

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

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  
LOCKERS AND  
VEHICLES

For provisions pertaining to student questioning by law enforcement officials or other lawful authorities, see GRA(LOCAL).

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.

DRUG TESTING

Students in middle school and senior high school who are engaged in extracurricular activities or drive a vehicle to school shall be subject to the following drug testing provisions and are referred to as "eligible students" in this policy.

VOLUNTARY

Parents can volunteer to have their students (children) tested by contacting the school principal. Results shall be reported to the parent only.

DEFINITION OF  
EXTRACURRI-  
CULAR ACTIVITIES

Texas Administrative Code—rules adopted by the Commissioner of Education define "extracurricular activities" for Texas schools as: UIL or school-sponsored: An extracurricular activity is an activity sponsored by the University Interscholastic League (UIL), the school district board of trustees, or an organization sanctioned by resolution of the board of trustees. The activity is not necessarily directly related to instruction of the essential knowledge and skills but may have an indirect relation to some areas of the curriculum. Extracurricular activities include, but are not limited to, certain public performances, contests, demonstrations, displays, and club activities.

STATEMENT OF  
NEED AND  
PURPOSE

Recognizing that observed and suspected use of alcohol and illicit drugs by District students who drive vehicles to and from school and who participate in extracurricular activities is occurring, a program of deterrence is a proactive approach to a truly drug-free school. Students using illegal drugs pose a threat to their own health and safety, as well as to that of other students. The purpose of this program is threefold:

1. To provide for the health and safety of all students;
2. To undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs; and

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3. To encourage students who use drugs to participate in drug treatment programs.

The program is academically nonpunitive and is designed to create a safe, drug-free environment and to assist students in getting help when needed.

OBJECTIVES

The objectives of the program shall be:

1. To provide a deterrent to drug use for middle school and senior high school students.
2. To provide a drug education program for students who test positive for drug use.
3. To provide for the health and safety of all students.
4. To undermine the effects of peer pressure by providing a legitimate reason for a student to refuse to use illegal drugs.

CONFIDENTIALITY  
OF RESULTS

All drug test results are considered confidential information and will be handled accordingly. Those persons receiving reports of test results, as set forth in this policy shall sign a confidentiality statement.

PLAN

The drug testing plan for eligible students shall include the following:

1. Before a student is allowed to participate in extracurricular activities or drive a vehicle to school, the student's parent must sign a drug testing authorization form.
2. Eligible students shall be tested at least once yearly upon entering into the extracurricular activity, including practice or preparation for the activity.
3. Random drug testing shall be conducted on at least ten students from middle school and at least ten students from high school a minimum of five times per year on random dates after the initial testing. The dates shall be selected by the testing facility.
4. Students shall be selected at random by a representative from the testing laboratory from a computer-generated pool of all students engaged in extracurricular activities or driving a vehicle to school.
5. The method of testing shall be by a nationally certified independent laboratory.
6. The testing shall be administered as follows:

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- a. Each consenting eligible student shall be issued an identification number. The campus administrator shall maintain the names of student with their corresponding identification numbers.
  - b. A representative from the testing laboratory shall take samples to the testing laboratory and retrieve results. All specimens shall be identified by the student's identification number.
  - c. Students selected at random shall provide a urine sample in a stall with the door closed in the appropriate students' restroom facility, or at a secure private site as selected by the administrator. The urine sample shall be collected in a sealed split specimen collection container provided by the testing laboratory. The container shall have the student's identification number written on a chain of custody and control form. The administrator shall select a member of the campus faculty, who is the same gender as the student being tested, to be present while the sample is collected. The selected faculty member shall not directly observe the students collect their samples. Immediately upon collecting the samples, the selected students shall give the collected samples to the testing laboratory representative and the faculty member present shall ensure that each student's identification number is on the chain of custody and control form. The split specimen sample bottles "A" and "B" shall be sealed and witnessed by the student. A representative from the testing laboratory shall then deliver the collected samples to the laboratory for analysis.
7. Refusal to provide a sample or noncompliance with the testing procedures by a student shall be considered a positive result and shall be reported to the appropriate campus administrator.
  8. The MRO (medical review officer) shall report all drug test results to designated school officials.
  9. The testing laboratory may not release any statistics on the rate of positive drug tests to any person, organization, news publication, or media without expressed written consent of the Board. However, the testing laboratory may provide the campus administrator or the Board with a quarterly report showing the number of tests performed, rate of positive and negative tests, and substances found.

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10. Whenever a student's test result indicates the presence of illegal drugs or banned substances, the parent shall be contacted by a medical review officer (MRO). The MRO shall determine if there is a medical explanation for the student's drug report. If the parent can provide a medical excuse with documentation, the MRO shall report the test results as a negative. However, without medical information, the MRO shall report to the school-designated representative a positive drug screen. The testing laboratory shall provide MRO services for interpretation and verification of results.
11. Students who test positive for drug use may request a second test, using bottle "B" of the split specimen and a laboratory from a list of nationally certified independent laboratories to be provided by the District, at the student's expense. Such request must be made to the campus administrator in writing within 72 hours from the first notification of possible test results. The District shall reimburse the student's expense for any false-positive test.
12. The testing laboratory may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the testing laboratory believes the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.

BANNED  
SUBSTANCES

Students shall be tested for the following:

- Alcohol
- Amphetamines
- Anabolic Steroids
- Barbiturates
- Benzodiazepines
- Cocaine Metabolites
- LSD
- Methadone
- Methaqualone
- Nicotine (if under 18 years of age)
- Opiates

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Phencyclidine

Tetrahydrocannabinols (THC) (Marijuana)

POSITIVE RESULTS	The following shall apply if a student tests positive:
FIRST OFFENSE	<p>Mandatory substance abuse counseling for students and parents as approved by the District. Any cost associated with the mandatory substance abuse counseling is the parent's/guardian's responsibility.</p> <p>The student shall be suspended from participation in all performances, practices, contests in all extracurricular activities and driving a vehicle to and from campus for 30 calendar days. The suspension shall begin after the appeals process has been finalized. The student may begin participating in activities, after the 30-day period, if the most recent tests are negative, and required counseling is completed. Any student testing positive shall be removed from the random testing pool, and shall be required to be tested at the time of each random testing, for a minimum period of one calendar year and a minimum of six consecutive tests as scheduled.</p> <p>At any time, a student who chooses to discontinue participation in extracurricular programs or to cease driving to and from school shall not be subjected to further drug testing or the requirement for substance abuse counseling.</p>
SECOND OFFENSE	The consequences of a second offense shall be the same as the first except the suspension from extracurricular activities and driving a vehicle to and from campus shall be for 60 calendar days.
THIRD OFFENSE	The consequences of a third offense shall be the same as the first except the suspension from all extracurricular activities and driving a vehicle to and from campus shall be for one calendar year.
FOURTH OFFENSE	The consequences for a fourth offense shall be the suspension from participation and practice in all extracurricular activities and driving a vehicle to and from campus for the remainder of time the student is enrolled in the District.
REFUSAL	If a student refuses any test or counseling as required or authorized by this policy, the student shall receive the same consequences as set out for a positive result for each refusal.
NONPUNITIVE NATURE OF POLICY	No student shall be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy shall not be documented in any student's academic records. Information regarding the results of drug tests shall not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process,

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which the Board shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent or legal guardian shall be notified at least 72 hours before a response is made by the Board, to the extent permitted by such subpoena or legal process.

Students or parents may appeal the consequences of this policy in accordance with FNG(LOCAL).

APPEAL PROCESS