

1 The Transylvania County Board of Education recognizes the importance and special need of
2 maintaining a drug-free environment at all Transylvania County Schools. To that end, the Board
3 believes it is necessary to support its students by maintaining a drug-free and safe atmosphere.
4 Further, the Board believes drug testing is an effective way to deter students from using illegal
5 drugs and to provide counseling and training to students who are using illegal drugs.

6
7 All students participating in a competitive extra-curricular activity at the middle schools and high
8 schools and/or students issued high school parking permits will be subject to random and
9 suspicionless drug testing. Students participating in extra-curricular activities will be subject to
10 random drug testing during the competitive/sports season in which they participate in the
11 activity. Students having high school parking permits will be subject to random drug testing
12 throughout the school year. The test shall detect illegal drugs and other controlled substances in
13 which it is illegal for a student to possess or consume.

14
15 Students will be allowed to indicate the prescription drugs that they are taking under the care of a
16 physician. A student will not be suspended from the competitive extra-curricular activity nor
17 have his/her parking privileges suspended for taking a drug prescribed to him/her by a medical
18 doctor, and taken as directed.

19
20 **A. NOTICE**

21
22 All middle and high school students, and their parents, will receive notice of this policy at
23 the beginning of the school year and at the commencement of the competitive extra-
24 curricular activity. A student participating in a competitive extra-curricular activity and
25 having a high school parking permit must acknowledge that he/she has received a copy of
26 this policy before participating in that activity or receiving a parking permit.

27
28 **B. SELECTION OF STUDENTS**

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30 Students selected to undergo a drug test will be chosen at random by the testing
31 laboratory; selection will not be based on any level of suspicion. When a student has two
32 negative tests during a competitive/sports season, his/her name will not be chosen again
33 while participating in that same activity for the remainder of that competitive/sports
34 season. He/she may, however, be selected during a different competitive/sports season
35 while participating in a different activity.

36
37 A student having a high school parking permit and not involved in competitive extra-
38 curricular activities who has two negative drug tests during a semester will not have
39 his/her name randomly selected again during that semester. His/her name will be eligible
40 to be randomly selected the following semester.

41
42 **C. TESTING AND CHAIN OF CUSTODY**

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44 The testing shall be a normal urinalysis or swab test that is readily in use and available.

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46 The student will be required to participate in the test the day his/her name is drawn. If a
47 student is absent the day his/her name is drawn, the school system reserves the right to
48 require this student to participate in the test on the day he/she returns. If this student
49 refuses to participate when selected to be tested, he/she will be banned from participation
50 in the activity and/or have parking privileges removed. If a student leaves school or skips
51 class without a valid excuse after it becomes known that students are being tested, this
52 shall be considered a refusal to be tested. If a student indicates that he/she is physically
53 unable to be tested due to medical reasons, the student will supply a note from his/her
54 medical doctor stating the reason. Any student who attempts to alter the collected
55 specimen/sample and/or tries to compromise the collection process in any way will be
56 banned from participation in their competitive extra-curricular activity and/or have
57 parking privileges removed for the remainder of the school year or a maximum of 90
58 school days. The length of the suspension may carry over into the next school year.

59
60 **D. OTHER POLICIES RELATED TO ILLEGAL DRUG/CONTROLLED SUBSTANCES**
61 **VIOLATIONS**

62
63 Nothing in this policy is intended to alter other school district policies or practices in
64 dealing with illegal drug/controlled substance use or possession where reasonable
65 suspicion of the use or possession is obtained by means other than random testing under
66 this policy. Students who violate the student behavior policies (4300 series), including
67 policy 4325, Drugs and Alcohol, will be disciplined in accordance with those policies.

68
69 **E. URINE TEST**

70
71 The student will produce a urine sample in a private restroom with private stall(s),
72 monitored by Transylvania Community Hospital lab personnel. The monitor will wait
73 outside a closed restroom stall for the student to produce a urine sample. If more than
74 one student is being tested at a time, an empty restroom stall will be between each student
75 tested. The monitor will guard against tampered specimens and preserve the chain of
76 custody. The student will give the monitor a sample in a cup provided by the school. In
77 addition to the monitor, the school system will provide a school system staff member as
78 another monitor in each testing situation.

