

Use of Alcohol, Drugs and Other Controlled Substances**DRUGS AND ALCOHOL**

No pupil shall purchase, possess, attempt to possess, use, or be under the influence of alcohol, drugs, look-alike drugs, or mood-altering substances, such as inhalants and/or possess drug paraphernalia on school property, in a vehicle on school property, in a school vehicle, or at any school sponsored or sanctioned activity. The Activities will include sporting events, dances, competitions, conferences, conventions, club sponsored activities, bus trips, but not excluding any other school activity.

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

ALCOHOL DEFINED

Alcohol means, alcoholic brandy, whiskey, rum, gin, beer, ale, porter, wine, wine coolers, distilled spirits, malt beverages and all other spirituous, vinous, malt or fermented liquors, liquids and compounds whether medicated, proprietary, patented or not and by whatever name called.

DRUGS DEFINED

Drugs shall be defined as any substance or immediate precursor listed as a drug, narcotic or controlled substance in Chapter 218A of the Kentucky Revised Statutes and/or any other provisions of the Kentucky Revised Statutes and/or any Federal Laws or Regulations.

TOBACCO

Refer to Board policy 09.4232 for information regarding the use of tobacco products.

PENALTIES

For purchase, possession, attempts to possess, use, or being under the influence, of alcohol, drugs, look-alike drugs, or mood-altering substances and/or possession of drug paraphernalia, the student will receive a suspension of no less than six (6) days and up to possible expulsion.

In the case of a first offense, the suspension may be reduced by half if the student and his/her parent(s) or guardian(s) meet with the Principal/designee, student assistance coordinator and/or core team member(s) and agree to the following:

1. The parent(s) or guardians(s), at their expense, shall obtain an evaluation of the student's alcohol/drug use from a qualified chemical dependency counselor acceptable to the school district, and shall complete any and all treatment as recommended in the evaluation; or
2. In cases where the school (through the use of the core team process) finds no behavioral indicators of possible alcohol or drug abuse, the parent(s) or guardian(s) shall agree to have their child meet with the student assistance coordinator individually or in a group a specified number of times.

Use of Alcohol, Drugs and Other Controlled Substances**PENALTIES (CONTINUED)**

Failure to complete either the evaluation and treatment as recommended or to keep all specified appointments with the coordinator will result in the reinstatement of the full suspension that was previously reduced.

A second violation of the alcohol/drug policy within one calendar year of the first violation will result in a suspension and/or expulsion.

In addition, when School Administrators have reasonable belief that a violation has taken place, they shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

SELLING

For selling of alcohol, drugs, look-alike drugs, mood-altering substances, and/or drug paraphernalia, the student will receive a suspension and/or expulsion.

EXTRA-CURRICULAR ACTIVITIES

Any student who violates this policy will lose eligibility for participation in all extra-curricular activities for thirty (30) calendar days from the date of being disciplined. Coaches and sponsors of extra-curricular activities shall have authority to establish penalties for their programs in excess of the thirty (30) calendar days listed in this policy; however, students must be informed of such penalties prior to the beginning of the season.

AUTHORIZED MEDICATION

Use of a drug prescribed and authorized for a pupil by a physician or dentist and administered in accordance with the prescription and Board policy 09.2241 shall not be considered in violation of this policy.

REPORTING

Employees of the District shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event.

DRUG-TESTING PROGRAM PURPOSE

Alcohol and other forms of drug abuse have grown to major proportions in our society. School settings are not exempt from this phenomenon. Therefore, it is critical that educators and parents continually look for ways to institute programs that encourage a drug-free lifestyle for their students/children. It is to that end that this program is created to provide the appropriate action plan to address and foster a drug-free environment for grades 9-12.

Use of Alcohol, Drugs and Other Controlled Substances**DRUG-TESTING PROGRAM PURPOSE (CONTINUED)**

The program consists of two components:

1. Education and Prevention Plan
2. Drug-Testing Policy

EDUCATION AND PREVENTION PLAN

Educational Seminars: Each semester at least one (1) educational seminar on alcohol and drug abuse shall be conducted by qualified substance abuse educators. These seminars shall be accessible to all students in grades six through twelve (6-12) but shall be required for all athletic and extracurricular team members and for students who will be driving or parking on school property.

