

STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES

FNF
(LOCAL)

**Questioning
Students**

District officials may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students may not refuse to answer questions based on a right not to incriminate themselves.

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

District Property

Desks, lockers, District-provided technology, and similar items are the property of the District and are provided for student use as a matter of convenience. District property is subject to search or inspection at any time without notice. Students have no expectation of privacy in District property. Students shall be fully responsible for the security and contents of District property assigned to them. No student shall place or keep in a desk, locker, District-provided technology, or similar item any article or material prohibited by law, District policy, or the Student Code of Conduct. Students shall be responsible for any prohibited item found in District property provided to the student.

Searches in General

District officials may conduct searches of students, their belongings, and their vehicles in accordance with state and federal law and District policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner.

District officials may initiate a search in accordance with law, including, for example, based on reasonable suspicion, voluntary consent, or pursuant to District policy providing for suspicionless security procedures, including the use of metal detectors.

In accordance with the Student Code of Conduct, students are responsible for prohibited items found in their possession, including items in their personal belongings or in vehicles parked on District property.

Reasonable-
Suspicion Searches

Searches should be reasonable at their inception and in scope. If there is reasonable suspicion to believe that searching a student's person, belongings, or vehicle will reveal evidence of a violation of the Student Code of Conduct, a District official may conduct a search in accordance with law and District regulations.

Suspicionless
Searches

For purposes of this policy, a suspicionless search is a search carried out based on lawful security procedures, such as metal detector searches or random drug testing.

*Metal Detector
Searches*

In order to maintain a safe and disciplined learning environment, the District reserves the right to subject students to metal detector searches when entering a District campus and at off-campus, school-sponsored activities.

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Use of Trained Dogs	The District reserves the right to use trained dogs to conduct screening for concealed prohibited items. Such procedures shall be unannounced. The dogs shall not be used with students; however, students may be asked to leave personal belongings in an area that will be screened. If a dog alerts to an item or an area, it may be searched by District officials.
Random Mandatory Drug-Testing Program	The District requires drug testing of any student in grades 7–12 who chooses to participate in school-sponsored, competitive extracurricular activities. The District also requires drug testing of any student in grades 9–12 who obtains a permit to park a vehicle on school property.
Covered Activities	Eligible school-sponsored, competitive extracurricular activities in grades 7–12 shall be identified in the administrative regulation.
Scope	A student participating in these activities or obtaining a parking permit shall be tested for the presence of nicotine and illegal drugs randomly throughout the school year.
Purpose	The purposes of the drug-testing program are to help enforce a drug-free educational environment, deter student use of nicotine and illegal drugs, and educate students regarding the harm caused by the use of nicotine and illegal drugs.
Distribution of Policy	The District shall provide each parent and student a copy of the drug-testing policy, regulation, and consent form prior to the student's participation in an affected activity.
Consent	Before a student is eligible to participate in any school-sponsored, competitive extracurricular activity or to obtain 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 the school-sponsored, competitive extracurricular activities or to obtain a parking permit.
Use of Results	<p>Drug test results shall be used only to determine eligibility for participation in school-sponsored, competitive extracurricular activities and a parking permit. Positive drug test results shall not be used to impose additional disciplinary sanctions beyond the consequences imposed through the drug-testing program.</p> <p>Positive drug test results shall not result in academic penalties or affect a student's grade in any curricular class associated with the extracurricular activity. If participation in the extracurricular activity is required for a class, the student may be required to satisfy participation requirements in alternative ways.</p>

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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	<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 District shall make available to students and parents a list of the exact substances for which tests will be conducted.
Collection Procedures	Personnel from the drug-testing laboratory or trained District personnel 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 adult supervision until the student provides a sample. The supervision shall be done by an individual of the same gender as the student and shall be present when any samples are collected.
Random Testing	<p>Random tests shall be conducted throughout the school year. The Superintendent or his designee shall determine the number of times the random tests will occur but shall administer no less than four tests in a school year.</p> <p>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>If a student is absent on the day of the random test, a sample shall be collected upon the student's return to school by either personnel from the drug-testing laboratory or a trained District employee who will utilize a collection kit provided by the drug-testing laboratory.</p>

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Confirmation of Positive Results	<p>An initial positive test shall be confirmed by a second and third test of the same specimen before being reported as positive.</p> <p>The student or parent shall have three school days following notification to provide a medical explanation for a positive result.</p>
Drug Abuse Prevention	<p>The District shall notify the parent and student of drug abuse prevention resources available in the area.</p>
Consequences	<p>The Superintendent shall develop administrative regulations regarding the consequences of positive test results.</p>
Appeals	<p>A student or parent may appeal a decision made under this policy in accordance with FNG(LOCAL). Consequences shall not be deferred pending the outcome of the appeal.</p>
Voluntary Drug-Testing Program	<p>Any parent or guardian whose minor student in grades 7–12 is not subject to the District’s mandatory drug-testing program may request that his or her child be tested under the District’s drug-testing program.</p> <p>To register for this program, the parent or guardian shall enroll his or her student in the program and submit to the Superintendent or designee a signed consent form. The District shall include such a student in the random testing pool in the same manner as other students in the program and shall apply the same testing procedures.</p>