

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

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.

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.

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.

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, with the objective of maintaining a safe school environment conducive to education.

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.

Notice

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:

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.

Mandatory Drug-Testing Program

All students in grades 7–12 entering the District's extracurricular activities or choosing to drive a personal vehicle on District property shall be subject to mandatory random testing for the presence of alcohol and illegal drugs.

Parental Consent

Parental consent for a student to submit to biological testing ~~by urine~~ shall be a required condition for participation in the District's extracurricular activities and/or to drive a personal vehicle on District property. A parent's refusal to consent shall result in denial of the student's participation in any extracurricular activity and denial of the student's privilege to drive a personal vehicle on District property.

Each student in grades 7–12 who wishes to participate in the District's extracurricular activities or drive a personal vehicle on school property must sign a consent form agreeing to submit to the drug-testing program. The consent form must also be signed by the student's parent prior to testing. Once signed, a consent form shall remain in effect for the duration of the student's extracurricular participation or use of a personal vehicle on District property.

Random Testing

~~5.~~ All students in the District's extracurricular activities or who drive a personal vehicle on District property shall be subject to random testing for alcohol and illegal drugs, which may be conducted at any time. Students shall be selected for testing through a computer-generated random selection process conducted by the testing company.

[A parent or guardian may request that his or her student be tested in the next random test performed by the District. Such requested testing shall be at the parent's or guardian's expense unless the parent or guardian presents evidence of inability to pay to the appropriate principal, who shall determine eligibility for a waiver. \[See FP.\]](#)

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Reasonable Suspicion Testing	When the principal, assistant principal, or athletic director reasonably suspects that a student subject to this program is currently using illegal drugs or alcohol, the principal, assistant principal, or athletic director may require the student to submit to a drug test.
Testing Procedures <i>Laboratory</i>	The District shall contract with a nationally-certified drug testing laboratory, which shall conduct all drug testing authorized by this policy. The laboratory shall provide qualified persons to oversee the collection of all specimens and shall provide medical review officer (MRO) services for interpretation and verification of results. The MRO shall report all drug tests to designated District officials.
<i>Protocol</i>	Drug testing shall be performed by urinalysis in accordance with accepted practices and procedures as established by the laboratory with which the District contracts. Student privacy shall be protected to the greatest extent possible during the collection and coding of urine specimens.
Substances for Which Tests Are Conducted	The District shall make available to students and parents a list of the exact substances for which tests will be conducted.
<i>Positive or Suspicious Test Results</i>	<p>The testing laboratory shall notify the District drug testing administrator of any positive or suspicious test results. The District drug testing administrator shall contact the appropriate principal, assistant principal, or athletic director. The principal, assistant principal, athletic director, or District drug testing administrator shall contact the student and parent.</p> <p><u>The student or parent shall have 10 school days following the meeting to provide a medical explanation for a positive result.</u></p> <p>If applicable, the District may contact the student's physician to rule out any factors that may have caused the results to appear positive or may require the student to be retested to rule out any factors that may have caused the results to appear suspicious.</p>
<i>Refusal to Test</i>	If a student refuses to submit to any test as required or authorized by this policy, the student shall be subject to the same consequences as if he or she tested positive for drugs or alcohol. If a student does not provide a specimen within two hours <u>one hour</u> of being given notice to do so, this shall be considered a refusal to test.
<u>Consequences</u>	<u>Consequences of positive test results shall be cumulative through the student's enrollment in the District. If a student has tested negative on all drug testing for at least one calendar year from the time of the confirmed positive drug test, one level of offense shall be deducted.</u>

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First Offense

Upon a first confirmed positive test result, the following consequences shall apply:

