

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FNF
(LOCAL)

PROPOSED REVISIONS

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).
LOCKERS AND VEHICLES	<p>Students have full responsibility for the security of their lockers and for vehicles parked on 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 school property.</p> <p>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.</p> <p>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 to permit a search of the vehicle, the District may turn the matter over to local law enforcement officials.</p>
USE OF TRAINED DOGS	<p>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, with the objective of maintaining a safe school environment conducive to education.</p> <p>Such visits to schools 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 school property. The dogs shall not be used with students. If a dog alerts to a locker, a vehicle, or an item in a classroom, it may be searched by school officials. Searches of vehicles shall be conducted as described above.</p>
NOTICE	<p>At the beginning of the school year, the District shall inform students of the District's policy on searches, as outlined above, and shall specifically notify students that:</p> <ol style="list-style-type: none">1. Lockers may be sniffed by trained dogs at any time.

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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 when 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.

EXTRACURRICULAR
ACTIVITY STUDENT
DRUG TESTING
PROGRAM

Beginning in the 2010–11 school year, all students in grades 7–12 who participate in extracurricular activities shall be subject to a student drug-testing program. The purpose of the drug-testing program is to ensure the health and safety of District students and to serve as a deterrent to the use of drugs and alcohol by District students. By participating in the drug-testing program, each student shall have the risk of detection and its consequences to help offset the ordinary peer pressures concerning drug and alcohol abuse.

The program is not intended to be punitive. A positive test shall not be considered a violation of the Student Code of Conduct. However, students who test positive shall be subject to the consequences listed below.

ATHLETIC
PARTICIPATION FEE

The District shall establish an athletic participation fee. A student on free and reduced lunch shall have the athletic participation fee waived.

CONSENT

All high school and middle school students participating in extracurricular activities shall be randomly tested if selected in the random selection method used. All participants shall be required to provide the District with a written consent signed by both student and parent or legal guardian. If the student or his or her parent/legal guardian refuse to consent to having the drug test, the student shall be denied participation in all extracurricular activities in the District.

Students in grades 7–12 who do not participate in extracurricular activities may participate in the program on a volunteer basis with written permission from their parent or legal guardian. In addition, parents may request that their child be included in the next random testing. In this case, a written request shall be delivered in person and the test paid for by the parent or legal guardian at the time of the request.

DEFINITIONS

The following definitions shall apply:

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ILLEGAL DRUGS

For the purpose of this policy, the terms "illegal drugs" and "drugs" shall specifically include, but not be limited to the following:

1. Phencyclidine (PCP);
2. Cannabinoids (Marijuana, hashish);
3. Amphetamines (amphetamines, methamphetamine);
4. Barbituates (allylbarbital, amobarbital, butabarbital, phenobarbital, pentobarbital, talbutal);
5. Benzodiazepines (librium, clonopin, demoxepam, flurazepam, desmethyldiazepam, valium, flunitrazepam, larozeepam, nitrazepam);
6. Methadone;
7. Opiates (cocaine, hydrocodone, levorphanol, oxycodone, morphine-3-glucuronide, heroin);
8. Nitrates (including niacin and specimen altering drugs); and
9. Alcohol (while not an illegal drug, is included, since its use or possession by a minor is illegal).

Any substance, other than alcohol, having psychological and/or physiological effects on a human being and that is not a prescription or nonprescription medication, including controlled dangerous substances and controlled substance analogs or volatile substances, which produce the psychological and/or physiological effects of a controlled dangerous substance through deliberate inhalation. This specifically includes controlled substances, which are illegal to possess or use pursuant to the Texas Controlled Substance Act.

CONFIDENTIALITY
STANDARDS

Information obtained as a result of random drug testing shall be collected and maintained in a separate file and treated as confidential medical records in accordance with federal law with respect to protected health information that is not an education record. The parent or guardian of a student is entitled to access the student's file maintained by the District's drug testing vendor.

A chemical test administered for the purpose of determining the presence or absence of a drug or metabolites in a person's urine.