Training in Drug Awareness: Teachers of grades six through twelve (6-12) will be given an opportunity to receive training in drug/alcohol awareness. A keener teacher awareness of drug abuse signs and symptoms, as well as methods of referral, will be a direct result of the training. Instructional units on drug abuse, such as those currently taught in our health courses, will be enhanced by this teacher education component.

Seminars for Parents/Guardians: Educational seminars for parents/guardians that will address alcohol and other forms of drug abuse will be established in conjunction with other school programming. The central purpose of these sessions will be to provide parents/guardians with necessary information to parent toward drug prevention.

DRUG TESTING POLICY

All student athletes/extracurricular participants/student drivers and their parents/guardians must read this policy and accompanying procedures and must acknowledge, in writing, that they have read the policy and procedures, understand the policy and procedures, and agree to be bound by the terms and conditions contained in the policy and procedures.

Statement of Need: All athletic and extracurricular team coaches/sponsors and the administration of grades nine through twelve (9-12) recognize that the unlawful use of alcohol and other drugs seriously impairs the health, safety, education, and future success of students in grades nine through twelve (9-12) engaged in that use. It is also recognized that the unlawful use of alcohol and other drugs is a potential problem for ninth through twelfth (9-12) grade students.

Athletic teams, extracurricular activities and student drivers covered by this policy shall apply to all ninth through twelfth (9-12) grade students participating in varsity and subvarsity athletic, extracurricular activities and driving/parking privileges. The subsequent addition of any extracurricular activity or varsity or subvarsity sport shall immediately be subject to this policy.

Use of Alcohol, Drugs and Other Controlled Substances**ALCOHOL AND DRUG SAFETY POLICY (CONTINUED)**

Statement of Purpose: This policy is intended to support the comprehensive educational policies and programs of the District in educating students and their parents/guardians as to the dangers inherent in the unlawful use of drugs/alcohol. The policy is further intended to provide encouragement to nine through twelfth (9-12) grade students who voluntarily choose to participate on athletic teams, in extracurricular activities, and/or to drive or park on school property to avoid such use and to strive to benefit from effective rehabilitation when such use has occurred.

Administrators shall not use information obtained in the course of administering this policy for disciplinary purposes other than those set forth herein. This policy is not designed to be used, nor shall it voluntarily be used in any manner, to provide a source of information for law-enforcement agencies or for the prosecution of the student or to limit the student's participation in the school activities, other than the limitations imposed by this policy. Without a specific written authorization from the tested student or parent/guardian, if the student is under eighteen (18) years of age, the administrator shall not release any student's test results to any person other than those described within this policy or as required by law or a lawfully issued subpoena or court order.

In order to accomplish its purposes, this policy establishes a program for procedures to deter the unlawful use of drugs and alcohol and to provide for suspension and termination of participation on the teams when deterrence is unsuccessful. To determine compliance with the policy, it provides a testing program to identify student participants who are unlawfully using drugs. For these students this policy provides incentives for rehabilitation through possible reinstatement to the specific athletic team, extracurricular activity and/or driving/parking privilege involved.

Consistent with its purposes, this policy also seeks to achieve the following objectives:

1. To protect District students from impairing their health, safety, education, and future success through the unlawful use of alcohol and other drugs;
2. To protect District students and others from potential injury during competition resulting from the unlawful use of alcohol and other drugs;
3. To protect District students from the potential stigma of unsubstantiated allegations of unlawful use of alcohol and other drugs; and
4. To assure students, parents, teachers, and the community that the health, safety, education, and future success of student participants are the primary concerns of the District.