1. The student and parent shall be required to meet with the principal, assistant principal, or athletic director, the District drug testing administrator, and the extracurricular activity sponsor to discuss the test results and the consequences.
2. The student shall be required to attend and successfully complete a drug education program approved by the District.
3. The student may practice with other students in extracurricular activities but shall not be allowed to participate in competition until completion of the drug education requirement.
4. The student shall not be allowed to drive a personal vehicle on District property until completion of the drug education requirement.
5. If after the period of suspension the student chooses to return to the extracurricular activity or drive a personal vehicle on District property, he or she shall be required to submit to drug testing before resuming participation and on each District test date for ~~the remainder of the student's participation~~ one calendar year so long as the student continues to participate in extracurricular activities or ~~so long as the student~~ wishes to drive a personal vehicle on District property. Drug testing shall be at the parent's or guardian's expense unless the parent or guardian presents evidence of inability to pay to the appropriate principal, who shall determine eligibility for a waiver. [See FP.]

Second Offense

Upon a second confirmed positive test result, the following consequences shall apply:

1. The student and parent shall be required to meet with the principal, assistant principal, or athletic director, the District drug testing administrator, and the extracurricular activity sponsor to discuss the test results and the consequences.
2. The student shall be required to attend and successfully complete a drug education program approved by the District.
3. For a period of 45 instructional days from the date of the meeting, the student may practice with other students in extracurricular activities but shall not be allowed to participate in competition or drive a personal vehicle on District property. ~~The student shall be suspended from participation in extracurricular activities (practice and performances) and shall~~

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~~not be permitted to drive a personal vehicle on District property for 30 calendar days from the date of the meeting and completion of the drug education requirement.~~

4. If after the period of suspension and completion of an approved drug education program, the student chooses to return to the extracurricular activity or drive a personal vehicle on District property, he or she shall be required to submit to drug testing before resuming participation and on each District test date for ~~the remainder of the student's participation~~ one calendar year so long as the student continues to participate in extracurricular activities or ~~so long as the student~~ wishes to drive a personal vehicle on District property. Drug testing shall be at the parent's or guardian's expense unless the parent or guardian presents evidence of inability to pay to the appropriate principal, who shall determine eligibility for a waiver. [See FP.]

Third Offense

Upon a third confirmed positive test result, the following consequences shall apply:

1. The student and parent shall be required to meet with the principal, assistant principal, or athletic director, the District drug testing administrator, and the extracurricular activity sponsor to discuss the test results and the consequences.
2. The student shall be required to attend and successfully complete a drug education program approved by the District.
3. The student shall be suspended from participation in extracurricular activities (practice and performances) and shall not be permitted to drive a personal vehicle on District property for ~~90 calendar days~~ one calendar year from the date of the meeting and completion of the drug education requirement.
- ~~4. The District reserves the right to withhold the privilege of extracurricular activity participation and/or driving privileges indefinitely upon the third confirmed positive test result.~~
- ~~5.4.~~ If after the period of suspension the student chooses to return to the extracurricular activity or drive a personal vehicle on District property, he or she shall be required to submit to drug testing before resuming participation and on each District test date for ~~the remainder of the student's participation~~ one calendar year so long as the student continues to participate in extracurricular activities or ~~so long as the student~~ wishes to drive a personal vehicle on District property. Drug testing shall be at the parent's or guardian's expense unless the parent or

[guardian presents evidence of inability to pay to the appropriate principal, who shall determine eligibility for a waiver. \[See FP.\]](#)

Appeals

A student seeking to appeal a positive drug test result may be re-tested, at his or her own expense, by any nationally certified drug testing laboratory. In addition, the student may have the positive test results reviewed, at his or her own expense, by an MRO who is a licensed physician with knowledge of substance abuse disorders. The student or parent shall make such a request for a review to the District within three days of the positive test result. If the conclusion of the retesting or the review is in the student's favor, the student shall be allowed to return to participation in extracurricular activities and/or to drive a personal vehicle on District property.

Further appeals shall be made in accordance with FNG(LOCAL). The student shall be suspended from participation in extracurricular activities and from driving a personal vehicle on District property until the appeal process has been completed.