

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

INTERROGATIONS	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 SCHOOL OFFICIALS	
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, keep, or maintain any article or material prohibited by law, District policy, or the Student Code of Conduct in lockers or in a vehicle on school property.</p> <p>If there is reasonable cause to believe that a locker or a vehicle on school property contains articles or material prohibited by District policy, 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 lockers or in 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 turn the matter over to local law enforcement officials.</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 7–12 who chooses to participate in school-sponsored extracurricular activities. "Extracurricular activities" for purposes of this policy include band, athletic programs, cheerleading, literary activities, One Act Play, Academic Decathlon, UIL academic contests, stock showing and other agriculture related activities, any other club or organization that participates in performances, contests, demonstrations or competitions, and parking on District property.

COVERED  
ACTIVITIES  
SCOPE

All school-sponsored extracurricular activities are included.

A student participating in these activities or parking on school property shall be tested for the presence of illegal drugs and/or alcohol at the beginning of each school year prior to joining an extracurricular program at any time during the school year and randomly throughout the school year.

A student shall also be required to provide breath, saliva, hair, or urine samples, whichever is deemed appropriate by the administration, when there is reasonable suspicion that the student is under

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the influence of illegal drugs or alcohol at school or at a school-related event, whether on or off campus.

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 drug-free educational environment;
3. Deter student use of illegal and performance-enhancing drugs or alcohol;
4. Give students a valid reason to resist peer pressure to use illegal drugs or alcohol;
5. Educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol.

DISTRIBUTION OF  
POLICY

The District shall provide each parent and student information about the drug-testing policy and the appropriate consent form prior to the student's participation in an affected activity or parking on school property.

CONSENT

Before a student is eligible to participate in extracurricular activities, the student shall be required 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. The form shall only have to be signed once and shall be valid for the entire time the student is enrolled in the District. The consent form may be rescinded at any time at the parent's or student's written request. A student whose consent has been rescinded shall forfeit the privilege of participating in extracurricular activities or parking on school grounds following the date of rescission.

USE OF RESULTS

Drug test results shall be used only to determine eligibility for 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.

REASONABLE  
SUSPICION  
TESTING

Upon reasonable suspicion by a staff member that a student is under the influence of illegal drugs or alcohol while at school or at a

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school-related activity, the student may be required by a school administrator to submit to a drug-use or alcohol test at any time. A student found to have possessed, distributed, used, or been under the influence of an illegal drug or alcohol while on school grounds or while participating in or attending a District activity on or off District property shall be disciplined 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.

Should a student who has experienced a suspension of participation in extracurricular activities under this policy for testing positive transfer to another school and try out for extracurricular activities, the Superintendent shall acknowledge on the UIL previous athletic participation form that the student was suspended from participation in extracurricular activities for a violation of policy without further elaboration. The student's parent or guardian may, however, be required by the UIL district executive committee to further explain the suspension in order to be eligible to participate at the new school.

TESTING  
LABORATORY

The Board shall contract with a certified drug-testing laboratory to conduct testing of students' 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 not test for medical conditions under this policy. A drug test may screen for any illegal drugs that the District, at its discretion, may choose, including, but not limited to, the following: alcohol, marijuana, cocaine, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, amphetamines, opiates, narcotics, methamphetamines, lysergic acid diethylamide (LSD), all illegal performance-enhancing drugs, including anabolic steroids, and all synthetic substitutes for any listed illegal drug.

The term "illegal drug" means all drugs that an individual may not buy, use, sell, or distribute under federal or Texas law, including any prescribed medication for which a student does not have a current prescription. The District shall determine which drugs it will screen for prior to identifying the students who shall be tested.

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COLLECTION  
PROCEDURES

A licensed medical facility or third party administrator selected by the Superintendent shall conduct all testing for the presence of drugs in a student's urine, breath, saliva, and/or hair samples, whichever the District chooses at its sole discretion. Testing shall be performed in accordance with accepted practices and procedures established by the drug-testing laboratory selected by the District. The testing parameters shall be set at industry-accepted standards as defined by the National Institute of Drug Abuse (NIDA).

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 or a contracted laboratory technician of the same gender as the student shall be present when any samples are collected.

RANDOM TESTING

All students who participate in an extracurricular activity during the school year or who have consented to the District's voluntary drug-testing program shall make up a random testing pool and be subject to random testing throughout the school year.

Approximately 20 percent of the students participating in each 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, testing method, or time. The number of tests to be conducted during a school year and the percentage of the student body to be tested at each testing shall be determined by the administration.

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 to be tested is absent on the day of the random test, the parent shall be notified. The student shall then produce a sample to 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 Superintendent and campus principal shall schedule a meeting with the student

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and the student's parent, if the student is under the age of 18, to review the test results and discuss consequences.

The student or parent shall have 72 hours following the meeting to provide a medical explanation for a positive result or to appeal a positive result. If the student is taking or has recently taken prescribed medication, he or she shall be required to provide proof of his or her prescription. The student shall not be required to disclose any medical condition, and any medical information revealed by disclosing the use of medication shall be kept strictly confidential by the District unless it is lawfully compelled to disclose. Any student who has tested positive for an illegal drug as a result of properly taking prescribed medication shall be deemed to have a negative result.

