

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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<b>Use of Trained Dogs</b>	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.
<b>Mandatory Drug-Testing Program</b>	The District requires drug testing of any student in grades 9–12 who chooses to participate in school-sponsored extracurricular activities or requests a permit to park a vehicle on school property.
Covered Activities	In accordance with administrative regulations, the District shall annually publish a list of school-sponsored extracurricular activities for which testing is required.
Scope	A student participating in these activities or requesting a parking permit shall be randomly tested throughout the school year for the presence of illegal drugs and alcohol.
Purposes	The purposes of the drug-testing program are to: <ol style="list-style-type: none"><li>1. Help enforce a drug-free educational environment;</li><li>2. Deter student use of illegal and performance-enhancing drugs or alcohol;</li><li>3. Offer students a credible means to resist peer pressure as it relates to the use of illegal drugs and alcohol; and</li><li>4. Educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol.</li></ol>
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 or receipt of a parking permit.
Orientation Meetings	The District shall conduct meetings with parents and interested student participants prior to the beginning of each school year.  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

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	<p>be allowed to participate in extracurricular activities or to receive a parking permit.</p>
Use of Results	<p>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.</p> <p>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.</p>
Confidentiality	<p>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.</p>
Testing Laboratory	<p>The Board shall contract with a certified drug-testing laboratory to conduct testing of students' urine or hair 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	<p>The District shall make available to students and parents a list of the exact substances for which tests will be conducted.</p>
Collection Procedures	<p>Personnel from the drug-testing laboratory shall collect urine or hair 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 of the same gender as the student shall be present when any samples are collected.</p>
Random Testing	<p>Random tests shall be conducted on as many as 15 dates throughout the school year.</p> <p>No less than 20 percent and no more than 30 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.</p>

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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 test of the same specimen before being reported as positive.</p> <p>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 coach or sponsor of the extracurricular activity, as applicable, to review the test results and discuss consequences.</p> <p>The student or parent shall have five school days following the meeting to provide a medical explanation for a positive result.</p>
<i>Retesting</i>	<p>Students who test positive may request a second test. A request for a retest must be made to the designated school official in writing within 48 hours from the time the parent or guardian was first notified of a positive test result. Once a request for a retest is made, the District's testing laboratory shall send bottle "B" of the split specimen directly to the second laboratory for retesting at the parent's or guardian's expense. The parent may select the second laboratory from a list of nationally certified independent laboratories identified by the District. The results of the retest shall be used in lieu of the results generated by the District's testing laboratory (i.e., the results of the retest control what consequences, if any, will apply under the student drug-testing policy). However, retest results from an unapproved second laboratory shall not be considered.</p> <p>Applicable consequences for a positive drug test will not begin until results from the second testing laboratory have been received and only if the second test confirms the use of illegal drugs or alcohol.</p>
Drug Abuse Prevention	<p>The District shall notify the parent and student of drug and alcohol abuse prevention resources available in the area.</p>
Consequences	<p>Consequences of positive test results shall be cumulative through the student's enrollment in the District.</p>
<i>First Offense</i>	<p>Upon a first offense of receiving a confirmed positive drug test, a student shall be suspended from applicable extracurricular activities, and the student's parking permit shall be suspended, for 15 school days following the date the student and parent are notified of the test results.</p>

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During the period of suspension, the student may participate in practices but not in any competitive activities or performances. The student shall be required to provide evidence of successfully completing a District-approved drug awareness program and complete a substance abuse screening inventory.

The student shall be subject to retesting for six months following the date of suspension so long as the student wishes to participate in extracurricular activities or have a parking permit reinstated.

*Second Offense*

Upon a second offense of receiving a confirmed positive drug test, a student shall be suspended from applicable extracurricular activities, and the student's parking permit shall be suspended, for 30 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. The student shall be required to provide evidence of successfully completing a District-approved drug abuse program.

The student shall be subject to retesting for nine months following the date of suspension so long as the student wishes to participate in extracurricular activities or have a parking permit reinstated.

*Third and  
Subsequent  
Offenses*

Upon a third offense of receiving a confirmed positive drug test, a student shall be suspended from participation in applicable extracurricular activities, and the student's parking permit shall be suspended, for one calendar year following the date the student and parent are notified of the test results.

During the period of suspension, the student shall not be permitted to participate in practices.

Following the suspension, the administration shall determine, in accordance with administrative regulations, if reinstatement of the student's privileges to participate in applicable extracurricular activities and have a parking permit will be granted. If the student wishes to participate in extracurricular activities or have a parking permit, he or she shall be subject to retesting for one calendar year following the date of reinstatement.

*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

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participation in extracurricular activities or reinstatement of parking privileges while the appeal is pending.

Voluntary Testing

With prior written parental consent, a student in grades 9–12 may participate in the drug testing program at any time at no cost to the student. Students participating voluntarily shall be included in the same pool for random testing under the same procedures as students participating in the mandatory program. A student may withdraw from the voluntary drug testing program at any time upon presentation of a completed written withdrawal form signed by the parent or guardian. If the student is of legal age, he or she may withdraw upon completing a withdrawal form signed by the student. The parent shall be notified of the student's withdrawal from the voluntary drug-testing program.

Test results for voluntary participants shall be provided directly to the student's parent or guardian and to the District's testing coordinator. In addition, the testing entity shall notify the parent or guardian and the District testing coordinator when a student refuses to take a scheduled drug test.