

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

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

The District requires drug testing of any student in grades 7–12 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, without limitation, all interscholastic athletics, cheerleading, drill team, academic clubs, special interest clubs, musical performance, 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.

Scope

A student participating in these activities or requesting a parking permit shall be randomly tested for the presence of illegal drugs and alcohol at a minimum of eight times per school year.

Purpose

The purposes of the drug-testing program are to prevent injury, illness, and harm resulting from the use of illegal and performance-enhancing drugs or alcohol; help enforce a drug-free educational environment; deter student use of illegal and performance-enhancing drugs or alcohol; help students avoid peer pressure; educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol; and remind students that the opportunity to participate in school-sponsored extracurricular activities is a privilege offered to eligible students on an equal-opportunity basis.

Distribution of Policy and Orientation Meetings

The District shall conduct meetings with parents and interested student participants in the spring for students desiring to participate in the following school year and at the beginning of each semester for students desiring to participate in activities during that semester who did not participate in an earlier session. The drug testing plan shall be discussed and copies of the policy, procedures, and consent form shall be provided at that time.

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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; however, parent attendance is not required.

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 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 parent, 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

The Board shall contract with a certified drug-testing laboratory to conduct testing of students' urine samples.

Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District.

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. The drug-testing laboratory shall test for the presence of, but is not limited to, marijuana, cocaine, methamphetamine, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, amphetamines, and 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 stu-

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dent 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

Random tests shall be conducted at a minimum of eight dates throughout the school year.

No less than five percent and no more than 20 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.

Refusal to Test or
Tampering

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.

If a student is absent on the day of the random test, a sample shall be collected on the next random testing date.

Confirmation of
Positive Results

An initial positive test shall be confirmed by a second test of the same specimen before being reported as positive.

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 Superintendent or designee to review the test results and discuss consequences.

The student or parent shall have two school days following the meeting to provide a medical explanation for a positive result.

Retesting

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 on all random test dates throughout the school year so long as the student wishes to participate in extracurricular activities or park a vehicle on school property.

Drug Abuse
Prevention

The District shall notify the parent and student of drug and alcohol abuse prevention resources available in the area.

Consequences

Consequences of positive test results shall be cumulative through the student's enrollment in the District.

First Offense

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

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days following the date the student and parent are notified of the test results.

During the period of suspension, the student may participate in practices but not in any competitive activities or performances.

Second Offense 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 45 school days following the date the student and parent are notified of the test results.

During the period of suspension, the student may participate in practices but not in any competitive activities or performances.

Third Offense 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 90 school days following the date the student and parent are notified of the test results.

During the period of suspension, the student may participate in practices but not in any competitive activities or performances.

Fourth Offense Upon a fourth 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.

End-of-Semester Suspensions 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.

Appeals A student or parent may appeal a decision made under this policy in accordance with FNF(LOCAL). The student shall be ineligible for participation in extracurricular activities or reinstatement of parking privileges while the appeal is pending.