



(LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)

Policies recommended for deletion are not included. If you want to include the text of these policies in the information given to the Board, you may download them from *Policy On Line*.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

Note: While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

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Board Authority

The Board has final authority to determine and interpret the policies that govern the schools and, subject to the mandates and limits imposed by state and federal authorities, has complete and full control of the District. Board action shall be taken only in meetings that comply with the Open Meetings Act. [See BE(LEGAL)]

**Transacting
Business**

When a proposal is presented to the Board, the Board shall hold a discussion and reach a decision. Although there may be dissenting votes, which are a matter of public record, each Board decision shall be an action by the whole Board binding upon each member.

**Individual Authority
for Committing the
Board**

Board members as individuals shall not exercise authority over the District, its property, or its employees. Except for appropriate duties and functions of the Board President, an individual member may act on behalf of the Board only with the express authorization of the Board. Without such authorization, no individual member may commit the Board on any issue. [See BDAA]

**Individual Access to
Information**

An individual Board member, acting in his or her official capacity, shall have the right to seek information pertaining to District fiscal affairs, business transactions, governance, and personnel matters, including information that properly may be withheld from members of the public in accordance with the Public Information Chapter of the Government Code. [See GBA]

Limitations

If a Board member is not acting in his or her official capacity, the Board member has no greater right to District records than a member of the public.

An individual Board member shall not have access to confidential student records unless the member is acting in his or her official capacity and has a legitimate educational interest in the records in accordance with policy FL.

A Board member who is denied access to a record under this provision may ask the Board to determine whether the record should be provided or may file a request under the Public Information Act. [See GBAA]

Requests for
Records

An individual Board member shall seek access to records or request copies of records from the Superintendent or other designated custodian of records, who shall respond within the time frames required by law. When a custodian of records other than the Superintendent provides access to records or copies of records to an individual Board member, the provider shall inform the Superintendent of the records provided.

In accordance with law, the District shall track and report any requests under this provision, including the cost of responding to one

or more requests by any individual Board member for 200 or more pages of material in a 90-day period.

Requests for
Reports

No individual Board member shall direct or require District employees to prepare reports derived from an analysis of information in existing District records or to create a new record compiled from information in existing District records. Directives to the Superintendent or other custodian of records regarding the preparation of reports shall be by Board action.

Confidentiality

At the time a Board member is provided access to ~~confidential~~ records or ~~te~~-reports ~~that are confidential or otherwise not subject to public disclosure [see GBA], compiled from such records,~~ the Superintendent or other District employee shall advise the Board member of the responsibility to comply with confidentiality requirements ~~and the District's information security controls.~~

**Referring
Complaints**

If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she shall refer them to the Superintendent or another appropriate administrator, who shall proceed according to the applicable complaint policy. [See (LOCAL) policies at DGBA, FNG, and GF]

When the concern or complaint directly pertains to the Board's own actions or policy, for which there is no administrative remedy, the Board member may request that the issue be placed on the agenda.

**Visits to District
Facilities**

A Board member shall adhere to any posted requirements for visitors to first report to the main office of a District facility, including a school campus. Visits during the school or business day shall not be permitted if their duration or frequency interferes with the delivery of instruction or District operations. [See also GKC]

The Board shall retain an attorney or attorneys, as necessary, to serve as the District's legal counsel and ~~representative~~~~representatives~~ in matters requiring legal services. Services to be performed and reasonable ~~fees and expenses~~~~compensation~~ to be paid by the ~~District~~~~Board~~ shall be set forth in ~~writing~~~~a written contract~~ between the Board and the attorney or attorneys.

~~Individual~~~~In accordance with the written contract, individual~~ Board members shall channel legal inquiries through the Superintendent, Board President, or Board's designee, as appropriate, when seeking advice or information from the District's legal counsel.

~~A staff request~~~~Staff shall submit requests~~ for legal advice from the District's legal counsel ~~must be submitted~~ through the Superintendent ~~or designee~~.

~~Advice from legal counsel shall be reported to the Board upon~~~~Upon~~ request of the Board or when deemed necessary by the Superintendent, ~~Board President, or Board's designee~~. ~~the Superintendent shall report advice from legal counsel.~~

**Evaluation
Instrument**

~~The instrument used to evaluate the Superintendent shall be based on the Superintendent's job description [see BJA(LOCAL)] and performance goals and shall be adopted by the Board.~~

Written Evaluation

The Board shall prepare a written evaluation of the Superintendent at annual or more frequent intervals.

