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Lisa Smith, Board Chairperson  
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July 25, 2023

Grant County Families,

The Grant County Board of Education revised policy 09.423 Use of Alcohol, Drugs and Other Prohibited Substances at the June 2023 board meeting. The full policy is attached to this letter. To deter drug and alcohol use among Grant County Schools students the revised policy states:

“All students that participate in extra-curricular activities, co-op, driving to school, and/or clubs outside the school day at Grant County High School, Grant County Middle School, and Grant County Career and Technology Center are to participate in the drug testing program approved by the Board. All student participants and their parents or legal guardians must read the “Student Drug Testing Policy” and sign the “Consent to Perform Drug Testing” form before the student is permitted to try out or participate. Eligibility for testing shall apply for twelve (12) months. In order for students to participate, they must adhere to the Drug Testing Program. Any student refusing to test is not eligible to participate in extracurricular activities, clubs, co-op, or drive to school.” Policy 09.423

The consequences for a positive drug test at any point throughout the school year can be found on pages three and four of the policy.

To begin the 2023-2024 school year, families will give consent for the student drug testing program. The consent form can be found attached to this letter. The form will also be available at Open House, Fee Dates, and Orientation Events leading up to the start of the school year. Students will not be allowed to participate in their extracurricular activity, club, co-op, or drive to school until the consent form is on file.

Within Grant County Schools, it is our main priority to keep students safe while engaged in our school-sponsored events. We appreciate your support of this policy.

Matthew A. Morgan

Superintendent

Grant County Schools

Claudette Herald

Assistant Superintendent

Grant County Schools

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Matthew A. Morgan, Superintendent

Jennifer J. Wright  
Chief Academic Officer / Deputy Superintendent

Heather R. Clay  
Assistant Superintendent of Student Instructional Services

Claudette Y. Herald  
Assistant Superintendent of School Support Services

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**Grant County Schools Drug Testing Program Consent Form**

I hereby consent for my son/daughter (Please Print the Student's Name) \_\_\_\_\_ to participate in the school's drug testing program. I understand that my child's obligation as a participant is to provide urine specimens for analysis on both a mandatory and random basis in accordance with the school district's policy 09.423. I further understand that my child is subject to the consequences/penalties set forth in policy 09.423. I hereby give my consent to the medical testing company selected by the District, its doctors, employees, or agents, to release all results of the said test to the District and/or its representatives.

Please check which school your student attends:

\_\_\_\_\_ Grant County Middle School

\_\_\_\_\_ Grant County High School

\_\_\_\_\_  
Parent/Guardian's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

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Matthew A. Morgan, Superintendent

Jennifer J. Wright  
Chief Academic Officer / Deputy Superintendent

Heather R. Clay  
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Claudette Y. Herald  
Assistant Superintendent of School Support Services

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## **Use of Alcohol, Drugs and Other Prohibited Substances**

### **DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

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

### **DEFINITIONS**

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under KRS 218A.010.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

### **AUTHORIZED MEDICATION**

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

### **PENALTY**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities.

### **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. In addition, when they have reasonable belief that a violation has taken place, Principals 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.

**Use of Alcohol, Drugs and Other Prohibited Substances****PREVENTION PROGRAM**

The Superintendent shall establish 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/substance abuse in the schools;
2. The District's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with the District's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

**DRUG TESTING PROGRAM**

Statement of need: The Board and its employees recognize a responsibility to students and are aware of the dangers of drug and alcohol use. The unlawful use of alcohol and other drugs seriously impairs the health, safety, education, and future success of students engaged in that use. Therefore, a program has been developed to deter drug and alcohol use.

Participation: All students that participate in extra-curricular activities, co-op, driving to school, and/or clubs outside the school day at Grant County High School, Grant County Middle School, and Grant County Career and Technology Center are to participate in the drug testing program approved by the Board. All student participants and their parents or legal guardians must read the "Student Drug Testing Policy" and sign the "Consent to Perform Drug Testing" form before the student is permitted to try out or participate. Eligibility for testing shall apply for twelve (12) months. In order for students to participate, they must adhere to the Drug Testing Program. Any student refusing a test is not eligible to participate in extracurricular activities, clubs, co-op, or drive to school.

Procedures: In order to accomplish the purpose of the program, each participant shall be tested for substance abuse. A student may be tested more than once per semester at the sole discretion of the District. Testing procedures as implemented through a contract with a company hired by the Board shall include: (a) proper student identification, (b) that each specimen is properly identified with each participant, (c) maintenance of the unadulterated integrity of the specimen, (d) the integrity of the collection and test process, and (e) confidentiality of test results.

