

## **DRUG USE IN SCHOOL EXTRA-CURRICULAR ACTIVITIES (Random Drug, Alcohol, and Tobacco Screening)**

### **A Statement of Need and Purpose**

The Dexter Consolidated Schools' Board of Education recognizes that abuse of tobacco, alcohol and other drug use are problems afflicting our society and that they are treatable health-related problems. Health problems of youth are primarily the responsibility of the home and community. The school shares that responsibility because substance-abuse problems often interfere with school behavior, student learning, maximum development, and the educational process. The Board of Education further recognizes the health and safety problems which substance abuse can create for student athletes and students involved in extra-curricular activities. Therefore, the Board prohibits the use of tobacco products, in any form, and the use or possession of alcohol or drugs, as defined below, by students involved in grades 7-12 involved in extra-curricular activities. These activities may include but are not limited to: FFA, Volleyball, Football, Basketball, Softball, Baseball, Track, Band, Choir, Drama, any activity sanctioned by the New Mexico Activities Association (NMAA), and any other extra-curricular activity or activity program sponsored by Dexter Consolidated Schools. Based upon the foregoing statement of need and purpose, consent to this policy is a mandatory requirement for all students to participate in school-sponsored events, including athletics and extra-curricular activities.

### **Objectives**

- To provide for the health and safety of all students involved in school activities;
- To undermine the effects of peer pressure by providing a legitimate reason for students involved in extra-curricular activities to refuse to use illegal drugs;
- To encourage students involved in extra-curricular activities who use drugs to participate in drug treatment programs;
- The program is designed to create a safe, drug free, environment for students involved in extra-curricular activities and provide them with a list of agencies to seek help when needed.
- To prevent injury, illness, and harm as a result, of drug use and its effects.
- To ensure that students involved in extra-curricular activities set an appropriate example for their fellow students, for whom they are often role models.
- The strive for an environment free of illegal drug/alcohol use.
- To encourage students to make proper, informed decisions that positively affect their lives.

### **Use of Prohibited Substances**

No student covered by this policy shall distribute, dispense, possess, use, transport, give, sell, or be under the influence of any substance which may include, but are not limited to:

- Alcoholic beverages
- Any drug including Marijuana; Cocaine; Opiates; Amphetamines; Methaqualone; Benzodiazepines; Phencyclidine (PCP); Methadone; Barbituates; Propoxyphene
- All prescription drugs that were obtained without authorization
- All prescription *and/or* over-the-counter drugs that are being used in an abusive manner
- Performance-enhancing drugs including anabolic steroids, any natural or synthetic substances used to increase muscle mass, strength, endurance, speed, or athletic ability. Performance enhancing-drugs does not include dietary or nutrition supplements such as vitamins, minerals, or proteins that can be lawfully purchased over-the-counter.
- Tobacco Products, including vaporizers
- Inhalants
- Other substances used for intoxication
- “look-alike” drugs
- Any other controlled substance

The use of tobacco in any form and use or possession of alcohol, drugs and other substances, as listed above, is prohibited by state law and school policy while on school property or participating in a school sponsored event. Further, abstinence from the use and possession of all listed substances is required of the student whether on or off season, including months when school is not in session. In short, abstinence from the listed substances is required year-round, on or off campus, 24/7.

This Policy is not intended to be disciplinary or punitive in nature. The sanctions of the Policy relate solely to limiting the opportunity of any student found to be in violation of the policy to participate in any activity programs. There will be no academic sanctions for violation of this policy UNLESS the student violates the student handbook. This policy does not limit any sanctions which may be applicable under the student handbook.

### **Consent for Drug Testing**

All students in middle and high school who wish to participate in at-least one extra-curricular activity during the course of the school year at Dexter Consolidated Schools must declare that intention at the time of their registration each school year. The student shall be provided a copy of this policy, DRUG USE IN SCHOOL ACTIVITIES (Random Drug, Alcohol and Tobacco Screening). They also will be provided with a “Drug/Alcohol/Tobacco Testing Consent Form” which shall be read, signed, and dated by the student and parent or legal guardian before that student shall be eligible to practice or participate in any extra-curricular program. They will then be subject to the random testing program for the entire school year. All students will participate in the first scheduled drug testing after their initial enrollment at Dexter Consolidated Schools or after the implementation of this policy. Students who do not declare their desire to participate in an extracurricular activity upon their initial enrollment each school year and later decide to join an extra-curricular activity will not be eligible to participate until they have completed a drug test. They may participate in the next random drug test or their guardian may choose to pay for the expense of an individual drug test.