The Board shall furnish the Superintendent with a copy of the completed evaluation and shall discuss its conclusions with the Superintendent in a closed meeting, unless the Superintendent requests that the discussion be open.

Objectives

~~The Board shall strive to accomplish the following objectives in conducting the Superintendent's written evaluation:~~

- ~~1. Clarify to the Superintendent his or her role, as seen by the Board.~~
- ~~2. Clarify to Board members the Superintendent's role, according to the Board's written criteria, as expressed in the Superintendent's job description and the District's goals and objectives.~~
- ~~3. Foster an early understanding among new Board members of the evaluation process and the Superintendent's current performance objectives and priorities.~~
- ~~4. Develop and sustain a harmonious working relationship between the Board and the Superintendent.~~
- ~~5. Ensure administrative leadership for excellence in the District.~~

Informal Evaluation

The Board may at any time conduct and communicate oral evaluations to augment its written evaluations.

The Superintendent~~Superintendent or designee~~ is authorized to declare District materials, equipment, ~~personal property such as vehicles~~, and supplies to be unnecessary and shall dispose of unnecessary materials, equipment, ~~personal property such as vehicles~~, and supplies for fair market value. If the unnecessary property has no value, the Superintendent~~Superintendent or designee~~ may dispose of such property according to administrative discretion.

Instructional materials shall be disposed of in accordance with law. [See CMD(LEGAL)]

Property~~Items~~ obtained with federal funds or as federal surplus shall be managed in accordance with~~according to~~ federal law~~regulations~~.

Food
Donation~~Donations~~

The Superintendent shall be authorized to develop regulations for the District ~~campuses~~ to donate or otherwise dispose of leftover food in accordance with law.

Meal Charges

State Law

As established by the Board, a student with an exhausted or insufficient balance on his or her meal card or meal account shall be allowed to continue to purchase ~~meals for up to~~ meals for up to 30 calendar days. The Superintendent shall develop administrative regulations for this grace period to address:

1. The District's processes for parent notification during the grace period, including a schedule for repayment; and
2. Whether the student will be limited to certain foods or beverages during this grace period, and, if so, the District's efforts to minimize overt identification of the student.

No fees or interest shall be charged by the District for meals purchased during the grace period.

Federal Law

For each campus that participates in the federal school breakfast or lunch programs under which students may incur a meal charge, the District's administrative regulations shall also address procedures for a student who has insufficient funds to purchase a meal following exhaustion of the grace period described above. The procedures shall address:

1. The parameters under which ~~reimbursable or alternate~~ meals shall be served to the student;
2. The District's efforts to minimize overt identification of the student; and
3. How the District will attempt to collect unpaid debt in order to maintain the financial integrity of the food service account.

Procurement

The Superintendent shall oversee the use of federal child nutrition funds to procure appropriate goods and services necessary for providing food service to students and shall develop and enforce financial management systems, internal control procedures, procurement procedures, and other administrative procedures as needed to comply with all state and federal requirements for use of these funds.

[See CO(LEGAL) and COA(LEGAL)]

Geographic Preference

The Board delegates to the Superintendent the authority to determine whether the District will apply a geographic preference when procuring unprocessed, locally grown or locally raised agricultural products and to:

1. Specify the types of products for which any geographic preference will be applied; and
2. Define the geographic area to be preferred for each applicable product.

Eligibility Appeals

The District shall provide a hearing process in compliance with U.S. Department of Agriculture (USDA) requirements for disputes about a student's eligibility for free or reduced-price meal programs. A parent or student may appeal the decision of the hearing official in accordance with FNG(LOCAL).

**Civil Rights
Complaints**

A person alleging discrimination in school meal programs based on race, color, national origin, sex, age, or disability shall be informed of the procedures and right to file a complaint with the Texas Department of Agriculture (TDA) Food and Nutrition office and the USDA. Complaints received by District personnel shall be forwarded to TDA.

