

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

SCHOOL  
QUESTIONING

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.

POLICE OR OTHER  
AUTHORITIES  
QUESTIONING

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 of vehicles parked on school property and shall make certain they are locked and that the keys and combinations are not given to others. Students shall not place, keep, or maintain any article or material in lockers or in vehicles parked on school property that is forbidden by District policy.

Lockers and vehicles parked on school property may be searched by school officials if there is reasonable cause to believe 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 parents. If the parents also refuse to permit the vehicle to be searched, the District may contact local law enforcement officials and turn the matter over to them.

PARENT  
NOTIFICATION

The student's parent or guardian shall be notified if any prohibited articles or materials are found in a student's locker or in a vehicle parked on school property, or on the student's person as a result of a search conducted in accordance with this policy.

EXTRACURRICULAR  
ACTIVITY DRUG  
TESTING

RATIONALE

The Board encourages students to participate in school-sponsored extracurricular activities, but believes the opportunity to participate is a privilege offered to eligible students on an equal opportunity basis. The use of alcohol or other drugs by students participating in extracurricular activities presents a hazard to the health, safety, and welfare of the student participant. The Board believes testing student participants in school-sponsored extracurricular activities serves the important purpose of detecting and preventing illegal drug and alcohol use among students.

DEFINITION

"School-sponsored extracurricular activity" shall include, without limitation, all interscholastic athletics, cheerleading, drill/dance team, academic clubs, special interest clubs, industrial technology, agriculture organization, fine arts organizations, student government, and any other activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the District.

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DRIVING AND  
PARKING  
PRIVILEGES

Driving and parking on campus by students enrolled in school is a “privilege” and not necessarily a “right.” The privilege of driving and parking on campus shall be considered the same as the privilege of participating in extracurricular activities. Therefore, students who choose to drive to school and park on campus shall also be subject to the provisions of random drug testing for extracurricular activities as adopted by the Board.

If a student chooses not to participate in this plan, he or she shall not be issued a parking permit and shall not be allowed to park on District property.

REQUIRED TESTING

To be eligible to participate in any school-sponsored extracurricular activity, a student in grades 7–12 must agree to participate in a drug-testing program that includes random testing during the school year.

USE OF RESULTS

The results of any drug test administered under this policy shall be used only to determine eligibility for participation in school-sponsored extracurricular activities.

CONFIDENTIALITY

Results shall be kept confidential and disclosed only to the student, his or her parent or guardian, and school officials designated by the Superintendent. Results shall not be placed in student records, and students shall not be penalized in any other way. No actions shall be taken by the school against the student other than suspension from participating in extracurricular activities, as outlined below.

PROHIBITED  
CONDUCT

Student participants in school-sponsored activities shall not at any time during the school year use, possess, sell, distribute, or be under the influence of any illegal drug, anabolic steroid, or alcohol.

CONSENT FORM

Student participants must sign a consent form agreeing to participate in the drug-testing program. The consent form must also be signed by the student’s parent or guardian before the beginning of the school year, semester, or specific activity (for example, the casting and production of a dramatic presentation). Consent forms shall be valid until revoked by the student or parent.

If the student participant or his or her parent or guardian declines to sign the consent form, the student shall not be permitted to participate in school-sponsored extracurricular activities or drive a vehicle to school and park on school property.

TESTING  
PROCEDURE

A licensed medical facility or third-party administrator selected by the Superintendent and approved by the Board shall conduct all testing for the presence of drugs in student urine samples. The Superintendent shall be the program manager and shall administer the program with the selected drug-testing provider.

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Substances specifically tested for shall include any mood- or mind-altering substances that are illegal to buy, possess, use, sell, or distribute under state or federal law, including prescription drugs, and alcohol. These substances include amphetamines, barbiturates, benzodiazepine, cocaine, methaqualone, opiates (codeine, heroine, morphine, papaverine), phencyclidine, and tetrahydrocannabinols (marijuana).

Samples shall be taken under conditions that are no more intrusive to students than the conditions experienced in a public restroom. The Superintendent, in cooperation with the selected drug-testing provider, shall develop administrative regulations for collection and testing.

REFUSAL TO TEST

Any student who refuses to be tested during a semester or who tampers with, or assists others in tampering with, any sample shall be removed from extracurricular activities and suspended from parking privileges. This action shall be recorded and treated as a positive test result.

RANDOM TESTS

Random tests shall be conducted from time to time during the school year or semester. Students shall not be notified in advance of the drug test. When selected for testing, a student shall be escorted to the school's testing site by a school employee and shall remain under employee supervision until a sample is provided. If a student is in school and fails to report for testing at the appointed time, he or she shall be removed from the activity.

