

STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES

FNF
(LOCAL)

**Questioning
Students**

District officials may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students may not refuse to answer questions based on a right not to incriminate themselves.

For provisions pertaining to student questioning by law enforcement officials or other state or local governmental authorities, see GRA(LOCAL).

District Property

Desks, lockers, District-provided technology, and similar items are the property of the District and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in District property. Students shall be fully responsible for the security and contents of District property assigned to them. No student shall place or keep in a desk, locker, District-provided technology, or similar item any article or material prohibited by law, District policy, or the Student Code of Conduct. Students shall be responsible for any prohibited item found in District property provided to the student.

Searches in General

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and District policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner.

District officials may initiate a search in accordance with law, including, for example, based on reasonable suspicion, voluntary consent, or pursuant to District policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on District property.

Reasonable-
Suspicion Searches

Searches should be reasonable at their inception and in scope. If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a District official may conduct a search in accordance with law and District regulations.

Suspicionless
Searches

For purposes of this policy, a suspicionless search is a search carried out based on lawful security procedures, such as metal detector searches.

*Metal Detector
Searches*

In order to maintain a safe and disciplined learning environment, the District reserves the right to subject students to metal detector searches when entering a District campus and at off-campus, school-sponsored activities.

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| Use of Trained Dogs | The District reserves the right to use trained dogs to conduct screening for concealed prohibited items. Such procedures shall be unannounced. The dogs shall not be used with students; however, students may be asked to leave personal belongings in an area that will be screened. If a dog alerts to an item or an area, it may be searched by District officials. |
| Voluntary Drug-Testing Program | As part of a comprehensive drug-testing plan, the District shall offer student drug testing, with parental consent, to any student on secondary campuses in grades 7–12. Participation shall be strictly voluntary and shall not be required as a condition of attending school or enrolling in any class or extracurricular activity. There shall be no cost to the student or parent for participation in the drug-testing program. |
| Scope | |
| Purpose | The purposes of the drug-testing program are to prevent injury, illness, and harm resulting from the use of illegal and performance-enhancing drugs and alcohol; help enforce a drug-free educational environment; deter student use of illegal and performance-enhancing drugs or alcohol; and educate students regarding the harm caused by the use of illegal and performance-enhancing drugs and alcohol. |
| Distribution of Policy | The District shall provide each parent and student a copy of the drug-testing policy and consent form prior to the student's participation in the drug-testing program. |
| Educational Meetings | <p>The District shall conduct meetings with parents and interested student participants prior to the beginning of each semester.</p> <p>District employees shall explain the drug-testing program and review the policy and consent form.</p> <p>An educational presentation of the harmful effects of drug and alcohol abuse shall be provided.</p> <p>Student and parent attendance at the orientation meeting is strongly encouraged at least once per school year before the student participates in the drug-testing program.</p> |
| Consent | Before a student is eligible to participate in the drug-testing program, the student and/or parent shall be required to sign a consent form agreeing to be subject to the rules and procedures of the drug-testing program. If the student is under the age of 18, the student's parent or guardian must also sign a consent form. If the appropriate consent is not given, the student shall not be allowed to participate in the drug-testing program. The parent may revoke the consent in writing at any time. |

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| Use of Results | <p>Drug test results shall not be used to impose disciplinary or academic penalties on or to seek criminal prosecution of the student. The student and parent shall be referred to drug counseling, prevention, and intervention services.</p> <p>Nevertheless, nothing in this policy shall limit or affect the application of state law, local policy, or the Student Code of Conduct. A student who commits a disciplinary offense shall be subject to consequences in accordance with the Student Code of Conduct.</p> |
| Confidentiality | <p>Drug test results shall be confidential and shall be disclosed only to the student, the student's parents, and designated District officials who need the information in order to administer the drug-testing program or other legitimate District needs. Drug test results shall not be maintained with a student's academic record. Results shall not be otherwise disclosed except as required by law.</p> |
| Testing Laboratory | <p>The Board shall contract with a certified drug-testing laboratory to conduct testing of students' urine samples.</p> <p>Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District.</p> |
| Substances for Which Tests Are Conducted | <p>The District shall make available to students and parents a list of the exact substances for which tests will be conducted.</p> |
| <i>Collection Procedures</i> | <p>Personnel from the drug-testing laboratory shall collect urine samples under conditions that are no more intrusive than the conditions experienced in a public restroom. When selected for testing, a student shall be escorted to the school's testing site by a District employee and shall remain under employee and/or laboratory representative supervision until the student provides a sample. Samples shall be produced by a student from behind a closed restroom stall.</p> |
| Random Testing | <p>Random tests shall be conducted on as many as four dates throughout the school year.</p> <p>Up to ten percent of the students participating in the program shall be randomly selected for each random test period.</p> <p>The drug-testing laboratory shall use a random selection method to identify students chosen for random testing. Students shall not receive prior notice of the testing date or time.</p> |
| Refusal to Test or Tampering | <p>A student who refuses to be tested when selected or who is determined to have tampered with a sample shall be deemed to have a positive test result and shall be subject to the appropriate provisions of this policy.</p> |

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If a student is absent on the day of the random test, a sample shall be collected on the next random testing date.

Positive Test
Results

An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive.

Upon receiving results of a positive drug test, the District shall schedule a meeting with the student, the student's parent if the student is under the age of 18, and the student's counselor or designee to review the test results. During the meeting, the District shall notify the parent and student of drug and alcohol abuse prevention resources available in the area. The District shall also conduct a screening/evaluation and referral to drug counseling, prevention, and/or intervention service.

If a student tests positive, a sample shall be collected on the next random testing date. After three consecutive positive test results, the District shall determine, on a case-by-case basis, if continued testing is in the best interest of the student and the District.