

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FNF
(LOCAL)

Interrogations

By School Officials

Administrators, teachers, and other professional personnel may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students have no claim to the right not to incriminate themselves.

By Police or Other
Authorities

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

Desks and Lockers

Desks, lockers, and similar items are the property of the District and are provided for student use as a matter of convenience. Lockers and desks are subject to blanket searches or inspections by District administrators. Searches or inspections may be conducted at any time and without notice. Students shall be fully responsible for the security and contents of desks or lockers assigned to them. Students shall make certain that lockers are locked and that the keys or combinations are not given to others. Students shall not place or keep in a desk or locker any article or material prohibited by law, District policy, or the Student Code of Conduct. Students shall be held responsible for any prohibited items found in their desks or lockers.

School officials may search lockers, or vehicles parked on school property, if there is reasonable cause to believe that they contain articles or materials prohibited by District policy. Students shall be responsible for any prohibited items found in their lockers or in vehicles parked on school property.

Vehicles

Students shall be fully responsible for the security and contents of vehicles driven or parked on school property. Students shall make certain that their parked vehicles are locked and that the keys are not given to others. Students shall not place or keep in a vehicle on school property any article or material prohibited by law, District policy, or the Student Code of Conduct.

If there is reasonable cause to believe that a vehicle on school property contains contraband, it may be searched by school officials or by personnel whose services have been engaged by the District to conduct such searches. Students shall be held responsible for any prohibited items found in their vehicles on school property.

If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses, the District shall contact the student's parents. If the parents also refuse a search of the vehicle, the District may contact local law enforcement officials and turn the matter over to them, or the District may conduct the search.

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Use of Trained Dogs The District shall use specially trained nonaggressive dogs to sniff out and alert officials to the current presence of concealed prohibited items, illicit substances defined in FNCF(LEGAL), and alcohol. This program is implemented in response to drug and alcohol related problems in District schools, for the purpose of maintaining a safe school environment conducive to education.

Visits to schools shall be unannounced. The dogs shall be used to sniff the air in vacant classrooms, in vacant common areas, around student lockers, and around vehicles parked on school property. The dogs shall not be used with students.

If a dog alerts to a locker, a vehicle, or an item in the classroom, it may be searched by school officials, as indicated above.

Notice Students shall be informed of the District's policy on searches as outlined above at the beginning of the school year and shall be specifically notified that:

1. Lockers may be sniffed by trained dogs at any time.
2. Vehicles parked on school property may be sniffed by trained dogs at any time.
3. Classrooms and other common areas may be sniffed by trained dogs at any time students are not present.
4. If contraband of any kind is found, the possessing student shall be subject to appropriate disciplinary action in accordance with the Student Code of Conduct.

Parent Notification The student's parent or guardian shall be notified if any prohibited articles or materials are found in a student's locker, in a student's vehicle parked on school property, or on the student's person, as a result of a search conducted in accordance with this policy.

Drug Testing Policy Scope The District requires testing of any student in grades 7–12 who chooses to participate in school-sponsored extracurricular activities, or of any student who wishes to receive a permit to park on campus.

A student participating in these activities or wishing to receive a parking permit shall be tested for the presence of illegal drugs and alcohol randomly throughout the school year.

Covered Activities School-sponsored extracurricular activities for which testing is required include, but is not limited to:

1. Annual staff
2. Athletics

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3. Cheerleading
4. Beta Club
5. Student Council
6. Band
7. Choir
8. UIL Academics and One-Act Play, or
9. Any other school-sponsored clubs and organizations or extra-curricular activities.

Purpose

The purposes of the drug-testing program are to:

1. Prevent injury, illness, and harm resulting from the use of illegal and performance-enhancing drugs or alcohol.
2. Help enforce a drug-free educational environment.
3. Deter student use of illegal and performance-enhancing drugs or alcohol.
4. Educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or 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 an affected activity.

Orientation Meetings

The District shall conduct meetings with parents and interested student participants prior to the inception of the program and at the beginning of each school year.

District employees shall explain the drug-testing program and review the policy and consent form.

Educational information on the harmful effects of drug and alcohol abuse shall be provided. Student attendance at an orientation meeting is mandatory.

Parent attendance at an orientation meeting is encouraged.

