

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 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 parent. If the parent also refuses 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.
2. Vehicles parked on school property may be sniffed by trained dogs at any time.

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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, 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

School-sponsored, competitive extracurricular activities in grades 9–12 shall include the following activities:

- All University Interscholastic League (UIL)-sponsored athletic, fine arts, and academic programs;
- Cavalettes;
- Red Rubies;
- Student athletic trainers;
- Color guard;
- Winter guard;
- Powerlifting;
- Speech and debate;
- Texas Forensics Association;
- FFA;
- 4-H;
- Theater arts;
- Technical theater;
- VASE and Scholastic;
- HOSA;
- Model UN;

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- DECA;
- Cavs Crew;
- Mock Trial;
- Film crew; and
- LT Fiddlers.

School-sponsored, competitive extracurricular activities in grades 7–8 shall include the following activities:

- All UIL-sponsored athletic, fine arts, and academic programs;
- Dance;
- Cheer;
- Color guard;
- VASE;
- FFA; and
- 4-H.

Scope	A student participating in these activities or obtaining a parking permit shall be tested for the presence of 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 illegal drugs, and educate students regarding the harm caused by the use of illegal drugs.
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.
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	Drug test results shall be used only to determine eligibility for participation in school-sponsored, competitive extracurricular activities

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and a parking permit. Positive drug test results shall not be used to impose additional disciplinary sanctions.

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.

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 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>No less than five 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</p>

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	identify students chosen for random testing. Students shall not receive prior notice of the testing date or time.
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 on the next random testing date.</p>
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	The District shall notify the parent and student of drug abuse prevention resources available in the area.
Consequences	The Superintendent shall develop administrative regulations regarding the consequences of positive test results.
Appeals	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.
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>

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**Mandatory Drug-
Testing Program**

Per FNF (Local), the District requires drug testing of any student in grades 7-12 who chooses to participate in school-sponsored competitive extracurricular activities. The District further requires drug testing of any student in grades 9-12 who requests a permit to park a vehicle on school property.

Substances For
Which Tests Are
Conducted

6-Acetylmorphine
Amphetamines
Barbiturates
Benzodiazepines
Cocaine
MDMA
Marijuana
Methadone
Methamphetamines
Opiates
PCP
Tricyclic Antidepressants

Drug Testing
Administrator

Each middle school and high school campus shall appoint a Drug Testing Administrator to coordinate the program.

Consequences

A student's consequence level (*i.e.*, first offense, second offense, third offense) will start over after one calendar year has passed since the student's last positive drug test.

First Offense

Upon a first offense of receiving a confirmed positive drug test:

1. The Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Drug Testing Administrator will schedule a conference with him/her, the student, the parent, the Director of Health and Social Emotional Learning, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for 14 calendar days from the date of the conference.

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- a. If the positive drug test occurs during a time in which the student is not performing or competing, the suspension will begin the Monday preceding the first competition or performance of the next school-sponsored competitive extracurricular activity in which the student participates. This may result in the suspension carrying over into the next school year.
4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for 14 calendar days from the date of the conference.
6. The student must participate in and complete 4 district-provided substance abuse counseling sessions within a 2-week period. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Drug Testing Administrator verifying attendance at 4 substance abuse counseling sessions within a 2-week period.
7. The student must complete 30 hours of community service within a 2-week period. The student must submit to the Drug Testing Administrator written and signed verification of the dates, times, and activities performed.
8. Failure to complete the counseling and community services requirements within the stated time will result in the student remaining suspended from performing/competing in all school-sponsored competitive extracurricular activities and/or remaining suspended from parking permit privileges until the time in which all requirements are successfully completed.
9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or loss of his/her parking permit.
10. The student must be included in two (2) consecutive administrations of the random drug tests, with the first test being administered a minimum of 15 calendar days after the positive drug test results were received.

Second Offense Upon a second offense of receiving a confirmed positive drug test:

1. The Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Drug Testing Administrator will schedule a conference with him/her, the student, the parent, the Director of Health and Social Emotional Learning, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for 30 calendar days from the date of the conference.
 - a. If the positive drug test occurs during a time in which the student is not performing or competing, the suspension will begin the Monday preceding the first competition or performance of the next school-sponsored competitive extracurricular activity in which the student participates. This may result in the suspension carrying over into the next school year.
4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for 30 calendar days from the date of the conference.
6. The student must participate in and complete 6 district-provided substance abuse counseling sessions within 30 calendar-days. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Drug Testing Administrator verifying attendance at 6 substance abuse counseling sessions within 30 calendar days.
7. The student must complete 60 hours of community service within 30 calendar days. The student must submit to the Drug Testing Administrator written and signed verification of the dates, times, and activities performed.
8. Failure to complete the counseling and community services requirements within the stated time will result in the student

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remaining suspended from performing/competing in all school-sponsored competitive extracurricular activities and/or remaining suspended from parking permit privileges until the time in which all requirements are successfully completed.

9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or parking permit privileges.
10. The student must be included in all random drug tests for one (1) calendar year, with the first test being administered a minimum of 15 calendar days after the positive drug test results were received.