Implementation, Review, and Evaluation: All student participants and their parents/guardians must sign the "Student and Parent/Guardian Consent to Perform Urinalysis for Drug Testing" form before the student shall be permitted to try out for any athletic team, become a member of an extracurricular activity at the ninth through twelfth (9-12) grade level, or be authorized to drive or park on school property. A Substance Abuse Prevention Committee (Committee) shall be established and shall establish procedures as needed to implement the policy fairly and efficiently. The Committee may consist of the school Principals, Head Coaches of the athletic teams, designated sponsors of extracurricular activities, Athletic Director, Title IV Coordinator, School Health Coordinator, Counselor, Superintendent, and Board Members.

Use of Alcohol, Drugs and Other Controlled Substances**ALCOHOL AND DRUG SAFETY POLICY (CONTINUED)**

In addition, the Committee shall review and evaluate the effectiveness of the drug-testing policy on an annual basis. The evaluation shall include, but not be limited to, the effectiveness of the comprehensive educational and counseling program, substance testing program, procedural safeguards, and the list of drug substances tested. The Committee shall not have access to any of the test results. The Committee's purpose is limited to procedures and evaluation of this policy.

Annually, the committee will provide data to the Corbin Board of Education to determine status of this policy.

Applicability: This policy applies to all students in grades 9-12 choosing to participate in any athletic team, extracurricular activity, and/or to drive/park on school property, if under the influence, would be a safety hazard.

Education: At least once each semester, all coaches/sponsors and appropriate certified staff shall be required to attend an educational seminar on student drug abuse (as outlined in the Education and Prevention Plan section of this policy). These seminars shall be open to attendance by student participants and their parents/guardians and shall be presented by qualified substance abuse educators.

Testing Program: Testing shall be accomplished by the analysis of urine specimen obtained from the student participants. Collection and testing procedures shall be established, maintained, and administered to ensure:

1. Randomness of selection procedures;
2. Proper student identification;
3. Identification of each specimen with the appropriate student participant;
4. Maintenance of the unadulterated integrity of the specimen; and
5. Integrity of the collection and testing process, as well as the confidentiality of test results.

The specific testing process shall be on file at the testing laboratory approved by the Board.

Substances Tested: Student participants' urine specimen may be tested for the following, which may include, but may not be limited to the following:

1. Alcohol
2. Amphetamines (Includes Meth);
3. Marijuana (THC);
4. Cocaine and its derivatives;
5. Opiates (Including Synthetic Opiates);
6. Phencyclidine (PCP);
7. Benzodiazepine;
8. Propoxyphene;
9. Methadone
10. Performance enhancing substances; and
11. Other abused illegal, or controlled substances as determined by the Committee.

Use of Alcohol, Drugs and Other Controlled Substances**CONFIDENTIALITY**

The Superintendent shall develop a process to reasonably ensure privacy during the taking of samples, security of samples once obtained, and designation of laboratory services that are accurate and reliable. Appropriate measures shall be taken to protect confidentiality throughout the testing process and in the handling of test results. Access to drug testing results shall be restricted on a need-to-know basis to those persons in positions designated by the Superintendent.

FREQUENCY

All students participating in athletics/extracurricular activities/student drivers will be subject to random testing.

SELF-REPORTING

An extremely important part of this program is to allow students to **self-report** if they have used or are using any drug. **Students who self-report prior to being selected to drug test will fulfill the following:**

1. Student is allowed to continue to participate.
2. Student shall submit a urine sample each time testing occurs for the rest of the school year.
3. Student's drug screen test results must be negative.
4. Student must enroll in the CHS Student Assistance Program (SAP) and positively participate in a SAP support group for a minimum of ten weeks.
5. Student's failure to submit to drug testing or participation in the SAP will cause student to be guilty of a training code violation and be suspended from athletic competition for four weeks. After the four-week suspension, the student is still obligated to drug test and participate in the SAP, to continue in activities.