Consent

Before a student is eligible to participate in extracurricular activities or to receive a parking permit, the student 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 shall also sign a consent form. If appropriate consent is not given, the student shall not be allowed to participate in extracurricular activities or receive a parking permit. This authorization shall be valid during the student's attend-

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ance in the District or when participating in or attending any school-sponsored extracurricular activity.

Use of Results

Drug test results shall be used only to determine eligibility for participation in extracurricular activities, or for parking privileges. Positive drug test results shall not be used to impose academic penalties. Bylaws and policies of the individual extracurricular programs shall also apply.

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.

Confidentiality

Drug-testing 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. Drug test results shall not be maintained with a student's academic record. Results shall not be otherwise disclosed except as required by law.

Testing Laboratory

The Board shall contract with a certified drug-testing laboratory to conduct testing of students' urine samples.

Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District.

Substances Eligible for Testing

The District shall make available to students and parents this list of substances eligible for testing:

1. Alcohol
2. Amphetamines
3. Barbiturates
4. Benzodiazepines
5. Cocaine
6. Methaqualone
7. Opiates: codeine, heroin, morphine, papaverine, phencyclidine
8. Tetrahydrocannabinol (THC): marijuana
9. Steroids
10. Ecstasy

Collection Procedure

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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 supervision until the student provides a sample. Samples shall be produced by a student from behind a closed restroom stall. A District employee of the same gender as the student shall be present when any samples are collected.

Random Testing

Random tests shall be conducted on as many as ten dates throughout the school year.

No less than ten percent and no more than 20 percent of the students participating in the program shall be randomly selected for each random test date.

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.

Refusal to Test or Tampering

A student who refuses to be tested when selected, fails to produce a sample in the allotted time, 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 consequences depending on previous positive test results, if any.

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 if applicable, the coach or sponsor of the extracurricular activity to review the test results and discuss consequences.

The student or parent shall have three school days following the meeting to provide a medical explanation for a positive result.

Consequences

Any number of positive tests in middle school shall carry over as one offense into high school.

All consequences for middle school offenses must be completed before reverting to first offense status.

First Offense

A student who has a confirmed positive drug test shall be subject to the following consequences:

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1. 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 if applicable, the coach or sponsor of the extracurricular activity to review the test results and discuss consequences.
2. The student shall complete a drug education program recommended by the District at the student's and parent's expense.
3. The student shall be suspended from participation in all extracurricular activities, including practices, for 30 calendar days following the date the student and parent are notified of test results. At the end of the suspension, the student shall submit to a drug test by a nationally certified drug-testing laboratory and have a negative test result. The student and parent/guardian shall be responsible for the cost of the test. In addition, parking privilege shall be revoked for 30 calendar days, if applicable.
4. The student shall be retested on the next three random test dates.

The student or parent shall have three school days following the meeting to provide a medical explanation for a positive result.

**Drug Abuse
Prevention**

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

Second Offense

A student who has a confirmed positive drug test shall be subject to the following consequences:

1. 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 if applicable, the coach or sponsor of the extracurricular activity to review the test results and discuss consequences.
2. The student shall be suspended from participation in all extracurricular activities, including practices, for 85 calendar days following the date the student and parent are notified of the test results. At the end of the suspension, the student shall submit to a drug test by a nationally certified drug-testing laboratory. The student and parent/guardian shall be responsible for the cost of the test. In addition, parking privilege shall be revoked for 85 calendar days, if applicable.
3. The student shall be retested on the next three random test dates.

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4. The student shall complete a drug education program recommended by the District at the student's and parent's expense.

The student or parent shall have three school days following the meeting to provide a medical explanation for a positive result.

The District shall again notify the parent and student of drug and alcohol abuse prevention resources available in the area.

**Third Offense and
Subsequent Offense**

A student who has a confirmed positive drug test shall be subject to the following consequences:

1. 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 if applicable, the coach or sponsor of the extracurricular activity to review the test results and discuss consequences.
2. The student shall be suspended from participation in all extracurricular activities, including practices, for one calendar year following the date the student and parent are notified of the test results. In addition, parking privilege shall be revoked, if applicable.
3. The student shall complete a drug education program recommended by the District at the student's and parent's expense.

The student or parent shall have three school days following the meeting to provide a medical explanation for a positive result.

The District shall again notify the parent and student of drug and alcohol abuse prevention resources available in the area.

Appeals

A student or parent may appeal a decision made under this policy in accordance with FNG(LOCAL). The student shall be ineligible for participation in extracurricular activities while the appeal is pending.