



LEARNING TODAY, LEADING TOMORROW

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2024 - 2025 Gonzales Independent School District Mandatory Drug Testing Program Guidelines and Procedures

Updated 07-22-2024

PURPOSE OF THE DRUG TESTING PROGRAM

The District has a vital interest in maintaining a safe, secure, and healthy learning environment for all its 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 participating in school-sponsored extracurricular activities, and (2) students wishing to park their vehicles on school property.

By adopting a random drug testing policy, the District desires to: 1) provide for student health and safety; 2) undermine the effects of negative peer pressure by providing a legitimate reason for students to refuse to use illegal drugs; 3) deter students from drug use; 4) prevent injury, illness, or harm to students that may arise related to drug use; 5) encourage students who use drugs to receive help and participate in drug treatment programs; and 6) educate students regarding the harmful effects of drug use.

STUDENTS SUBJECT TO DRUG TESTING

Drug use can increase the risk of injury to students participating in extracurricular activities, cause undue effects on competitiveness, and potentially encourage drug use in others since these students are often role models to other students. *All students in grades 7 through 12 must consent to random drug testing to be allowed to participate in extracurricular activities.* Participation includes practice, competition, and involvement in events of extracurricular activities. Participation does not include attendance at school events such as athletic contests, drama productions, or social functions.

Students Parking on School Property. Since drug use can increase risk of injury to students driving to and from school, and/or for those with the privilege of leaving the campus during the lunch period, the District shall require all students in grades 9 through 12 who receive a parking permit allowing them to park vehicles on school property during the school day to undergo random drug testing.

INFORMED CONSENT FOR TESTING

Before a student is eligible to participate in extracurricular activities or receive a parking permit to park on school property, a written parental consent form for random drug testing must be completed, executed, and on file with the designated school official. If the student is of legal age (age 18 or older), he or she must also sign the permission form. Consent forms are valid for the current school year only and are completed within the Skyward Online Registration process and/or Rank One online platform.

Because participation in extracurricular activities and parking on school property are privileges and not rights, refusal to consent to random drug testing will result in the denial of participation in the identified extracurricular activities or parking privileges.

DISSEMINATION OF INFORMATION

This random drug testing policy shall be made available to all students in grades 7 through 12 and newly enrolled students through the GISD website and Rank Once online platform each school year.

TESTING PROCEDURES

- A. Each school year the Board of Trustees or its designee will determine the percentage and frequency 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 select the dates for conducting the monthly random drug test; the selection of dates will not follow any recognizable pattern.
- B. Random selection of students. The District will provide the third party administrator with a list of all identified participants. Students will be chosen for testing by computer-generated random selection conducted by the third party administrator. The random selection process is intended to eliminate 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 laboratory 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) and have greater than five (5) years experience in toxicology testing and chain-of-custody procedures.

The drug test is performed by urinalysis. The specimen is analyzed using immunoassay methodology. All presumptive positive results are confirmed by a second test of the same specimen using a gas chromatography/mass spectroscopy methodology.

The testing laboratory may use quantitative results to determine if positive results on repeat testing indicate recent use of illegal drugs or the natural decline of levels of the illegal drug from the body. If the testing laboratory feels the quantitative levels do not reflect current use, then a negative result may be reported.

- 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. The names of selected students will not be called over the public address system.

Students will be tested in an isolated facility under the supervision of a school official of the same sex who will assist the testing entity representative. 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 shall be secure with only one student testing at a time to ensure security and confidentiality of each individual.

The urine sample will be collected in a sealed specimen 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 specimen collection container will be sealed and witnessed by the student. The testing entity representative will send all tamper proof 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 given to the donor at the time of collection and made available to any parent or student upon request.

- E. Refusal. Refusal to provide a sample or noncompliance with the testing procedures by any student *will be considered a positive test result* and be subject to the appropriate consequences.
- F. Substances. The district reserves the right to test for amphetamines, anabolic steroids, barbiturates, cocaine, LSD, marijuana, methadone, opiates, ecstasy, phencyclidine, and any other controlled substance prohibited under state and/or federal law.