79
80 In order to maintain confidentiality, the monitor will label the specimen with a sequential
81 number and will record the number. The monitor will then place the specimen in a sealed
82 envelope. The envelope will be sent directly to the laboratory, which will test the
83 specimen.

84
85 **F. SALIVA TEST**

86
87 The student will provide a saliva specimen in a specimen kit given to the student by a
88 Transylvania Community Hospital lab person. The student will place the saliva specimen

89 in a container, which the lab person will seal and label with the required information.
90 The chain of custody for the saliva test will follow the same process as that for the urine
91 test. In addition to the monitor, the school system will provide a school system staff
92 member as another monitor in each testing situation.
93

94 **G. TESTING RECORDS**

95
96 All testing results under this policy must be maintained in a confidential file separate
97 from a student's regular education record. The file will be released only to school
98 personnel that have a direct educational purpose for knowing such results. The results
99 may also be released to the parent(s) or guardian(s) or to the student when he/she has
100 reached the age of eighteen. The records will be expunged at the end of the year of the
101 student's graduation.
102

103 **H. DISCIPLINARY ACTION**

104
105 All positive test results are cumulative (grades 6 through 12) throughout a student's
106 tenure in the Transylvania County School System.
107

- 108 1. Upon a student's first positive drug test, the school administrator will contact the
109 student's parent(s) or guardian(s). The student may resume participation in the
110 competitive extra-curricular activity and/or have parking privileges restored
111 provided he/she has completed two hours of substance abuse counseling and
112 produced a medical doctor's release. To remain active in the competitive extra-
113 curricular activity and/or keep his/her parking privileges, the student must agree
114 to submit to another drug test at his/her school's next scheduled drug testing
115 session. If a student tests negative on the second test, his/her name will be
116 returned to the list of eligible students for random drug testing if he/she is still
117 participating in a competitive extra-curricular activity and/or have his/her parking
118 privileges reinstated.
119
- 120 2. Upon the second positive drug test, regardless of the competitive/sports season,
121 the student will be suspended from participating in all competitive extra-curricular
122 activities and/or have parking privileges suspended (not school itself) for 14
123 school days. The student must also complete four hours of substance abuse
124 counseling, produce a medical doctor's release and must agree to submit to
125 monthly drug testing for the remainder of that school year. Failure to comply
126 with the agreed upon monthly drug test will result in suspension from all
127 competitive extra-curricular activities and/or suspension of parking privileges for
128 the remainder of the school year.
129
- 130 3. Upon the third positive drug test, regardless of the competitive/sports season of
131 the year, the student will be suspended from all competitive extra-curricular
132 activities for the remainder of the school year or for 90 school days, whichever is

133 longer. The suspension for the 90 school days may carry into the next school
134 year. The student must produce a medical doctor's release prior to participating
135 in any competitive extra-curricular activity after having tested positive for the
136 third time.

137
138 With the occurrence of a third positive drug test, the student will have parking
139 privileges suspended for the remainder of the school year or 90 schools days,
140 whichever is longer. The suspension for 90 school days may carry over into the
141 next school year. The student must also produce a medical doctor's release after
142 having tested positive for the third time and following the conclusion of his/her
143 suspension of parking privileges in order to have parking privileges restored.

- 144
145 4. With the occurrence of the fourth positive drug test, the student will be banned
146 from participating in all extra-curricular competitive activities and/or will not be
147 eligible for high school parking privileges.

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149 Under no circumstance will a student receive a disciplinary action for testing positive
150 other than those listed. Further, no report will be made to law enforcement when a
151 student tests positive.

152 I. DEFINITIONS

- 153
154 1. Competitive Extra-Curricular Activity - Any competitive activity in which a
155 student's participation is not mandatory or required by the school and which
156 activity does not receive academic credit.
157
158 2. High School Parking Privileges - Any student who receives a parking permit.
159
160 3. Season - The time in which a competitive extra-curricular activity takes place
161 during the school year.
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163 4. Illegal Drug - A drug that is illegal under State or Federal Law, including
164 prescription drugs that a medical doctor has not prescribed to the student.
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166

167 Legal References:

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169 Cross References: Student Behavior Policies (policy 4300), Drugs and Alcohol (policy 4325)

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171 Adopted: July 22, 2004

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173 Revised: August 21, 2006; May 21, 2007; May 19, 2008; [DATE]