

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

—DRAFT 3—

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	<p>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.</p> <p>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.</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 to permit a search of the vehicle, the District may turn the matter over to local law enforcement officials.</p>
USE OF TRAINED DOGS	<p>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.</p> <p>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.</p>

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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.

USE OF METAL  
DETECTORS

The District shall use hand-held magnetometers ("metal detectors") to discover and deter violations of the District's weapons policy [see FNCG] and to deter students from bringing weapons to school.

NOTICE

Students shall be notified at the beginning of each school year at a student assembly and in the student handbook that students will be subject both to random administrative and individualized reasonable suspicion searches by school employees using hand-held metal detectors to prevent and deter students from bringing prohibited weapons to school. The student handbook shall contain a summary of this policy. Signs will be posted at each entrance and in the school lobby to advise students that each student may be required to submit to a screening for metal as a condition of entering or continuing attendance at school.

OPERATOR

The person(s) operating the magnetometer(s) shall be specially trained in the use of the unit(s) in order to maximize the effectiveness of the search.

RANDOM  
ADMINISTRATION  
SEARCHES OF  
STUDENTS

Because the very presence of weapons represents an overwhelming threat to the safety and well-being of all persons in the school setting, and because the scope of the search is so specific and nonintrusive, magnetometers may be used to search students selected on a random basis.

Prior to each magnetometer scanning, the employee conducting the search shall ask the student to place any bags or parcels on a table and to remove all metal objects from his or her pockets, and

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the employee shall then “scan” the student with the metal detector beginning at the toes and continuing up to the head, without actually touching the body. The student’s bags and parcels shall then be scanned. A student shall be scanned by an employee of the same sex as the student.

NONRANDOM  
SEARCHES OF  
STUDENTS

A particular student shall be singled out to be searched with a magnetometer only if there exists a reasonable suspicion that the individual to be searched possesses a prohibited weapon. In all cases, the procedure set forth above shall be followed.

POSSIBLE RANDOM  
SEARCH PATTERN  
OPTIONS

In order to ensure that, absent individualized reasonable suspicion, the searches are conducted uniformly and with an absolute minimum of discretion on the part of the operator, searches shall be conducted according to the plan set forth as follows as examples, but not be a way of an exclusive listing:

1. Allow students to enter only through specified entrances. All students are searched daily as they enter the building.
2. On day one, search all students entering into classrooms A-E, on day two, search all students entering into classrooms F-J, etc.
3. Allow students to enter only at special times and only through specified entrances. Search all students on randomly selected days as they enter the building.
4. Search all students arriving through a particular entrance (e.g., the north and west entrances).

Note that in any of the above schemes, the operator could be instructed to search every student entering a building, only every other student or every fifth student, etc.

DRUG TESTING  
POLICY

The District requires drug testing of any student in grades 6–12 who chooses to participate in school-sponsored extracurricular activities **and any student who applies for an on-campus parking permit. In addition, any student who chooses to participate on a voluntary basis may do so.**

SCOPE

A student participating in these activities shall be tested for the presence of illegal drugs and alcohol randomly throughout the school year.

COVERED ACTIVITIES

The District shall require all students **in grades 6–12 who participate in school-sponsored extracurricular activities or who apply for on-campus parking to be tested. In addition, any student who chooses to participate on a voluntary basis may do so.**

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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; and
4. 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 a copy of the drug-testing policy and consent form prior to the student's participation in an affected activity.

ORIENTATION  
MEETINGS

The District shall conduct meetings with parents and interested student participants prior to the beginning of each semester.

District employees shall explain the drug-testing program and review the policy and consent form.

An educational presentation on the harmful effects of drug and alcohol abuse shall be provided.

Student attendance at the orientation meeting is mandatory.

Parent attendance at an orientation meeting is not mandatory. **Although attendance at these meetings is voluntary for parents, it is vitally important that both parents and students are well and fully informed about the drug-testing program. These orientation meetings will be the best opportunity for parents to gain information about the program and have questions answered; therefore, the District strongly encourages attendance.**

CONSENT

Before a student is eligible to participate in extracurricular activities, 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.

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

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	<p>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 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.</p>
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	<p>The drug-testing laboratory <b>may</b> test for the presence of:</p> <ul style="list-style-type: none"><li>Alcohol</li><li>Performance-enhancing substances, including anabolic steroids</li><li>Marijuana</li><li>Cocaine</li><li>Methaqualone</li><li>Benzodiazepines</li><li>Phencyclidine (PCP)</li><li>Methadone</li><li>Barbiturates</li><li>Propoxyphene</li><li>Amphetamines</li><li>Opiates</li><li>Metabolites of any of these substances</li><li>Zanax and other prescription medications.</li></ul>
COLLECTION PROCEDURES	<p>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 <b>by a campus principal or designee of the same gender as the student who shall remain under that employee's supervision until the student provides a sample. Samples shall be produced by the</b></p>

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**student from behind a closed restroom stall. The principal or designee of the same gender as the student shall be present when any samples are collected.**

RANDOM TESTING

Random tests shall be conducted on as many as 20 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.

POSITIVE TEST  
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 coach or sponsor of the extracurricular activity to review the test results and discuss consequences.

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

CONSEQUENCES

Consequences of positive test results shall be cumulative through the student's enrollment in junior high school and shall begin anew for high school **as follows: A student in junior high school who has up to three offenses shall begin anew in high school; however, a student in junior high who commits a fourth offense shall have the second and third junior high offenses counted as the first high school offense.**

A student who has a confirmed positive drug test shall be subject to the following consequences:

FIRST OFFENSE

The student shall be suspended from any extracurricular activity for 15 school days following the date the student and parent are notified of the test results.

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	<p>During the period of suspension, the student shall not be permitted to participate in practices.</p>
DRUG ABUSE PREVENTION	<p>The District shall notify the parent and student of drug and alcohol abuse prevention resources available in the area. <b>The student shall be required to complete an assessment by an approved licensed chemical dependency counselor approved by the District, and complete the program recommended by the counselor. Attendance shall be monitored. Failure to attend shall result in ineligibility until the program has been completed.</b></p>
SECOND OFFENSE	<p>The student shall be suspended from any extracurricular activity for 30 school days following the date the student and parent are notified of the test results.</p> <p>The District shall again notify the parent and student of drug and alcohol abuse prevention resources available in the area. <b>The student shall be required to complete an assessment by an approved licensed chemical dependency counselor approved by the District, and complete the program recommended by the counselor. Attendance shall be monitored. Failure to attend shall result in ineligibility until the program has been completed.</b></p>
THIRD AND SUBSEQUENT OFFENSES	<p>The student shall be suspended from participation in any extracurricular activity for 180 school days following the date the student and parent are notified of the test results. <b>The student shall be required to complete an assessment by an approved licensed chemical dependency counselor approved by the District, and complete the program recommended by the counselor. Attendance shall be monitored. Failure to attend shall result in ineligibility until the program has been completed.</b></p>
END-OF-SEMESTER SUSPENSIONS	<p>If a student's suspension from participation 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> <p>During <b>any</b> period of suspension, the student shall not be permitted to participate in practices.</p>
RETESTING	<p><b>If the student wishes to return to participation in extracurricular activities after a period of suspension under this policy, the student must be retested at the end of the period of suspension and have a negative test result or a test result that is consistent with no further use of the prohibited substance pursuant to the data analysis protocols and standards of the</b></p>

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**testing laboratory. The student shall be retested on the next two random test dates.**

APPEALS

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