

BP 5131.61 DRUG/ALCOHOL TESTING POLICY

Note: School districts which have chosen to implement student drug testing have generally done so as a measure of last resort, and only after the school district has documented a student drug problem. In 2002, the U.S. Supreme Court upheld the constitutionality of a student activities drug testing policy that required all middle and high school students to consent to random urinalysis testing for drugs in order to participate in any extracurricular activity. *Board of Education of Independent School Dist. No. 92 v. Earls et al.*, 122 S.Ct. 2559 (2002). This sample policy and regulation has been limited to random testing of student athletes but could be expanded based on the circumstances of your district to extend to participants in all extracurricular activities. This policy and administrative regulation has been designed to minimize intrusion and to withstand constitutional scrutiny. However, a school district which chooses to implement this policy should contact their school attorney before doing so.

Drug and alcohol use by students is detrimental to the educational environment and poses a direct threat to the health, morals, and welfare of the student population. Further, drug and alcohol use by those students who are participating in District extra-curricular activities poses a threat to the physical and mental safety of those students and the students with whom they are competing. As a result of observed and suspected use of alcohol and drugs by District students, the Board believes that initial and random testing of student athletes, as well as testing of the general student population upon an articulation of individualized suspicion of drug or alcohol use, is necessary for the protection of student safety and welfare. The Superintendent is to develop regulations consistent with this policy.

Students of this District who are suspected of using, possessing, or selling illicit drugs or alcohol while within the jurisdiction of the District shall be subject to drug or alcohol testing. A determination of suspected use, possession, or selling of drugs or alcohol shall be made by a qualified individual in a position of authority in relation to the student. Student athletes are required to complete an authorization form that allows the District to conduct drug and alcohol screening prior to the commencement of athletic activities and on a random basis thereafter. Should a student decline to complete this form, that student will not be allowed to participate in interscholastic athletics until such time as the student's parent or guardian signs the authorization.

The District shall develop appropriate disciplinary policies in the event of a positive test. These policies shall be consistent with the District's disciplinary policies for possession or consumption of illicit substances or alcohol.

(cf. 5131 – Conduct)

(cf. 5131.6 – Alcohol & Other Drugs)

(cf. 5144 – Discipline)

(cf. 5145.12 – Search & Seizure)

The District shall develop, or contract with a third party to develop, procedures for drug and alcohol testing consistent with those procedures authorized by the Alaska Statutes. The District shall also develop procedures that ensure the confidentiality of student test results and shall require all persons having access to those results to abide by these procedures.

All students affected by this policy shall be given notice of the policy and of the testing regulations adopted by the District.

Legal Reference:

[Board of Educ. Of Indep. Sch. Dist. No 92 v. Earls](#), 122 S.Ct. 2559 (2002)

[Veronia School District 47J v. Acton](#), 515 US 646 (1995)

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Craig City School District