## **Selection for Drug Testing**

The Superintendent will conduct up to ten (10) drug tests per school year. Students will be selected for each drug testing based upon the following factors:

- 1) Chosen by the random selection basis;
  - a) At least ten percent (10%) and not more than twenty-five percent (25%) of students involved in extra-curricular activities shall be randomly selected to be tested for drug use at each test. A random selection process will select students on the testing dates. Each student has been or will be assigned a number. A random number generator will be used to determine which students are to be tested to ensure that all students in the pool will have an equal chance of being selected on an unannounced basis for the testing. Students who are selected to be tested during one (1) test period will be eligible for future tests and if selected may be tested in successive tests.
- 2) Chosen based upon reasonable suspicion from observed behavior or valid reports;
- 3) Required by a previous violation;
- 4) A student voluntarily discloses, or a parent reports, use or abuse by the student;
- 5) Has yet to complete their initial enrollment test; or
- 6) Did not declare their intention to participate in extra-curricular events at the beginning of the school year.

Students who are selected to be tested for drug use will be required to provide a sample when requested to do so. A refusal to provide a sample, or the alteration or falsification of a specimen or test result, will be treated as resignation from all extra-curricular activities for the next 365 calendar days.

## **Procedures for Drug Testing**

All aspects of the drug-testing program will be conducted in a manner that will safeguard the personal and privacy rights of the students to the maximum degree possible. Furthermore, all student records will be handled in compliance with the Family Educational Rights and Privacy Act (FERPA). The random testing of students shall be performed by a certified drug testing company contracted by the District. The company chosen to conduct the testing shall be required to have detailed written procedures to assure proper chain of custody of the samples, proper laboratory control, and scientifically validated testing methods. Tests for alcohol use may be by means of a breathalyzer or saliva test.

The Superintendent or the Superintendent's designee shall designate a staff member to accompany the students to a restroom or other private area where the sample is to be produced under supervision and presence of a designated health care professional. The monitor(s) shall not observe the student while the sample is being produced but shall remain within hearing distance in order to guard against tampered samples and to ensure an accurate chain of custody of the sample. If at any time during the sampling procedure a monitor has reason to believe that a student is tampering with the sample, the monitor may inform administration who will then determine if a new sample should be obtained.

The monitor shall give each student a form on which the student may list any medications the student has taken or any other legitimate reasons for having been in contact with illegal drugs or

performance-enhancing drugs in the preceding four (4) days. All samples will be identified with students' individual student identification number, sealed, and submitted to a licensed professional for testing. Students will be allowed to declare any and all medications that are prescribed to them by a medical professional; including medicinal marijuana pursuant to the Lynn and Erin Compassionate Use Act (NMSA 2978§ 26-2B et. seq.).

The licensed professional will promptly contact the Superintendent or the Superintendent's designee if the result of the drug use test for any students involved in extra-curricular activities is positive. The principal and/or athletic director will promptly contact the student and the student's parents or guardians, if the student is under the age of eighteen (18). A conference will be scheduled at which time the student or parents may offer any explanation of the positive result. Parents or guardians may provide any doctor's prescriptions of drugs that the student was taking that might have affected the outcome of the drug use or alcohol test and may request that another test be conducted on the remaining portion of the sample. The parent or legal guardian will be financially liable for the additional test.

### **Violation of Drug Use Policy**

A violation of this policy shall be determined when:

- A student tests positive to a drug/alcohol/tobacco test administered under this policy.
- A student is found by any school employee, law enforcement official or investigation by coach/sponsor/administrator to be using (including the smell thereof), in possession of, or under the influence of, any prohibited substance.
- A violation of this policy shall also be determined if a student attends an event where any of these prohibited substances are present, and the student does not make an appropriate attempt to immediately leave the event.

### **Sanctions**

All offenses are cumulative for the student's enrollment middle and high school in the Dexter Consolidated School District. A student found to have been in violation of this policy shall be subject to the following consequences:

#### **A. Drugs, Alcohol, and Tobacco**

##### **1. First Offense:**

- a) A conference with a parent or legal guardian, the student, and District designee will be required to discuss the student's infraction.
- b) Immediate suspension from the sport/activity involved for a period of 15 school days, and a 2 games/activities suspension minimum will be administered. The student will be allowed to practice with stipulations given by the coach/sponsor. If a student is not currently competing, the suspension will begin when a student begins a season during the next three hundred sixty-five (365) calendar days.
- c) The student will attend mandatory counseling with the school counselor. Counseling must be completed before resuming activities.
- d) The student will be subject to each random drug test for the remainder of the current school year and for the entire next school year.

e) The student and student's parent or legal guardian will sign a statement acknowledging the consequences of a second offense.