~~INSURANCE AND ANNUITIES MANAGEMENT
LIABILITY INSURANCE~~

~~CRB
(LOCAL)~~

~~**Trustees and
Employees**~~

~~The District shall purchase insurance as provided in CRB(LEGAL) to fund the cost of litigation to protect the District, its employees, and Trustees who are exposed to individual liability by virtue of their official duties. [See CRB(LEGAL)]~~

~~**Tort Claims**~~

~~In addition, the District shall purchase insurance to protect the District and employees from liability under the Tort Claims Act. [See CRB(LEGAL)]~~

~~ORGANIZATION OF INSTRUCTION~~

~~ED
(LOCAL)~~

~~The District schools shall be organized for instruction as follows:~~

- ~~1. Elementary — grades K-5.~~
- ~~2. Middle school — grades 6-8.~~
- ~~3. High school — grades 9-12.~~

Note: Unless otherwise noted, the terms “video recording,” “video surveillance,” and “video monitoring” shall also include any associated audio recordings. In addition, the term “classroom” shall also include other special education settings subject to video and audio recording required by law.

To promote student safety, the District shall comply with requests for video and audio monitoring of certain self-contained special education classrooms as required by law. Regular or continual monitoring of video recordings shall be prohibited. Video recordings shall not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

The Superintendent~~The Superintendent~~ is responsible for coordinating the provision of equipment to campuses in compliance with the law.

The Superintendent shall ensure that administrative regulations are developed to implement this policy.

Requests

For Following Year

A parent of a student receiving special education services and whose placement for the following school year will be in a self-contained classroom eligible for video surveillance may request [in writing](#) that a video camera be placed in the classroom by the end of the current school year or by the tenth business day after the student’s admission, review, and dismissal (ARD) committee determines the student’s placement, whichever is later. If such a request is made, the campus shall begin operation of the camera by the deadlines in law.

For Current Year

Written requests from a parent, assistant principal, principal, staff member, or the Board shall be submitted and processed in accordance with the procedures in law.

Response

As required by law, the District shall provide a response to the [requester](#)~~requestor~~ not later than the seventh business day after receipt of the request.

Notice

Before a camera is activated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be conducted in the classroom.

Installation and Operation

The classroom subject to the request shall begin operation of video surveillance not later than the time frames required in law, except when the District is granted an extension of time.

When the District has installed video cameras in a classroom as required by law, the District shall operate the cameras during the instructional day at all times when **one or more** students are in the classroom. For purposes of this policy, the instructional day shall be defined as the portion of a school day during which instruction is taking place in the classroom.

For the school year in which a campus receives a request for video and audio surveillance, the campus shall continue to operate and maintain any video cameras placed in the classroom for as long as the classroom continues to satisfy the requirements in Education Code 29.022(a). However, the campus may discontinue operation of the video camera during the year if the ~~requester~~ **requester** withdraws the request in writing and no request is submitted to continue the **surveillance**. **Before a camera is deactivated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be discontinued in the classroom and of the opportunity to request continued video and audio surveillance.**

Video cameras must be capable of recording video and audio of all areas of the classroom, including a room attached to the classroom used for time out as defined by law. No visual monitoring, other than incidental coverage, shall be conducted of the inside of a bathroom or other area used for ~~toileting or diapering a student or removing or~~ **changing** a student's clothes.

The District shall post notice at the entrance to a classroom in which video cameras are placed stating that video and audio surveillance is conducted in that classroom.

Retention of Recordings

Video recordings shall be retained for at least three months after the date of the recording but may be retained for a longer period in accordance with the District's records management program, or as required by law. [See CPC]

Confidentiality of Recordings

Video recordings made in accordance with this policy shall be confidential and shall only be ~~released~~ **accessed** or viewed by the individuals and in the limited circumstances permitted by law. The following individuals shall have authority to view video recordings to the extent permitted by the Family Educational Rights and Privacy Act (FERPA):

1. A District employee or a parent of a student who is involved in an alleged incident documented by a recording and reported to the District;

2. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged abuse or neglect of a child;
3. A peace officer, school nurse, District administrator trained in de-escalation and restraint techniques, or human resource staff member in response to a report of an alleged incident or an investigation of an employee or a report of alleged abuse committed by a student; and
4. Appropriate [Texas Education Agency](#) ~~TEA~~ or State Board for Educator Certification personnel or their agents as part of an investigation.

For purposes of this policy, the term “human resource staff member” shall include the Superintendent, a principal, an assistant principal or other campus administrator, and any supervisory position within the District’s human resources office. If an individual listed in items 2–~~through 4~~, above, believes that a recording shows a violation of District policy or campus procedures, the individual may allow access to the recording by appropriate legal and human resources personnel designated by the District for the purpose of determining whether a policy or procedure has been violated.

