

STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES

FNF
(REGULATION)

**Searches of
Students—
Reasonable
Suspicion**

A District search of a student may occur only when the student is on District premises, or while the student is attending a school-sponsored or school-related event, either on or off school property.

Any search of a student will be conducted by an authorized District official who is of the same sex as the student and, when feasible under the circumstances, will be witnessed by at least one other official who is of the same sex as the student.

The following rules will apply when any District official searches a student:

1. Authorized District officials may search a student whenever the student consents to such a search; however, consent will not be obtained through threats or coercion.
2. In the absence of consent, a search may occur when a District official has reasonable suspicion that searching a student's person or personal item will reveal evidence of a violation of the Student Code of Conduct. For example, district officials may conduct a reasonable-suspicion based search for:
 - a. Alcohol;
 - b. A prohibited weapon;
 - c. Controlled substances or illegal drugs as defined by law;
 - d. Stolen property;
 - e. Any other item that has been or may reasonably be expected to be disruptive of school operations; or
 - f. Any other item for which possession by a student is listed as a violation of the Student Code of Conduct.
3. If the search yields contraband, authorized personnel have the authority to detain the student and to preserve any contraband seized.

**Searches of
Vehicles—
Reasonable
Suspicion**

If a vehicle subject to search is locked, the student will be asked to unlock the vehicle. If the student refuses, the District will 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

When feasible under the circumstances, the District will notify a student's parent or guardian if any prohibited item is found in District property assigned to a student, in a student's vehicle parked on school property, or on the student's person or personal property as a result of a search conducted in accordance with this policy.

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Disciplinary Action	Any student found to be in possession of an item prohibited in the Student Code of Code will be subject to disciplinary action in accordance with the Student Code of Conduct.
Mandatory Drug-Testing Program	The District requires drug testing of any student in grades 7–12, who chooses to participate in school-sponsored extracurricular activities and/or requests a permit to park a vehicle on school property.
Covered Activities	School-sponsored extracurricular activities for which testing is required include without limitation, all interscholastic athletics, band, cheerleading, drill and dance teams, academic clubs, special interest clubs, student government, Career and Technical Education teams, 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. Students who drive to and from school and who park on school property shall be subject to the same random drug testing requirements as students who participate in school sponsored extracurricular activities.
Scope	A student participating in these activities and/or requesting a parking permit) will be tested for the presence of illegal drugs and alcohol randomly throughout the year.
Purpose	The purposes of the drug-testing program are to: <ol style="list-style-type: none">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; and4. Educate students regarding the harm caused by the use of illegal and performance-enhancing drugs or alcohol.
Distribution of Policy	The District will provide each parent and student a copy of the drug-testing policy, procedures, and consent form prior to the student's participation in an affected activity and/or receipt of a parking permit.
Orientation Meetings	The District will conduct meetings with parents and interested student participants prior to the beginning of the fall practice period for athletics and band, and the beginning of each semester for students who wish to obtain a parking permit and all other clubs, groups and organizations.

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	<p>District employees will explain the drug-testing program; review the policy, procedures, and consent form; and provide an educational presentation on the harmful effects of drug and alcohol abuse.</p> <p>Parent attendance at an orientation meeting is mandatory for a minor student's parent. If a student and a minor student's parent fail to attend the orientation meeting, the student will not be allowed to participate in extracurricular activities or to receive a parking permit.</p>
Consent	<p>Before a student is eligible to participate in extracurricular activities or to receive a parking permit, the student will 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 will also sign a consent form. If appropriate consent is not given, the student will not be allowed to participate in extracurricular activities or to receive a parking permit.</p>
Use of Results	<p>Drug-testing results will be used only to determine eligibility for a parking permit and participation in extracurricular activities. Positive drug test results will not be used to impose disciplinary sanctions or academic penalties.</p> <p>Nevertheless, nothing in this policy will limit or affect the application of state law, local policy, or the Student Code of Conduct. A student who commits a disciplinary offense will be subject to consequences in accordance with the Student Code of Conduct.</p>
Confidentiality	<p>Drug-testing results will be confidential and will be disclosed only to the student, the student's parents, and designated District officials who need the information to administer the drug-testing program. Drug-testing results will not be maintained with a student's academic record. Results will not be otherwise disclosed except as required by law.</p>
Testing Laboratory	<p>The Board will contract with a certified drug-testing laboratory to conduct testing of students' biological samples.</p> <p>Testing laboratories will 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 will make available to students and parents a list of the exact substances for which tests will be conducted.</p>

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Collection Procedures	Personnel from the drug-testing laboratory will collect urine or biological samples under conditions that are no more intrusive than the conditions experienced in a public restroom. When selected for testing, a student will be escorted to the school's testing site by a District employee and will remain under employee supervision by an employee of the same sex until the student provides the required sample.
Random Testing	<p>Random tests will be conducted on as many as 6 dates throughout the school year.</p> <p>No less than 10 percent and no more than 25 percent of the students participating in the program will be randomly selected for each random test date. The drug-testing laboratory will use a random selection method to identify students chosen for random testing. Students will not receive prior notice of the testing date or time.</p>
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 will be deemed to have a positive test result and will 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 will be collected on the next random testing date.</p>
Confirmation of Positive Results	<p>An initial positive test will 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 will 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 will have 5 school days following the meeting to provide a medical explanation for a positive result.</p>
<i>Retesting</i>	If the student wishes to return to participation in extracurricular activities or have a parking permit reinstated after any applicable consequences, the student must be retested monthly during the period of suspension and have a negative test result. Following that, the student will be retested on the next random test dates each consecutive school year thereafter, so long as the student wishes to participate in extracurricular activities or park a vehicle on school property.
Drug Abuse Prevention	The District shall require a student with a confirmed positive test result to participate in a drug and alcohol intervention counseling

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program prior to returning to any extracurricular activities and having a parking permit reinstated. The counseling program shall be provided at no cost to the parent or student.

The District will notify the parent and student of drug and alcohol abuse prevention resources available in the area, however, any external counseling services not under contract or MOU with the school district shall be the responsibility of the parent or person otherwise in lawful control of the student.

Consequences

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

First Offense

Upon a first offense of receiving a confirmed positive drug test, a student will be suspended from any extracurricular activity and the student's parking permit will be suspended for 90 school days following the date the student and parent are notified of the test results.

During the period of suspension, the student will not be permitted to participate in practices; and shall not participate in any competitive activities or performances.

Second Offense

Upon a second offense of receiving a confirmed positive drug test, a student will be permanently suspended from any extracurricular activity, and the student's parking permit will be permanently suspended for the duration of the student's enrollment in the San Felipe Del Rio CISD.

*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 will complete the remainder of the assigned period of suspension during the following semester or during the first semester of the following school year. A student may not complete a period of suspension during the summer.

Appeals

A student or parent may appeal a decision made under this policy in accordance with FNG(LOCAL). The student will be ineligible for participation in extracurricular activities including practices and competitions; and will be ineligible for reinstatement of parking privileges while the appeal is pending.