

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

PURPOSE	<p>The purpose of this policy is to protect the safety and welfare of students and school personnel; to maintain, encourage, and preserve an atmosphere conducive to learning; to deter the possession or use of prohibited weapons and contraband at school or school-related events; and to improve the means of enforcing drug and weapon free zones as provided by state law.</p>
SEARCHES	<p>School authorities may search a student, student lockers, student automobiles, or other possessions or property under a student's control, in accordance with the circumstances hereinafter described, and may seize any prohibited, illegal, or otherwise unlawful contraband, including weapons, discovered as a result of the search.</p> <p>Such searches may be conducted because there is reasonable cause or upon securing the student's voluntary consent. Coercion, expressed or implied, should not be used to obtain consent for the search. Parental consent is required unless there exists individualized reasonable suspicion or cause.</p>
NOTICES	<p>Prior notice to students, parents, and others shall be given in a manner reasonably calculated for them to receive actual notice that reasonable searches, including random searches, may be conducted when on school premises or at school-related functions or activities. Such notices may include appropriate signage, inclusion in enrollment documents, student handbooks, discipline management program, or similar means of communication.</p>
DEFINITIONS	<p>For the purposes of this policy, the following definitions shall apply:</p> <p>"Contraband" is all substances or materials, the presence of which is prohibited by school policy or state law, including, but not limited to, controlled substances, drugs, alcohol or alcoholic beverages, abusable glue or aerosol paint, guns, knives, weapons, and incendiary devices.</p> <p>"Reasonable cause" is the standard for a search on school property or at school-related events that is based on the school official's specific reasonable inferences that he or she is entitled to draw from the facts in light of the school official's experience. Specific reasonable inferences may be drawn from instances including, but not limited to, a tip from a reliable student or other person, suspicious behavior that suggests that contraband is present, a smell or odor indicating the presence of the contraband, or an abnormal bulge in a pocket, and the like. The scope of the search should be related to the reasons for the search in the first instance.</p> <p>"Weapons" are defined in the District's discipline management program, the Student Code of Conduct, and the Texas Penal Code.</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

SEARCH OF THE  
PERSON

A student's person and/or personal effects (e.g., purse, book bag, and the like) may be searched whenever a school official has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

More intrusive searches of a student's person, including "pat-down" searches, shall be conducted only if probable cause exists to believe that the student possesses contraband.

If a "pat-down" search of a student's person is conducted, it shall be conducted in private by a school official of the same sex and with an adult witness present.

If emergency conditions require a more intrusive search of a student's person, such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon prior approval of the appropriate director of secondary education, the director of elementary education, or one of their supervisors, unless the health and safety of students will be endangered by the delay that might be caused by following these procedures.

LOCKER SEARCHES

Areas such as lockers, which are owned by the District and jointly controlled by the District and student, may be searched if reasonable cause exists to believe that contraband is inside the locker.

AUTOMOBILE  
SEARCHES

Students are permitted to park on school premises as a matter of privilege, not a right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property.

Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant. The interiors of student vehicles may be inspected whenever a school official has reasonable cause to believe that illegal or unauthorized materials are contained therein.

CANINE USE

The administration is authorized to utilize canines whose reliability and accuracy for sniffing out contraband has been established to aid in the search for contraband in school-owned property and automobiles parked on school property. Canines shall not be used to search students. The canines must be accompanied by a qualified and authorized trainer, who will be responsible for each dog's actions. An indication by a dog that contraband is present on school property or in an automobile may be reasonable cause for a further search by school officials.

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

USE OF METAL  
DETECTORS

RANDOM  
SEARCHES

All students at or entering the school premises or location of a school-related function or activity are subject to the search by metal detectors. Although the school official may choose to search by any reasonable random formula, such officials are, however, prohibited from selecting a particular student(s) for search unless there is reasonable suspicion to believe that the student is in possession of a weapon.