Any person who suspects that child abuse or neglect has occurred shall report this suspicion as required by law and District policy. [See FFG]

Reporting an Incident

A person alleging that an incident, as defined by law, has occurred in a classroom in which video surveillance is conducted shall file a report on the form provided by the District with the principal as soon as possible after the person suspects the alleged incident. If possible, an incident report form shall be filed within 48 hours of the facts giving rise to the allegation. The principal shall promptly view, or direct an authorized individual to view, the video surveillance footage to identify the relevant portion of the recording. [No later than ten District business days](#) ~~No later than ten District business days~~ after the report is filed, the principal or designee shall respond by notifying the person whether the alleged incident was recorded in the District’s video surveillance footage and shall initiate other steps as required by law, District policy, or local procedures.

Complaints

Complaints related to video and audio recordings under this policy shall be filed in accordance with DGBA, FNG, or GF, as applicable. A complainant who is dissatisfied with the outcome of the District’s complaint process may appeal in writing to the commissioner of education in accordance with Education Code 7.057 [and 19 Ad-](#)

ministrative Code 103.1303. A parent, staff member, or District administrator may request an expedited review in accordance with 19 Administrative Code 103.1303., ~~including requesting an expedited review.~~

GED Test Center

~~An official General Educational Development testing center shall be located at one or more District high schools. In accordance with State Board rules, the District shall maintain test records permanently and provide storage for restricted test materials and a suitable place for administering the test. A certified counselor shall serve as chief examiner. Annually the Superintendent or chief examiner shall report to the Board concerning the center, including the number of tests administered and the fees received for administering the test.~~

**Questioning
Students**

**District officials
may ~~Interrogations~~**

~~By School Officials
By Police or Other
Authorities~~

~~Administrators, teachers, and other professional personnel have the authority to~~ question a student ~~regarding~~ ~~about~~ 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~~ ~~have no claim to the~~ right not to incriminate themselves.

For provisions pertaining to student questioning by law enforcement officials or other ~~state or local governmental~~ ~~lawful~~ 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.

~~Lockers and Vehicles~~

~~Students have full responsibility for the security of their lockers and for vehicles parked on or within 300 feet of school property. It is the student's responsibility to ensure that lockers and vehicles are locked and that the keys and combinations are not given to others. Students shall not place, keep, or maintain any article or material that is forbidden by District policy in lockers or in vehicles parked on or within 300 feet of school property.~~

~~Lockers are school property and shall remain under the school's control at all times. School officials may search lockers at any time. School officials may search vehicles parked on or within 300 feet of school property if there is reasonable cause to believe that they contain articles or materials prohibited by District policy. Students are responsible for any prohibited items found in their lockers or in vehicles parked on or within 300 feet of school property.~~

~~If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses, a school official shall contact the student's parents. If the parents also refuse to permit a search of the vehicle, school officials shall turn the matter over to local law enforcement officials.~~

Use of Trained Dogs

The District reserves the right to use ~~uses specially-trained nonaggressive dogs to conduct screening for sniff out and alert officials to the current presence of concealed prohibited items. Such procedures, illicit substances defined in FNCF(LEGAL), and alcohol. This program is implemented in response to drug- and alcohol-related problems in District schools, with the objective of maintaining a safe school environment conducive to education.~~

~~Visits to schools by trained dogs shall be unannounced. The dogs shall be used to sniff vacant classrooms, vacant common areas, the areas around student lockers, and the areas around vehicles parked on or within 300 feet of school property. 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 a locker, a vehicle, or an item or an area in a classroom, it may be searched by District officials school officials. Searches of vehicles shall be conducted as described above.~~

Random Notice

~~At the beginning of the school year, through distribution of the student handbook and Student Code of Conduct, the District shall inform students of its policy on searches, as outlined above, and shall specifically notify students that:~~

- ~~1. Lockers are school property and shall remain under the school's control at all times and may be sniffed by trained dogs at any time.~~
- ~~2. Vehicles parked on or within 300 feet of school property and subject to search based on reasonable cause may be sniffed by trained dogs at anytime.~~
- ~~3. Classrooms and other common areas may be sniffed by trained dogs at any time when students are not present.~~
- ~~4. If contraband of any kind is found as a result of a search, the possessing student shall be subject to the 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 or within 300 feet of school property, or on the student's person, as a result of a search conducted in accordance with this policy.~~

**Extracurricular
Activity-Drug-
Testing Program**

The District requires the random drug-testing of any student in grades 9-12 who chooses to participate in school-sponsored extracurricular activities or request a permit to park a vehicle on school property.