Third Offense

Upon a third offense of receiving a confirmed positive drug test:

1. The Drug Testing Administrator will notify the parent/guardian as promptly as possible of the positive test result.
2. Within 3 school days, the Drug Testing Administrator will schedule a conference with him/her, the student, the parent, the Director of Health and Social Emotional Learning, and the coach(es)/sponsor(s) of the applicable extracurricular activity.
3. The student shall be suspended from participating in competitions or performances for all school-sponsored competitive extracurricular activities for one (1) calendar year from the date of the conference.
4. The student may continue to participate in practices. However, if the student is engaging in any school-sponsored competitive extracurricular activity that requires physical activities, a medical release from a physician must be provided to the Drug Testing Administrator before being allowed to continue practicing.
5. The student's parking permit shall be suspended for one (1) calendar year from the date of the conference.
6. The student must participate in and complete 8 district-provided substance abuse counseling sessions within one (1) calendar year. Alternatively, the parent may elect to have the student attend the required substance abuse counseling with a provider of the parent's choice, at the parent's expense. The parent / student must provide documentation to the Drug Testing Administrator verifying attendance at 8 substance abuse counseling sessions within one (1) calendar year.

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- a. If the Director of Health and Social Emotional Learning, in consultation with the student and parents, determines that the student's needs are greater than the counseling provided by the District, the Director will develop an alternative plan and assist the parents and students in locating additional resources.
7. The student must complete 90 hours of community service within one (1) calendar year. The student must submit to the Drug Testing Administrator written and signed verification of the dates, times, and activities performed.
8. Failure to complete the counseling and community services requirements within the stated time will result in the student remaining suspended from participation/competition in all school-sponsored competitive extracurricular activities and/or remain suspended from parking permit privileges until the time in which all requirements are successfully completed.
9. Refusal to participate in or complete any of the requirements will result in the student being removed from participation in all school-sponsored competitive extracurricular activities and/or parking permit privileges.
10. The student must be included in all random drug tests for two (2) calendar years, with the first test being administered a minimum of 15 calendar days after the positive drug test results were received, unless the student elects to no longer participate in any school-sponsored competitive extracurricular activities and/or obtain a parking permit.

Students Who Are
Unable to Produce
a Sample

If a student is selected to participate in a drug test and the student is unable to produce a urine sample ("shy bladder"), the following procedures will be followed:

1. The student will remain under supervision at the designated testing site for approximately 30 minutes.
2. If the student has not produced a sample within 30 minutes, the student will be escorted to the nurse's office. The nurse will be provided a delay kit and instructions on how to administer the kit. The student will be given approximately 30 more minutes to produce a sample. If the student is unable to produce a sample within the 30 minutes, he/she will be sent back to class.
3. If a student is unable to produce a sample after a total time of approximately 1 hour, the student's parent will be called

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and will be informed that the student must be included in the next random drug test.

4. On the second administration, if the same student is unable to produce a urine sample (after following the procedures outlined in 1-2 above), the student shall be deemed to have a positive test result and shall be subject to the appropriate consequences.

Outside Drug Test Results The District will not accept the results of a drug test administered by any facility other than the certified drug-testing laboratory that contracts with the District.

Accommodations Individual accommodations for restroom facilities will be made if necessary and appropriate.

Withdraw If a student withdraws from all school-sponsored competitive extracurricular activities and/or elects to no longer have a parking permit, the student will be removed from the Mandatory Drug-Testing Program. The parent will be required to fill out a withdrawal form, which must be signed by both the student and parent.

If a student withdraws from all school-sponsored competitive extracurricular activities and/or elects to no longer have a parking permit after receiving a positive drug test and prior to completing the required consequences, following the completion of the written withdrawal form signed by the parent and student, the student will no longer be subject to the consequences. However, if the student seeks to rejoin any school-sponsored competitive extracurricular activity and/or seeks to obtain a parking permit, the student must first complete any consequences the student did not complete prior to withdrawing.

Voluntary Drug-Testing Program Per FNF (LOCAL), a 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/her child be tested.

To the extent applicable, the District shall apply all of the same procedures and consequences to these students as the student's participating in the mandatory drug-testing program.

Limitations on Use of Drug Test Results Other than the consequences outlined in this regulation, no other consequences (i.e., Student Code of Conduct, academic penalties, Extracurricular Code of Conduct) will be administered to a student who has a positive drug test as a result of the mandatory drug-testing program.

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

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commits a disciplinary offense shall be subject to consequences in accordance with the Student Code of Conduct and/or the Extracurricular Code of Conduct.

Retention

Negative test results for student drug/alcohol testing shall be retained for 1 year. (SD3625-06a)

Positive test results for student drug/alcohol testing shall be retained until date of withdrawal, graduation, or 5 years, whichever is sooner. (SD3625-06b)

All documentation should be maintained separate from the student cumulative folder and only released to the student, his/her parents or person in lawful control of the student, Superintendent, Head Coach / Sponsor of extracurricular activity, and other school officials with a legitimate interest in the information. Results shall not be shared with law enforcement except as required by law.