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

1. Amphetamines;
2. Marijuana (THC);
3. Cocaine and its derivatives;
4. Opiates;

**Use of Alcohol, Drugs and Other Prohibited Substances****DRUG TESTING PROGRAM (CONTINUED)**

5. Phencyclidine (PCP);
6. Barbituates;
7. Benzodiazepines;
8. Propoxyphene;
9. Methadone;
10. Ecstasy;
11. Methaqualone; and

Other abused, illegal, or controlled substances as determined by the Committee.

Collection and Testing Process: The company hired to test shall determine the specifics of the collection and testing process in cooperation with school administration. The procedures used shall be accepted industry standards designed to minimize student intrusion or embarrassment, ensure the integrity of the process, and make reasonable efforts to maintain confidentiality of test results. The following procedures shall apply to the process:

1. A representative from the testing company and from the school shall be present.
2. A set number of students shall be randomly selected to provide a specimen.
3. The restroom used shall be prepared for collection purposes and students shall enter the restroom alone, leaving their personal items with the school representative.
4. Students having difficulty producing a sample shall remain with the representatives until a sample is produced.
5. If a student that was randomly selected is absent on the day of testing, they shall be tested during the next test.

**Results:** Students will be found to have violated the Drug Policy if: (1) the student attempts to alter or substitute a testing sample in any fashion or any attempt to produce an alternate or altered sample or (2) the student leaves campus after being summoned to drug testing or (3) the student refuses to produce a sample or (4) not producing a sample prior to the end of the school day or (5) a testing sample is determined to be “positive”. A test is “positive” if (1) a urinalysis performed in conjunction with the random drug testing procedure produces a positive result. If a sample tests positive, a second more specific test shall be made on the same sample. Students or their parents shall be permitted to notify the testing company of any medicines or other legitimate substance that may affect the test results. If the second test is negative no further action shall be taken. If the second test is positive the school representative shall notify the parents and student within a timely manner and implement the consequences stated in the Drug Policy.

**CONSEQUENCES****A. First Violation**

A student testing positive shall be subject to the following consequences:

1. Notify the parent or guardian, regardless of student age.

**Use of Alcohol, Drugs and Other Prohibited Substances****CONSEQUENCES (CONTINUED)**

2. Provide opportunity for meeting/hearing if requested in a timely manner.
3. The student must receive an assessment or evaluation from a counselor and comply with the recommendations from that counselor prior to regaining privileges. The student and their family shall be responsible financially for obtaining these services or choose to utilize services provided by the District. The student shall be responsible for providing evidence that they are in compliance with the counselor's recommendations.
4. The student shall be suspended from participation in all activities in all activities of the current or upcoming season/year for two(2) weeks or twenty-five (25%) of interscholastic events/games whichever is greater.
5. Loss of driving privileges for two (2) weeks.

After successfully complying with the recommendations from the counselor, the student shall be conditionally reinstated until the next round of drug tests. The student must then take part in the next round of drug testing administered at the school. The school will take recommendations from the drug testing company as to the nature of the result.

**B. Second Violation**

A student testing positive for a second violation shall be subject to the following consequences:

1. Notify the parent or guardian, regardless of student age.
2. Provide opportunity for meeting/hearing if requested in a timely manner.
3. The student must receive an assessment or evaluation from a counselor and comply with the recommendations from that counselor prior to regaining privileges. The student and their family shall be responsible financially for obtaining these services. The student shall be responsible for providing evidence that they are in compliance with the counselor's recommendations.
4. The student shall be suspended from participation in all activities for the remainder of the school year.
5. Loss of driving privileges for the remainder of the school year.
6. To be eligible for extra-curricular activities, clubs, co-ops, and/or driving privileges for the following year, successfully comply with the recommendations from the counselor. The student must also take part in all subsequent rounds of drug testing administered at the school. The school will take recommendations from the drug testing company as to the nature of the result. If necessary, the suspension may be carried over to the next school year.

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

Drug testing program result records and related subsequent documentation shall be maintained in a secure, confidential manner in files separate from the student's regular educational records. Information from such records shall be shared with school district personnel strictly on a "need to know" basis. Drug testing program records shall not be released to persons outside of authorized school personnel (other than the student and/or parent guardian) except upon compulsory process (such as a subpoena or court order) or as otherwise required by law.

**COSTS**

The Board shall be responsible for the cost of the random testing. Costs from counseling and any treatment shall be the responsibility of the student and their family.

**APPEALS**

Any student determined to be in violation of this policy and procedure may appeal the Principal/designee's decision to the Superintendent of the District. This appeal must be in writing and filed with the Superintendent no later than three (3) school days after the Principal's decision. The Superintendent shall issue a written determination no later than ten (10) school days after receipt of the appeal. The Superintendent's decision shall be final.

**REFERENCES:**

KRS 158.150; KRS 158.154; KRS 158.155  
KRS 160.290; KRS 161.180  
KRS 217.900; KRS 218A.020; KRS 218A.1430; KRS 218A.1447  
OAG 82-633; OAG 93-32  
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)

**RELATED POLICY:**

09.2241