The Superintendent shall develop regulations for the implementation of the District's random student drug-testing program that address the following:
Rationale

~~The Board encourages students to participate in school-sponsored extracurricular activities, but believes the opportunity to participate is a privilege offered to eligible students on an equal opportunity basis. The use of alcohol or other drugs by students participating in extracurricular activities presents a hazard to the health, safety, and welfare of the student participant. The Board believes testing student participants in school-sponsored extracurricular activities serves the important purpose of detecting and preventing illegal drug and alcohol use among students.~~

~~Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extracurricular activities and upon the positive image these students project to other students and to the community on behalf of the District.~~

~~For the safety, health and well-being of students in extracurricular activities and/or who drive and park on school property, the District has adopted this policy.~~

Purpose

The purpose of the drug-testing program is to:

- ~~1.— Educate students of the serious physical, mental, and emotional harm caused by illegal drug use.~~
- ~~2.— Alert students with possible substance abuse problems to the potential harm that drug use poses for their physical, mental, and emotional well-being and offer them the privilege of competition as an incentive to stop using such substances.~~
- ~~3.— Ensure that students adhere to a training program that bars the intake of illegal and performance-enhancing drugs.~~
- ~~4.— Prevent injury, illness, and harm for students that may arise as a result from illegal and performance-enhancing drug use.~~
- ~~5.— Offer students practices, competition, and school activities free of the effects of illegal and performance-enhancing drug use.~~
- ~~6.— Prevent injury, illness, and harm that may arise as a result of youthful, inexperienced drivers consuming controlled substances and then driving on school premises, which are traditionally occupied by teenagers.~~
- ~~7.— Educate youthful drivers regarding the dangers to themselves and others that result from the use of controlled substances while operating a motor vehicle.~~

~~Definition “School-sponsored extracurricular activity” shall mean, without limitation, all interscholastic athletics, cheerleading, drill team, academic clubs, special interest clubs, musical performances, dramatic productions, student government, and any other activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the District.~~

~~Required Testing To be eligible to participate in any school-sponsored extracurricular activity, a secondary student in grades 9–12 must agree to participate in a drug-testing program.~~

~~Use of Results The results of any drug test administered under this policy shall be used only to determine eligibility for participation in school-sponsored extracurricular activities.~~

~~Confidentiality Results shall be kept confidential and disclosed only to the student, his or her parents/guardians, and school officials designated by the Superintendent. Results shall not be placed in student records. Students shall not be penalized in any other way. Action shall not be taken by the school against the student other than suspension from participating in extracurricular activities, as outlined below.~~

~~Prohibited Conduct Student participants in school-sponsored extracurricular activities shall not at any time during the school year use, possess, sell, dis-~~

	<p>tribute, or be under the influence of any illegal drug, anabolic steroid, or alcohol.</p>
<p>Parent / Student Meeting</p>	<p>A meeting with potential student participants and their parents or guardians shall be scheduled in the spring for students desiring to participate in the following school year. The drug-testing plan shall be discussed and copies of the policy, procedures, and the consent form shall be provided for each participant at that time.</p>
<p>Consent Form</p>	<p>Student participants must sign a consent form agreeing to participate in the drug-testing program. The consent form must also be signed by the student's parent or guardian before the beginning of the school year, semester, or specific activity, e.g., casting and production of a dramatic presentation. Consent forms are valid until revoked by the student or parent.</p> <p>If the student participant or his or her parent or guardian declines to sign the consent form, the student shall not be permitted to participate in school-sponsored extracurricular activities.</p> <p>Only one form shall be required for each student regardless of the number of school activities in which he or she participates.</p> <p>Only one form shall be required for the entire enrollment of the student at the District high school.</p>
<p>Testing Procedure</p>	<p>A licensed medical facility or third-party administrator selected by the Superintendent and approved by the Board shall conduct all testing for the presence of drugs in student urine samples. The Superintendent shall be designated as the program manager and shall administer the program with the selected drug-testing provider.</p> <p>Substances specifically tested for shall include substances that are illegal to buy, possess, use, sell, or distribute under state or federal law and alcohol, including prescription drugs. These substances include marijuana, cocaine, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, amphetamines, opiates, metabolites of any of these substances, and performance-enhancing substances.</p> <p>Samples shall be taken under conditions that are no more intrusive to students than the conditions experienced in a public restroom. The Superintendent, in cooperation with the selected drug-testing provider, shall develop administrative regulations for collection and testing.</p> <p>Any student who refuses to be tested during a semester or who tampers with, or assists others in tampering with, any sample shall be removed from extracurricular activities.</p>

