

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FNF
(REGULATION)

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).

SEARCHES

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 in 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 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.

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

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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 9–12 who chooses to participate in school-sponsored extracurricular activities. “Extracurricular activities” for purposes of this program include band, athletic programs, cheerleading, literary activities, One Act Play, Academic Decathlon, UIL academic/theater 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.

SCOPE

A student participating in extracurricular activities shall be tested during an initial screening at the beginning of the school year, if applicable, and then randomly throughout the school year for the presence of illegal drugs, nicotine (cotinine), and alcohol.

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

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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 a copy of the drug-testing policy and consent form prior to the student's participation in an extracurricular activity. The drug-testing policy may be requested in hard copy or may be viewed electronically.

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, nicotine, 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, 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

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TESTING	<u>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 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, nicotine, 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.</u>
CONFIDENTIALITY	<p>Drug test 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> <p><u>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.</u></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><u>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, nicotine (cotinine), opiates, methamphetamines, lysergic acid diethylamide (LSD), all illegal performance-enhancing drugs, including anabolic steroids, and all synthetic substitutes for any listed illegal drug.</u></p>
CBD USE	<p>In 2019, the Texas Legislature approved the use of hemp-derived products for sale over-the-counter without age restriction. The definition of "hemp" includes cannabis-derived</p>

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substances containing not more than 0.3 percent concentration (dry weight basis) of delta-9 tetrahydrocannabinol ("THC"). Some studies have determined that use of hemp-derived products, such as CBD (i.e., cannabidiol), may result in a positive drug test result for marijuana use. Consequently, students are not permitted to use hemp-derived products during the time that they are participating in any extracurricular activities subject to drug testing, unless prior to their use the student receives written authorization from the student's healthcare provider and parent to use a hemp-derived product.

A student who is using a hemp-derived product and has not informed the coach or sponsor in writing in advance that he/she is doing so under the supervision of a healthcare provider shall be subject to the consequences set forth in this regulation for a positive test result.

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. The District may determine, at its discretion, to collect breath, saliva, and/or hair samples for testing instead of, or in addition to, urine samples under this policy. 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.

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.

The District may, but is not required, to test all students participating in extracurricular activities at the beginning of the school year. Following the initial testing, if any, up to 20 percent of the students participating in the program shall be randomly selected for each random test date thereafter. 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. 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

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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.

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 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 three school days following the meeting to provide a medical explanation for 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.

RETESTING

If the student wishes to return to participation in extracurricular activities after any applicable consequences, the student must bring a negative test result at the end of the period of suspension from a reputable drug testing entity; following that, the student shall be retested on the next two random test dates so long as the student wishes to participate in extracurricular activities.

CONSEQUENCES

Consequences of positive test results shall be cumulative through the student's enrollment in the District.

FIRST OFFENSE

Upon a first offense of receiving a confirmed positive drug test for one or more tested substances other than nicotine, a student shall be suspended from any extracurricular activity for 15 school days beginning 72 hours following notification to the parent and student of the test results.

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

A student testing positive for nicotine will have a conference with the student's coach and parent(s) regarding the adverse

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health consequences of vaping and tobacco use.

SECOND OFFENSE

Upon a second offense of receiving a confirmed positive drug test for one or more tested substances other than nicotine, a student shall be suspended from any extracurricular activity for 30 school days beginning 72 hours following notification to the parent and student of the test results.

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

A student testing positive for nicotine will have a conference with the student's coach and parent(s) regarding the adverse health consequences of vaping and tobacco use.

THIRD OFFENSE

Upon a third offense of receiving a confirmed positive drug test for one or more tested substances other than nicotine, a student shall be suspended from participation in any extracurricular activity for 180 school days beginning 72 hours following notification to the parent and student of the test results.

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

A student testing positive for nicotine will have a conference with the student's coach and parent(s) regarding the adverse health consequences of vaping and tobacco use.

END-OF-
SEMESTER
SUSPENSIONS

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.

REINSTATEMENT
AFTER OPTING OUT

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 be tested at the next random testing with a negative test result. 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.

VOLUNTARY
STUDENT TESTING

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 make a request to the appropriate administrator, and the parent and student must both sign the drug-testing consent

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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.

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.