

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 or random drug testing.

*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.
Random Drug-Testing Program	The District requires the random drug-testing of any student in grades 7-12 who chooses to participate in school-sponsored extracurricular activities or request a permit to park a vehicle on school property.
Covered Activities	School-sponsored extracurricular activities for which testing is required include UIL competitions and competitive activities including, but not limited to, football, basketball, baseball, softball, volleyball, cross country, golf, tennis, track and field, power lifting, soccer, band, cheerleading, twirling, choir, one act play, science club, social studies clubs, Biology club, Spanish club, multicultural society, National Honor Society, National Junior Honor Society, academic teams, yearbook, newspaper, student council, PALS, VICA, DECA, and FFA. Testing shall also be required for team managers, student trainers, prom majors, band flag members, mascots, and any student who parks a vehicle on school property.
Scope	A student participating in these activities or requesting a parking permit shall be tested for the presence of illegal drugs and alcohol randomly throughout the year.
Purpose	The purposes of the drug-testing program are to: <ol style="list-style-type: none">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; and4. 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 or receipt of a parking permit.
Orientation Meetings	The District shall conduct meetings with parents and interested student participants prior to the beginning of the fall practice period. District employees shall explain the drug-testing program, review the policy and consent form, and provide an educational presentation on the harmful effects of drug and alcohol abuse.

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	<p>Student attendance at the orientation meeting is mandatory; however, parent attendance is not required.</p>
Consent	<p>Before a student is eligible to participate in extracurricular activities or to receive a parking permit, the student shall be required annually 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 to receive a parking permit.</p>
Use of Results	<p>Drug-testing results shall be used only to determine eligibility for a parking permit and participation in extracurricular activities. Positive drug test results shall not be used to impose disciplinary sanctions or academic penalties.</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-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 to administer the drug-testing program. Drug-testing 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' biological 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 shall be conducted.</p>
Collection Procedures	<p>Personnel from the drug-testing laboratory shall collect biological 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 by an employee of the same sex until the student provides the required sample.</p>
Random Testing	<p>Random tests shall be conducted on as many as 12 dates throughout the school year.</p>

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	<p>No less than 20 percent and no more than 40 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.</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 consequences depending on previous positive test results, if any.</p> <p>If a student is absent on the day of the random test, a sample shall be collected on the next random testing date.</p>
Confirmation of Positive Results	<p>An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive.</p> <p>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 coach or sponsor of the extracurricular activity, as applicable, to review the test results and discuss consequences.</p> <p>The student or parent shall have three school days following the meeting to provide a medical explanation for a positive result.</p>
<i>Retesting</i>	<p>If the student wishes to return to participation in extracurricular activities or have a parking permit reinstated after any applicable consequences, the student must be retested at the end of the period of suspension and have a negative test result. Following that, the student shall be retested on the next 12 random test dates so long as the student wishes to participate in extracurricular activities or park a vehicle on school property.</p>
Drug Abuse Prevention	<p>The District shall notify the parent and student of drug and alcohol abuse prevention resources available in the area.</p>
Consequences	<p>Consequences of positive test results shall be cumulative through the student's enrollment in the District.</p>
<i>First Offense</i>	<p>Upon a first offense of receiving a confirmed positive drug test, a student shall be suspended from any extracurricular activity, and the student's parking permit shall be suspended, for 21 calendar days following the date the student and parent are notified of the test results. The student shall be required to attend weekly meetings with an assigned mentor for the duration of the suspension as well as monthly drug counseling/group therapy sessions outside of the instructional day for three months. If the student misses more</p>

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than two counseling sessions in a three-month period, he or she shall be subject to the consequences below at Second Offense.

During the period of suspension, the student shall not be permitted to participate in practices.

Second Offense

Upon a second offense of receiving a confirmed positive drug test, a student shall be suspended from any extracurricular activity, and the student's parking permit shall be suspended, for 42 calendar days following the date the student and parent are notified of the test results. The student shall be required to attend weekly meetings with an assigned mentor for the duration of the suspension as well as monthly drug counseling/group therapy sessions outside of the instructional day for three months. If the student misses more than two counseling sessions in a three-month period, he or she shall be subject to the consequences below at Third Offense.

During the period of suspension, the student shall not be permitted to participate in practices.

Third Offense

Upon a third offense of receiving a confirmed positive drug test, a student shall be suspended from participation in any extracurricular activity, and the student's parking permit shall be suspended, for 63 calendar days following the date the student and parent are notified of the test results. The student shall be required to attend weekly meetings with an assigned mentor for the duration of the suspension as well as monthly drug counseling/group therapy sessions outside of the instructional day for six months. If the student misses more than two counseling sessions in a three-month period, he or she shall be subject to the consequences below at Fourth Offense.

During the period of suspension, the student shall not be permitted to participate in practices.

Fourth Offense

Upon a fourth offense of receiving a confirmed positive drug test, a student shall be suspended from participation in any extracurricular activity, and the student's parking permit shall be suspended, for 84 calendar days following the date the student and parent are notified of the test results. The student shall be required to attend weekly meetings with an assigned mentor for the duration of the suspension as well as nine monthly drug counseling/group therapy sessions outside of the instructional day.

During the period of suspension, the student shall not be permitted to participate in practices.

At the end of the suspension upon a fourth offense, the eligibility committee shall determine whether the student shall be allowed to return to extracurricular participation.

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*End-of-Semester
Suspensions*

If a student's suspension from participation in extracurricular activities and parking privileges is not completed by the end of the semester, the student shall complete the assigned period of suspension during the following semester or during the first semester of the following school year.

Appeal

A student or parent may appeal a decision made under the random drug-testing program in accordance with FNG(LOCAL). The student shall be ineligible for participation in extracurricular activities or reinstatement of parking privileges while the appeal is pending.