APPEALS

Within 72 hours of being notified of a test result, a parent or guardian of any participant testing positive may schedule a conference with the administration's designee, at which time the student or parent may offer an explanation of the positive result. The parent may provide any doctor's prescription of any drugs that the student was taking that might have affected the outcome of the test and may request a retest. Upon such a request, the urine sample from the second bottle originally obtained shall be retested. If the retest is negative, the participant shall remain in good standing. If the retest is positive, the parent shall be responsible for the cost of the retest.

If a parent fails to make a request for a retest within 72 hours of receiving notice of a positive test result, the appeal process shall be waived and the second sample shall not be retested.

Alternatively, a parent or guardian may choose, at his or her own expense, a certified lab to be used for the second test. In such an event, the second specimen collected for possible retest from the original sample shall be sent, in accordance with the original lab's internal procedures, to the certified lab of the parent's choosing. The second certified lab shall conduct its testing only on that second specimen, and such test results shall be communicated directly from that certified lab's medical review officer to the District. The retest shall test for the same illegal substances as the original test and shall use validated testing methods to detect use of those illegal substances. If the results are negative, the student shall remain in good standing. The parent shall be responsible for any costs incurred for such testing regardless of the results of the retest.

A student or parent may appeal a decision under this policy in accordance with FNG(LOCAL). The student shall be ineligible for

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participation in extracurricular activities while the appeal is pending. For purposes of an appeal, the certified lab report of a positive test result shall be deemed accurate.

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 grades 7–8 and shall begin anew for high school. Any student enrolling for the first time in the District shall begin with a clean record.

Students regaining their high school eligibility after a fourth offense in junior high shall be tested at the time of each random testing for a period of one calendar year upon enrollment at the high school campus.

For purposes of application of consequences herein, the term "calendar days" shall not include the calendar days within school holidays and breaks in instruction, including, but not limited to, Thanksgiving, Christmas, spring, and summer breaks.

FIRST OFFENSE

Upon a first offense of receiving a confirmed positive drug test, a student shall be suspended from any extracurricular activity for no less than 15 school days and shall complete a District-approved substance abuse counseling course.

The suspension shall begin 72 hours following notification to the parents of the positive test result. The student shall be reinstated to the status of good standing and may begin competing in activities after the 15-day suspension if the student has completed the required counseling and has provided satisfactory proof of such counseling to District administration.

The first time any participant tests positive, he or she shall be removed from the random testing pool and shall be tested at each random testing for one calendar year.

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 for no less than 60 school days and shall complete a District-approved substance abuse counseling course.

The suspension shall begin 72 hours following notification to the parents of the positive test result. The student shall be reinstated to the status of good standing and may begin competing in activities after the 60-day suspension if the student has completed the

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	<p>required counseling and has provided satisfactory proof of such counseling to District administration.</p> <p>The student shall be removed from the random testing pool and shall be tested at each random testing for one calendar year.</p> <p>During the period of suspension, the student may participate in practices but not in any competitive activities or performances.</p>
THIRD OFFENSE	<p>Upon a third offense of receiving a confirmed positive drug test, a student shall be suspended for no less than one calendar year and shall complete a District-approved substance abuse counseling course.</p> <p>The suspension shall begin 72 hours following notification to the parents of the positive test result. The student shall be reinstated to the status of good standing and may begin competing in activities after the one-year suspension if the student has completed the required counseling and has provided satisfactory proof of such counseling to District administration.</p> <p>The student shall be removed from the random testing pool and shall be tested at each random testing for one calendar year.</p> <p>During the period of suspension, the student may participate in practices but not in any competitive activities or performances.</p>
FOURTH OFFENSE	<p>Upon a fourth offense of receiving a confirmed positive drug test, a student shall be suspended from participation in any extracurricular activity for the remainder of the student's enrollment in the District.</p>
END-OF-SEMESTER SUSPENSIONS	<p>If a student's suspension from participation in extracurricular activities 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>
REINSTATEMENT AFTER OPTING OUT	<p>If a student who leaves or quits an extracurricular activity after testing positive wants to be reinstated, he or she must have the permission of the sponsor/coach and principal and must test negative at the next random testing. If the student is unwilling to delay participation until the next random testing date, the student may travel, at his or her expense, to the testing laboratory with which the District contracts. If these requirements are met, the student may be reinstated to the activity and shall be required to complete the suspension period, if any, not completed satisfactorily prior to the student's quitting the activity.</p>
VOLUNTARY STUDENT TESTING	<p>Students who do not participate in extracurricular activities, but whose parents wish them to be drug tested may participate in the District's voluntary random drug-testing program. Parents must</p>

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make a request to the appropriate administrator, and the parent and student must both sign the drug-testing consent form. Students who voluntarily participate shall be placed in the testing pool and shall be tested in the same manner as students who participate in extracurricular activities.

Any refusal by the student and/or parent to sign the consent form shall be treated as forfeiture of participation in the voluntary testing program. Any refusal by a student in the voluntary program to be tested shall be reported to his or her parents or guardians.

TOBACCO USE

Students are prohibited from smoking, using, or possessing tobacco products at school-related or school-sanctioned activities on or off school property. Consequences of student tobacco violations while participating in extracurricular activities shall be in accordance with the Student Code of Conduct.