2) Second Offense:

a) The student will be suspended from participation in all activities and declared ineligible for the next 365 calendar days.

b) The student will attend mandatory counseling with an approved outside agency. (Outside agency will be at the student/guardian expense). Counseling must be completed prior to resuming competition.

c) The student will be subject to each random drug test for the remainder of their time at Dexter Consolidated Schools.

d) The student and student's parent or legal guardian will sign a statement acknowledging the consequences of a third offense.

3) Third Offense:

a) The student will be suspended from participation in all extra-curricular activities for as long as he/she attends Dexter Consolidated Schools.

## **Appeals**

A student may appeal a suspension under this policy by providing a written notice of appeal with the Superintendent and a copy to the principal whose decision is being appealed within five (5) school days of the principal's decision. The notice shall state the reasons the suspension should be reversed. The principal shall provide the Superintendent the reasons the suspension should be sustained.

Within ten (10) school days, the Superintendent or the Superintendent's designee shall review the principal's suspension decision in light of the provisions of this policy and issue a decision in writing sustaining or reversing the suspension. The Superintendent's decision is final.

Students will remain ineligible for extra-curricular activities pending appeals.

## **Self-Referral Policy**

Students with drug dependence may voluntarily be tested and obtain intervention. Students who voluntarily come forward and ask for help for their drug problem should be given help without automatic loss of eligibility, if the self-referral happened prior to the day of the random drug testing and prior to any investigation by administration, coaches, or other staff. The student will be required to attend mandatory counseling with the school counselor as a condition of this self-referral policy. An athlete may only self-refer one (1) time while they are enrolled in the Dexter Consolidated School District.

## DRUG USE IN SCHOOL ACTIVITIES

### DRUG/ALCOHOL/TOBACCO TESTING CONSENT FORM

According to District policy, all students in middle and high school who wish to participate in at-least one extra-curricular activity during the course of the school year at Dexter Consolidated Schools must declare that intention at the time of their registration each school year. The student shall be provided a copy of policy: DRUG USE IN SCHOOL ACTIVITIES (Random Drug and Alcohol Screening). They will also be provided with a "Drug Testing Consent Form" which shall be read, signed, and dated by the student and parent or legal guardian. **Students shall NOT be eligible to practice or participate in any extra-curricular activity until this form is turned into the office.**

Student's Name: \_\_\_\_\_ School Year: \_\_\_\_\_

**I intend to participate in an extra-curricular activity during this school year.**

- *Students will be subject to the random testing program for the entire school year. All students will participate in the first scheduled drug testing after their initial enrollment at Dexter Consolidated Schools.*
- *Students who are selected to be tested for drug use will be required to provide a sample when requested to do so. A refusal to provide a sample or the alteration or falsification of a specimen or test result, will be treated as resignation from all extra-curricular activities for the next 365 calendar days.*

**I DO NOT intend to participate in an extra-curricular activity during this school year.**

- *Students who do not declare their desire to participate in an extra-curricular activity upon their initial enrollment each school year and later decide to join an extra-curricular activity, will be required to participate in the next scheduled drug test.*

I have read the "Drug Use in Extra-curricular Activities Policy" and the "Drug/Alcohol/Tobacco Testing Consent Form." Any questions I have about the policy or the consent form have been answered. I further understand that if I violate the policy regarding the use of illegal drugs/alcohol, I will be subject to the consequences provided in the policy.

\_\_\_\_\_  
**Signature of Student**

\_\_\_\_\_  
**Date**

We have read and understand the Dexter Consolidated Schools "Drug Use in Extra-curricular Activities Policy" and the "Drug/Alcohol/Tobacco Testing Consent Form." We agree that if our student participates in an extracurricular activity, the student shall be subject to the terms of this policy and consent form. We further agree and consent to the reporting of the results of testing as provided in this policy.