~~Random Tests~~

~~Random tests shall be conducted from time to time during the school year or semester. Students shall not be notified in advance of any drug test. When selected for testing, a student shall be escorted to the school's testing site by a school employee and shall remain under employee supervision until a sample is provided. If a student is in school and fails to report for testing at the appointed time, he or she shall be removed from the activity.~~

~~Positive Test Results~~

~~All positive results must be confirmed by a second, more definitive test before being reported as positive. When there is a confirmed positive test result, the following steps shall be taken:~~

- ~~1. A positive test result does not automatically identify the donor as an illegal drug user. The medical review officer (MRO) shall assess and determine whether an alternative medical explanation could account for the positive test result. Once the review process is complete, and if it is determined as a positive test, per law, the MRO shall contact the student and parent or guardian, if the student is a minor, that the student has tested positive for an illegal drug.~~
- ~~2. The MRO shall notify the company of the positive test. The company shall complete the appropriate paperwork and notify the District official.~~
- ~~3. The District official to whom results are reported shall notify the principal and athletic director, if the student is in interscholastic athletics.~~
- ~~4. The principal shall notify the student's parent or guardian, the student, and the sponsor or coach of the affected activity. The principal shall inform the parent of the opportunity to respond to a positive test. The principal shall schedule a meeting with the student assistance coordinator, the parent or guardian, the student, and the student's physician to develop a plan of assistance for the student.~~
- ~~5. At the meeting, the principal shall give the student and parent a copy of the test results and provide them an opportunity to offer an explanation for the results. The parent may also request a retest to confirm the results, but the retest shall be at the parent's expense. A request to retest must be made in writing within 48 hours of the meeting with the principal. The retest shall be in accordance with the testing provisions of this policy.~~

~~Sanctions~~

~~The sponsor or coach may allow the student to continue to attend practices, but the student shall not actively participate. Any student who tests positive, receives counseling, and is reinstated shall be~~

~~retested once a month for as long as he or she participates in school-sponsored activities for the remainder of the school year.~~

~~If a student tests positive for the first time, the student shall be removed from participation, including practice or competition, until the following criteria are fulfilled based on a positive test:~~

1. Covered activities and purpose of the program;
2. Written consent and confidentiality of results;
3. Testing procedures and collection process; and
4. Applicable consequences.

~~1. The student athlete shall be removed for 14 calendar days from participation in extracurricular activities.~~

~~2. Within ten calendar days, the student shall provide the campus principal proof of four hours of drug abuse counseling with a licensed psychologist or licensed professional counselor at the parent's expense.~~

~~3. The student is retested by the testing agency with a negative result.~~

~~If a student tests positive a second time, the student shall be removed from participation, including practice or competition, until the following criteria are fulfilled:~~

~~1. The student athlete shall be removed for 90 calendar days from participation in extracurricular activities.~~

~~2. Within 30 calendar days, the student shall provide the campus principal proof of 12 hours of drug abuse counseling with a licensed psychologist or licensed professional counselor at the parent's expense.~~

~~3. The student is retested by the testing agency with a negative result.~~

~~If a student tests positive a third time, the student shall be removed from participation in extracurricular activities permanently.~~

Appeal

A student or parent may ~~An~~ appeal a decision made under the random drug-testing program in accordance with FNG(LOCAL). ~~of the sanction may be instituted by the parent by giving written notice to the Superintendent within five days.~~ The student shall be ineligible for participation in extracurricular activities or reinstatement of parking privileges while the appeal is participation pending the appeal. Using the procedures in FNG(LOCAL) for a Level Three

~~presentation, the Board shall determine whether the sanction was justified.~~

~~Student Drivers~~

~~Students who drive to and from school and who park on school property shall be subject to the same initial and random drug-testing requirements as students who participate in school-sponsored extracurricular activities.~~

~~In addition to any other sanctions that may be imposed based on a student driver's participation in school-sponsored extracurricular activities, a student who has a positive test result shall not be permitted to park on school property for 30 school days. After this 30-day period and upon subsequent testing with a negative test result, the student shall be permitted to park on school property.~~

~~Effect of Discipline Policy~~

~~Nothing in this policy limits or prohibits the application of Board policy providing for disciplinary action for students using, under the influence of, in possession of, or distributing illegal drugs or alcohol on school property or at school events.~~