

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FNF
(LOCAL)

PROPOSED REVISIONS (beginning on page 2) – June 4, 2013

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.
VEHICLES	<p>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.</p> <p>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.</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 the search, the District may contact local law enforcement officials and turn the matter over to them, or the District may conduct the search.</p>
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.

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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.
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

The District requires drug testing of any student in grades 8–12 who chooses to participate in school-sponsored extracurricular activities **or requests a permit to park a vehicle on school property.**

COVERED
ACTIVITIES

School-sponsored extracurricular activities for which testing is required include band, baseball, basketball, cheerleading, choir, cross country, drill team, football, golf, journalism, soccer, softball, speech, debate, drama, swimming, tennis, track and field, UIL academic contests, volleyball, and wrestling.

SCOPE

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

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 safe and drug-free educational environment;

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3. Deter student use of illegal and performance-enhancing drugs or alcohol; and
4. Educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol.
5. Offer students a credible means to resist peer pressure as it relates to the use of illegal drugs, performance-enhancing drugs, and/or alcohol.
6. Provide a resource for support and assistance to any student who may be using illegal drugs, performance-enhancing drugs, and/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 beginning of the school.

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.

Student attendance at the orientation meeting is mandatory.

Parent attendance at an orientation meeting is mandatory for a minor student's parent. If a student and a minor student's parent fail to attend the orientation meeting, the student shall not be allowed to participate in extracurricular activities **or to receive a parking permit.**

CONSENT

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.

USE OF RESULTS

Drug test 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.

Nevertheless, nothing in this policy shall limit or affect the application of state law, local policy, or the Student Code of Conduct. A

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	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	<p>The Board shall contract with a certified drug-testing laboratory to conduct testing of students' urine 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	The drug-testing laboratory shall test for the presence of: alcohol, performance-enhancing substances, including anabolic steroids, marijuana, cocaine, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, amphetamines, opiates, metabolites of any of these substances.
COLLECTION PROCEDURES	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. A student shall produce a sample within a closed restroom stall. A District employee of the same gender as the student shall be present when any samples are collected.
RANDOM TESTING	<p>Random tests shall be conducted on as many as eight times or monthly throughout the school year.</p> <p>No less than five 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>Any student that leaves the testing area before submitting a specimen suitable for testing shall be deemed to have a positive test result.</p>

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	<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 ten school days following the meeting to provide a medical explanation for a positive result.</p>
RETESTING	<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 monthly 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 end of the current school year.</p>
FIRST OFFENSE	<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 15 school days</p> <p>During the period of suspension, the student may participate in practices but not in any competitive activities or performances.</p> <p>Prior to returning to the activity and parking on campus, the student shall be required to participate in a District-provided drug and alcohol abuse prevention program and shall provide a medical release from a physician stating that the student is cleared to participate in extracurricular activities and, if applicable, to return to driving.</p>
SECOND OFFENSE	<p>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 90 school days following the date the student and parent are notified of the test results.</p>

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	<p>During the period of suspension, the student shall not be permitted to participate in practices.</p> <p>Prior to returning to the activity and parking on campus, the student shall provide a medical release from a physician stating that the student is cleared to participate in extracurricular activities and, if applicable, to return to driving.</p>
THIRD OFFENSE	<p>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 one calendar year.</p> <p>During the period of suspension, the student shall not be permitted to participate in practices.</p> <p>The student shall be required to provide proof that they have participated in a drug and alcohol abuse prevention program. This program must have been provided by a source other than the District.</p>
END-OF- SEMESTER SUSPENSIONS	<p>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.</p>
APPEALS	<p>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 or reinstatement of parking privileges while the appeal is pending.</p>