\_\_\_\_\_  
Signature of Parents or Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parents or Legal Guardian

\_\_\_\_\_  
Date

## DRUG USE IN SCHOOL ACTIVITIES

### PARENT NOTIFICATION OF STUDENT DRUG/ALCOHOL/TOBACCO TEST

DATE: \_\_\_/\_\_\_/\_\_\_\_\_

Dear \_\_\_\_\_,

Your child was randomly tested on \_\_\_/\_\_\_/\_\_\_\_\_ according to your agreement with Dexter School Board Policy. **The lab results have been received and your child tested negative for drugs and alcohol.**

Students are selected for each drug testing based upon the following factors:

- 1) Chosen by the random selection basis;
  - a) At least ten percent (10%) and not more than twenty five percent (25% ) of the students involved in extra-curricular activities shall be randomly selected to be tested for drug use at each test. Students will be selected by a random selection process on the testing dates. A random number generator will be used to determine which students are tested to ensure that all students in the pool will have an equal chance of being selected on an unannounced basis for the testing. *Students who are selected to be tested during one (1) test period will be eligible for future testes and if selected may be tested in successive testes.*
- 2) Chosen based upon reasonable suspicion from observed behavior or valid reports;
- 3) Required by a previous violation;
- 4) A student voluntarily discloses, or a parent reports, use or abuse by the student;
- 5) Has yet to complete their initial enrollment; and
- 6) Did not declare their intention to participate in extra-curricular events at the beginning of the school year.

If you have any questions, please contact administration at 575-734-5420.

Sincerely,

Administration

Dexter Consolidated Schools

DRUG USE IN SCHOOL ACTIVITIES

VIOLATION OF DRUG/ALCOHOL/TOBACCO USE POLICY FORM

Date: \_\_\_ / \_\_\_ / \_\_\_

The undersigned administrator has determined that your child \_\_\_\_\_, has violated the Dexter Consolidated Schools "Drug Use in School Extra-Curricular Activities" Policy. The administrator has imposed the appropriate consequence or suspension for this offense, and the student has been made aware of the consequences of subsequent offenses.

*Check One:*

\_\_\_\_\_ **This is the student's first drug/alcohol/tobacco offense.**

- 1) Immediate suspension from the sport/activity involved for a period of 15 school days, and a 2 games/activities suspension minimum will be administered. The student will be allowed to practice with stipulations given by the coach/sponsor. If a student is not currently competing, the suspension will begin when a student begins a season during the next three hundred sixty-five (365) calendar days.
- 2) The student will attend mandatory counseling with the school counselor. Counseling must be completed before resuming activities.
- 3) The student will be subject to each random drug test for the remainder of the current school year and for their entire next school year.
- 4) The student and student's parent or legal guardian will sign a statement acknowledging the consequences of a second offense.

\_\_\_\_\_ **This is the student's second drug/alcohol/tobacco offense.**

- 1) The student will be declared ineligible for the next 365 calendar days.
- 2) The student will attend mandatory counseling with an approved outside agency. (Outside agency will be at the student/guardian expense). Counseling must be completed prior to resuming competition.
- 3) The student will be subject to each random drug test for the remainder of their time at Dexter Consolidated Schools.
- 4) The student and student's parent or legal guardian will sign a statement acknowledging the consequences of a third offense.

\_\_\_\_\_ **This is the student's third drug/alcohol/tobacco offense.**

- 1) The student will be suspended from participation in all extra-curricular activities for as long as he/she attends Dexter Consolidated Schools.

**My signature below, indicates that I acknowledge and understand the consequences of subsequent offenses.**

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parents or Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Administrator

\_\_\_\_\_  
Date

**DRUG USE IN SCHOOL ACTIVITIES**  
**REFUSAL TO SUBMIT TO RANDOM DRUG/ALCOHOL/TOBACCO TEST**

Date: \_\_\_/\_\_\_/\_\_\_

Dear \_\_\_\_\_

Your child \_\_\_\_\_ was selected for testing under the Dexter Consolidated Schools "Drug Use in Extra-curricular Activities" policy on \_\_\_/\_\_\_/\_\_\_\_\_. He/she has refused to provide a sample to be tested on this date as required by Dexter School Board Policy and agreed to on the "Drug/Alcohol/Tobacco Testing Consent Form." As stated in the policy, a refusal to provide a sample, or the alteration or falsification of a specimen or test result, will be treated as resignation from all extracurricular activities for the next 365 calendar days.

\_\_\_\_\_

Signature of Student

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Administrator

\_\_\_\_\_

Date