PRESCRIPTION
OR NON-
PRESCRIPTION
MEDICATION

A drug prescribed for use by a duly licensed physician, dentist, or other medical practitioner licensed to issue prescriptions, or a drug that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

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RANDOM TESTING	Drug testing of students participating in extracurricular activities shall be done on a random basis. Selection shall be made by drawing names from the roster of all students participating in extracurricular activities in secondary schools.
SPECIMEN	A product of the human body chemically capable of revealing the presence of drugs in the human body shall be referred to as a specimen. For purposes of this policy, the product will be urine.
MEDICAL REVIEW OFFICER	The medical review services of the drug-testing vendor shall be used.
PROCESS	Drug testing shall be conducted by a certified/licensed drug-testing vendor. All participants shall be required to provide the District with a written consent form signed by both the student and the parent or legal guardian. All high school or middle school students who participate in extracurricular activities or that volunteer for the program shall be subject to random urine drug testing throughout the school year. The names of participants shall be drawn randomly by the vendor from the list of participating students. The participants' names may be drawn at any time between the start of the school year to the end of the school year in June. Through the use of urine samples, the drug-testing vendor lab shall be able to detect the presence of drugs taken prior to the test. Participating students who have been taking or who are taking medication shall provide verification (either by a copy of the prescription or by the doctor's authorization within 24 hours of the testing). Students who refuse to provide verification shall be subject to actions specified below for a "positive test". The drug-testing vendor shall provide the personnel to conduct the collecting, transporting, and testing, as well as randomly selecting the students to be tested.
REFUSAL TO TEST	Any time an extracurricular participant refuses to be randomly tested, the refusal shall be treated as a "first offense".
DILUTED / NITRITE / ADULTERATED TEST RESULT	A diluted drug test result shall be referred to the medical review officer for clarification. The result may be that the student shall retest at the request of the medical review officer. A nitrite drug test result shall be considered a positive drug test result. An adulterated test sample shall be considered as a positive drug test.
CONFIRMATION OF POSITIVE TEST RESULTS	Upon receipt of a positive test result, the drug testing vendor shall contact the student's parent or guardian. The drug testing vendor shall then contact a certified Medical Review Officer (MRO), to review and report positive test results. If a positive ruling has been confirmed by the Medical Review Officer, the District reporting contact will be notified by the drug testing vendor of a positive test confirmation.

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CONSEQUENCES OF A POSITIVE TEST	All offenses shall be cumulative for the student's extracurricular activities career in the District.
FIRST OFFENSE	<p>After the first offense, the District shall notify the student's parents or legal guardian. The student shall sit out three games, activities, or contests, and shall be required to participate in all random tests for the remainder of the current school year.</p> <p>The principal, the parent or legal guardian, and the student shall conduct a conference.</p> <p>At the conference, the student shall be given the option of:</p> <ol style="list-style-type: none">1. Participating in assistance programs and taking weekly drug tests for six weeks at the parents' or legal guardian's expense, or2. Being suspended from participation in extracurricular activities for one calendar year. The student shall retest before returning to extracurricular activities.
SECOND OFFENSE	<p>After the second offense, the District shall notify the student's parents or legal guardian.</p> <p>The principal, the parent or legal guardian, and the student shall conduct a conference.</p> <p>The student shall be suspended from participation in extracurricular activities for one calendar year. The student shall retest before returning to extracurricular activities.</p> <p>The student shall participate in the District's drug assistance program.</p>
THIRD OFFENSE	<p>After the third offense, the District shall notify the student's parents or legal guardian.</p> <p>The principal, the parent or legal guardian, and the student shall conduct a conference.</p> <p>The student shall be suspended from participation in extracurricular activities for the remainder of his or her enrollment in the District's middle school or high school.</p> <p>The student shall participate in the District's drug assistance program.</p>
EXCEPTION	For middle school students who have one positive test in grade 7 or 8, the effect shall not be cumulative.
APPEAL	A confirmed positive test result shall enact the chain of consequences as described in the consequences section of this policy.

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Following the conference between parent or legal guardian, principal, and student regarding consequences assigned, an appeal of the decision may be filed in accordance with FNG (LOCAL).