POSITIVE TEST RESULTS

All positive test results must be confirmed by a second, more definitive test before being reported as positive. When there is a confirmed positive test result, the following steps shall be taken:

1. The school official to whom results are reported shall notify the principal and the principal shall notify appropriate extracurricular directors or sponsors.
2. The principal shall notify the student's parent or guardian and schedule a conference that shall include the parent, student, principal, and other administrator as appropriate. At the meeting, the principal shall give the student and parent a copy of the test results and provide them an opportunity to offer an explanation for the results. Parents may also request a third test or retest of the original specimen to confirm the results, but the retest shall be at the parents' expense. A request to retest must be made in writing within 48 hours of the meeting with the principal, and payment for the retest must be included with the request.

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SANCTIONS FOR  
POSITIVE TESTING

All sanction requirements for positive test results shall be applied as outlined below. Consequences shall be cumulative from grades 7–12.

FIRST OFFENSE

Upon the first confirmed positive test result, the following shall apply:

1. The parent or guardian and student shall meet with the principal or designee to discuss the test results and consequences.
2. The student shall be required to attend and successfully complete a drug-counseling program approved by the District. The parent shall be responsible for the cost of the counseling program. The program must be completed within 30 calendar days of the initial meeting. Any interruption, due to student failure to fulfill the requirements of the program, shall result in suspension from the activity or event and suspension from driving and parking on campus until the counseling program is completed.
3. The student shall remain in the organization and shall be permitted to practice, provided the counseling component is proceeding uninterrupted and on schedule, but the student shall be suspended from participation in all extracurricular activities or competitions and shall also be suspended from driving and parking on campus for 21 calendar days upon confirmation of a positive test result. At the end of the suspension, the student shall submit to a follow-up drug test by the drug-testing provider.
4. The suspension shall begin on the date following the notification to the parent and student of the positive result.
5. The student shall be included in all future testing dates for the remainder of the school year.

SECOND  
OFFENSE

Upon the second confirmed positive test result, the following shall apply:

1. The parent or guardian and student shall meet with the principal or designee to discuss the test results and consequences.
2. The student shall be required to attend and successfully complete a drug-counseling program approved by the District. The parent shall be responsible for the cost of the counseling program. The program must be completed within 30 calendar days of the initial meeting. Any interruption, due to student failure to fulfill the requirements of the program, shall result in

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suspension from the activity or event and suspension from driving and parking on campus until the counseling program is completed.

3. The student shall remain in the organization and shall be permitted to practice, provided the counseling component is proceeding uninterrupted and on schedule, but the student shall be suspended from participation in all extracurricular activities or competitions and shall also be suspended from driving and parking on campus for 60 calendar days upon confirmation of a positive test result. At the end of the suspension, the student shall submit to a follow-up drug test by the drug-testing provider.
4. The suspension shall begin on the date following the notification to the parent and student of the positive result.
5. The student shall be included in all future testing dates for the remainder of the school year.

THIRD OFFENSE

Upon the third confirmed positive test result, the following shall apply:

1. The parent or guardian and student shall meet with the principal or designee to discuss the test results and consequences.
2. The student shall be suspended from participation in all extracurricular activities and the student's parking permit shall be revoked for the remainder of the student's enrollment in the District.

APPEAL

An appeal of the sanction may be instituted by the parent by giving written notice to the Superintendent within five days. The student shall be ineligible for participation pending the appeal. Using the procedures in FNG(LOCAL) for a Level Three presentation, the Board shall determine whether the sanction was justified.

PERMISSIVE  
REINSTATEMENT

Because this policy is designed to rehabilitate, and not to punish students, any student who has failed three drug tests, has been removed from all participation in extracurricular activities, and is ineligible for a parking permit shall be permitted to make a written request to the Superintendent for reinstatement to eligibility for a parking permit and for participation in extracurricular activities. No request for reinstatement shall be considered until the student has been excluded from extracurricular activities and parking privileges for at least 60 days after the third positive test result.

Upon receipt of the written request, the Superintendent shall require the student to submit to drug testing and to have a negative

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test result on each random testing date for six consecutive months. If a student has been admitted to and successfully completes an approved drug rehabilitation facility program, the requirement may be reduced to three consecutive months, for which the student must receive a negative result. Upon completion of both of these requirements and after a petition to the District administration, the student may be eligible for reinstatement for participation in extra-curricular activities and eligibility for a parking permit. Permission for reinstatement shall be the decision of a committee made up of the Superintendent, the principal, and the sponsors of the activities in which the student shall participate.

A student reinstated under this process shall be tested on each random testing date for the remainder of the student's enrollment in the District. Any positive test result after such reinstatement shall render the student permanently ineligible for participation in extra-curricular activities and for a parking permit for the remainder of the student's enrollment in the District.

EFFECT OF  
DISCIPLINE POLICY

Nothing in this policy limits or prohibits the application of Board policy providing for disciplinary action for students using, being under the influence of, possessing, or distributing illegal drugs or alcohol on school property or at school events.

Nothing in this policy limits or prohibits the application of additional consequences or penalties that are a part of the discipline procedures of each extracurricular program or organization.