TEST RESULTS

- A. Confidentiality of results. Student privacy will be protected in accordance with all applicable laws, including the Family Educational Rights and Privacy Act (FERPA). 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. See GISD Board Policy FL.

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 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 the 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 repeat testing indicate recent use of illegal drugs or the natural decline of levels of the 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 official will contact the student and parents to discuss the consequences of the positive test result.

RELATIONSHIP TO THE STUDENT CODE OF CONDUCT

This drug testing policy does not in any way modify the disciplinary provisions of the Gonzales 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 but may be considered as evidence in making a determination whether a student has committed a violation. For more information on the District's disciplinary rules regarding drugs and alcohol, please refer to the Gonzales ISD Student Code of Conduct.

CONSEQUENCES

Any student who tests positive for a drug in a test conducted under the provisions of this policy will face the following consequences, in addition to any other consequences deemed appropriate under the GISD Student Code of Conduct.

- A. First positive test result. A conference must be held between the designated school official, personnel responsible for administering the extracurricular activities the student participates in (if applicable), the student, and the parent or guardian.

If applicable, the student will be suspended from participation in all extracurricular activities identified in this policy and/or will relinquish all parking privileges and/or the privilege of leaving campus during lunch for twenty-one (21) calendar days following the date of the conference.

In order to have lunch, parking and/or extracurricular activity privileges reinstated, the student must:

- a. Provide documentation that he/she attended and successfully completed 4 hours of substance abuse counseling from an approved provider during the suspension period. Cost of counseling is the responsibility of the parents/guardians; and
- b. Submit to a new drug test and have a negative (clean) test result following the twenty-one (21) calendar days. Cost of the new drug test is the responsibility of the parents/guardians; and
- c. Following the expiration of the suspension, submit a letter of intent to the campus principal expressing his/her desire to regain parking, off campus lunch, and/or extracurricular activity privileges, as applicable.

Failure to meet these requirements within the specified timelines will result in continuation of the suspension until such time as the student completes the requirements outlined above.

- B. Second positive test result. A conference must be held between the designated school official, personnel responsible for administering the extracurricular activities the student participates in (if applicable), the student, and the parent or guardian.

The student will be suspended from participation in all extracurricular activities identified in this policy and/or will relinquish all parking privileges and/or the privilege of leaving campus during lunch for forty-two (42) calendar days following the date of the conference; and

In order to have lunch, parking and/or extracurricular activity privileges reinstated, the student must:

- a. Provide documentation that he/she attended and successfully completed 6 hours of substance abuse counseling from an approved provider during the suspension period. Cost of counseling is the responsibility of the parents/guardians; and
- b. Submit to a new drug test and have a negative (clean) test result following the forty-two (42) calendar days. Cost of the new drug test is the responsibility of the parents/guardians; and
- c. Following the expiration of the suspension, submit a letter of intent to the campus principal expressing his/her desire to regain parking, off campus lunch, and/or extracurricular activity privileges, as applicable.

Failure to meet these requirements within the specified timelines will result in continuation of the suspension until such time as the requirements are completed.

- C. Third positive test result. A conference must be held between the designated school official, personnel responsible for administering the extracurricular activities the student participates in (if applicable), the student, and the parent or guardian.

The student will be suspended from participation in all extracurricular activities identified in this policy and/or will relinquish all parking and/or off campus lunch privileges a full calendar year (i.e. April to April) following the date of the conference.

The District will notify the parent/guardian and student of drug and alcohol abuse prevention resources available in the area.

- D. End of the year suspensions. A student serving a suspension that is not completed at the end of the school year shall complete the suspension during the first semester of the following school year until the entire length of the suspension has been served. Students may be given the opportunity to serve days during the summer month if offered.

- E. Substance abuse counseling. The district will approve 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 alternate ways.

APPEAL PROCESS

A parent or student may appeal a positive test result or the associated consequences 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.