CONSEQUENCES**FIRST VIOLATION**

1. A student testing positive will be suspended for the next four (4) consecutive interscholastic/extracurricular events or the next four (4) weeks of the season, whichever is greater in time. Student drivers shall be denied permission to drive and/or park on school property for the next four (4) consecutive weeks of school. The suspension will begin on the date that the results are received. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team/extracurricular activity and/or any activity not required by the school for educational purposes, and/or the following season. Before reinstatement after the first violation, the student participant must complete 4 days prevention education program; minimum of 4 counseling sessions; Prior to readmission to participation to the athletic team/extracurricular activity or reauthorization to drive, the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing.
2. If a student is reinstated to the athletic team/extracurricular activity or driving privileges following the first violation, the student's participation in another activity shall not be restricted solely because of the existence of the first violation, as long as the student has completed the period of suspension and was appropriately reinstated to the prior activity. If the student chooses not to seek reinstatement to the activity after a first violation (either

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because of the student's own choice or because the season has concluded prior to the expiration of the student's own choice or because the season has concluded prior to the expiration of the student's period of suspension) the student is still required to serve the unexpired portion of the previous suspension. The student must complete all forms required for participation on another extracurricular activity, and the student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a second violation.

SECOND VIOLATION

1. For a second violation, the student participant shall be suspended for the next eight (8) consecutive interscholastic/extracurricular events or eight (8) consecutive weeks, whichever is greater in time. Student drivers with a second violation shall be denied permission to drive and/or park on school property for the next eight (8) consecutive weeks of school. If necessary, the suspension shall carry over to the student's subsequent participation on another athletic team/extracurricular activity, and/or any activity not required by the school for educational purposes, and/or the following season. Before reinstatement after the second violation, the student participant must receive an assessment or evaluation for chemical dependency. The participant must successfully complete recommendations that resulted from the chemical dependency assessment as evidenced by a written statement to the effect issued by a treatment counselor. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.
2. If a student is reinstated to the activity following a second violation, the student's participation in another activity shall not be restricted solely because of the existence of the second violation, as long as the student has completed the period of suspension and the required chemical dependency program and was appropriately reinstated to the prior activity. If the student elects not to seek reinstatement to the activity after the second violation (either because of the student's own election or because the season has concluded prior to the expiration of the student's period of suspension) the student is still required to serve the unexpired portion of the previous suspension. The student must complete all forms required for participation on another extracurricular activity. A student serving a suspension for one (1) sport/activity may try out for a second sport or join a second activity if the student provides a negative drug test result from the testing laboratory under contract. If the student makes the team, prior to participation, the student must serve the unexpired portion of the previous suspension. The student must submit to a new drug test administered in accordance with the same procedures utilized for random drug testing. A positive result shall be treated as a third violation.

THIRD VIOLATION

The student participant or driver shall be suspended from participation in any extracurricular activity for one calendar year and follow all other rules listed under First Violation.

Use of Alcohol, Drugs and Other Controlled Substances**COST OF TESTING**

The Corbin Board of Education shall be responsible for the cost of random drug test on a student athlete, extracurricular participant and student driver.

Subsequent testing costs due to a first or second offense shall be the responsibility of the student and the parent. Testing will be performed by the Testing Laboratory approved by the Board and the rates will be the same as those given to the Board.

NOTICE TO PARTICIPANTS

Prior to tryouts/driving for an athletic team, joining an extracurricular activity, or driving/parking on campus the Administrator/Head Coach and/or Activity Sponsor shall provide all students choosing to participate in the athletic team/extracurricular activity and their parents/guardians with a written copy of this policy. Parents of students who park on school property shall also be provided a copy. Each student who chooses to participate and a parent/guardian of that student shall be required to sign a statement indicating that they have received, read, understand and fully agree to be bound by the terms, conditions, and procedures under the policy.

PREVENTION PROGRAM

The Student Assistance Program shall provide a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol abuse in the schools;
2. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled substances;
3. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
4. Penalties that may be imposed upon students for drug/alcohol abuse violations.

REFERENCES:

OAG 82-633

KRS 160.290; KRS 161.180

KRS 218A.010

KRS 158.150

KRS 158.154

KRS 158.155

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of

Pottawatomie Cty. v. Earls, ___ U.S. ___, 242 F.3d 1264 (2002).

Improving America's Schools Act of 1994 (IASA), Title IV: Safe and Drug-Free Schools and Communities

OAG 93-32

RELATED POLICY:

09.2241