INDIVIDUAL  
SEARCHES

The official conducting the search should approach the student and explain the scanning process. The student should be asked to make available any bags and parcels for scanning and to remove all metal objects from pockets. If a student refuses to cooperate, another official should be notified and should monitor the search. If the student cooperates, the scanning of the person may continue but without touching the body of the student. Bags and parcels shall also be scanned. Students shall, when feasible, be scanned by an official of the same sex as the student.

If a bag or parcel activates the scanner, the official shall request the student to open the container so the official can look for weapons. If the body activates the scanner, the request to remove metal objects shall be repeated. A second scan should then be conducted. If the scanner is again activated, the student shall be escorted to a private area for a more private search.

PRIVATE  
SEARCHES

The official shall again request the student to remove all metal objects. The search shall then continue near the place activating the scanner. This may be a "pat-down" search designated to locate the item that activated the scanner. Any "pat-down" search shall be conducted by an official of the same sex as the student and be witnessed by an adult of the same sex.

If the official locates or feels an object during the "pat-down," the student shall be given a chance to remove the object before the official does. If the object, once removed, appears to be the item activating the device, the search shall cease. The search may be continued only if a subsequent scan activates the device.

DISCIPLINARY OR  
OTHER ACTION

If any contraband, including a weapon, is found, the student shall be subject to appropriate disciplinary action, including removal, suspension, or expulsion, in accordance with the Student Code of Conduct. Discovered contraband, including a weapon, shall be turned over to the appropriate law enforcement agency.

If the student refuses to cooperate, the official may refer the matter and the student to appropriate legal authorities and consider appropriate disciplinary measures, in accordance with the Student Code of Conduct.

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

Any District employee may, within the scope of his or her duties, use and apply reasonable physical restraint to a student if the employee reasonably believes such restraint is necessary in order to obtain possession of the contraband, including a weapon, or to enforce reasonable discipline.

PARENTAL NOTICE

The parent, guardian, or other person having lawful control of the student shall be notified if any contraband is found on the student as a result of the search.

MANDATORY DRUG-  
TESTING PROGRAM

The District requires drug testing of any student in grades 9–12 who chooses to participate in school-sponsored competitive extracurricular activities (TEC 76.1001a) or applies for a parking permit.

A parent may request inclusion of his or her child in the drug-testing program even if the student does not participate in school-sponsored activities or have a parking permit.

Eligible students shall be randomly tested for the presence of illegal drugs throughout the school year.

PURPOSE

The purposes of the drug-testing program are to: serve as a deterrent to the use of alcohol and/or illegal drugs among the student body; offer students a credible means to resist peer pressure as it relates to the use of alcohol, performance-enhancing and/or illegal drugs; ensure the health and safety of all students who represent the school in an extracurricular activity or who have school parking privileges; provide a ready resource for support and assistance to any student who may be using illegal drugs and/or alcohol; help enforce a drug-free educational environment; and educate students regarding the harm caused by the use of illegal drugs and 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 start of random student drug testing and at the beginning of each school year. Parents and students shall receive information about the drug-testing program and review the policy and consent form.

Attendance at the orientation meetings is strongly encouraged for parents and students. The presentation from the meetings will also be available on the LISD website.

CONSENT

Before a student is eligible to participate in extracurricular activities or receive a parking permit, the student shall be required annually to sign a consent form agreeing to be subject to the rules and pro-

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

cedures 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 or receive a parking permit.

A parent may request that his or her child be added to the eligibility list for voluntary testing and sign consent for testing for a student who does not participate in competitive extracurricular activities and does not receive a parking permit.

USE OF RESULTS

Drug test results shall be used only to determine eligibility for participation in extracurricular activities and to determine eligibility for a school parking permit. 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.

CONFIDENTIALITY

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.

Test results shall be maintained until the student is no longer of school age and not enrolled in the District. Records shall be destroyed at that time.

TESTING  
LABORATORY

The Board shall contract with a certified SAMHSA drug-testing laboratory to conduct testing of students' urine samples.

Testing laboratories shall not release statistics regarding the rate of positive drug tests to any person or organization without consent of the District.

