________________________________________________________.

______________________________ ______________________________
Counselor / Therapist Signature Date

_______________________________
Counseling Agency

_______________________________
Address

_______________________________
Phone

Verification may be made as deemed necessary by the designated Lake Travis ISD School official.