SUBSTANCES FOR  
WHICH TESTS ARE  
CONDUCTED

For the purposes of this policy, the term drug shall be defined as any substance considered illegal by either federal or Texas law or that is controlled by the United States Food and Drug Administration including, but not limited to, the following: marijuana; cocaine; prescription painkillers or opiates (e.g., heroin, morphine, OxyContin, Darvon, Vicodin, Percocet, Percocan, and Tylenol with codeine); phencyclidine (PCP, angel dust); sedatives (e.g., downers: sleeping pills, Xanax, GHB (gamma hydroxybutyrate), Valium, Klonopin, Ativan); stimulants (e.g., uppers: amphetamines/methamphetamines, e.g., speed, diet pills; prescription stimulants (e.g., Aderall, Ritalin).

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

	<p>The District shall reserve the right to test for any and all illegal or controlled substances, including adulterants used to mask test results, as determined at the discretion of the District.</p>
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 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 throughout the school year.</p> <p>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>
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. The MRO (Medical Review Officer) shall contact the parent/guardian to determine if there is an appropriate medical explanation for a positive test result.</p> <p>Upon receiving results of a positive drug test, the campus administrator 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, and the STAR representative to review the test results and discuss consequences.</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>
FIRST OFFENSE	<p>Upon a first offense of receiving a confirmed positive drug test, a student who wishes to return to participation in extracurricular activities or to again be eligible for a parking permit shall be subject to the following consequences and requirements:</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

1. Suspension from participation in any competitive after-school extracurricular performances, competitions, and activities for 15 school days. During the period of suspension, the student may participate in practices.
2. Loss of parking privileges for 15 school days.
3. Attendance at a mandatory minimum of three counseling sessions in the STAR (Student Assistance and Response) Program or three sessions of external counseling, with proof of completion required.
4. Submission to weekly drug testing. If the results of these tests are negative, the student shall be eligible to participate in performances, competitions, and activities and to resume any parking permit privileges on the Monday following the end of the suspension period.

SECOND  
OFFENSE

Upon a second offense of receiving a confirmed positive drug test, a student who wishes to return to participation in extracurricular activities or to again be eligible for a parking permit shall be subject to the following consequences and requirements:

1. Suspension from participation in any competitive after-school extracurricular or curriculum-related performances, competitions, and activities for 30 school days. During the period of suspension, the student may participate in practices.
2. Loss of parking privileges for 30 school days.
3. Attendance at a mandatory minimum of six counseling sessions in the STAR (Student Assistance and Response) Program or six sessions of external counseling, with proof of completion required.
4. Submission to weekly drug testing. If the results of these tests are negative, the student shall be eligible to participate in performances, competitions, and activities and to resume any parking permit privileges on the Monday following the end of the suspension period.
5. Participation by the parent and student in the District's ADAPT (Alternative Discipline and Parent Teaming) Program, which requires a minimum of three sessions, or proof of participation in a similar external program.

THIRD OFFENSE

Upon a third offense of receiving a confirmed positive drug test, a student who wishes to return to participation in extracurricular activities or to again be eligible for a parking permit shall be subject to the following consequences and requirements:

STUDENT RIGHTS AND RESPONSIBILITIES  
INTERROGATIONS AND SEARCHES

FNF  
(LOCAL)

1. Suspension from participation in any competitive after-school extracurricular or curriculum-related performances, competitions, and activities for one calendar year. During the period of suspension, the student may participate in practices.
2. Loss of parking privileges for one calendar year.
3. Attendance at a mandatory minimum of 12 counseling sessions in the STAR (Student Assistance and Response) Program or 12 sessions of external counseling, with proof of completion required.
4. Submission to a drug test by the District-contracted lab, at student or parent expense, at the end of suspension period. In order for the student to be reinstated to extracurricular activities and any parking privileges, the test result must be negative.
5. Participation in the District's Family Center for family counseling, or proof of participation in a similar external program.

END-OF-  
SEMESTER  
SUSPENSIONS

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.

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 and parking privileges while the appeal is pending.