

STUDENT RIGHTS AND RESPONSIBILITIES
INTERROGATIONS AND SEARCHES

FNF
(REGULATION)

- TYPES OF SEARCHES Searches are divided into two categories – a search of a student’s person or a search of a student’s property.
- SEARCHES OF STUDENTS — REASONABLE SUSPICION A 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.
- The following rules will apply when the Superintendent, a principal, or other authorized personnel detain and search a student:
1. Authorized personnel 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 an authorized person has reasonable suspicion that the student may be in possession of:
 - a. Alcohol;
 - b. A prohibited weapon;
 - c. Controlled substances or illegal drugs as defined by law;
 - d. Stolen property, if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school or school activities;
 - 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.
 4. Any search of a student will be conducted by an authorized person who is of the same sex as the student and will be witnessed by at least one other authorized person who is of the same sex as the student.
 5. Strip searches are prohibited. No clothing, except cold weather outer garments, will be removed before or during a search.

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SEARCHES OF STUDENT PROPERTY	A school official may search a student's belongings (i.e. purse, backpacks, etc.) when there is reasonable ground for suspecting that the search will disclose evidence that the student may be in possession of an item that is prohibited by law or school rules.
SEARCHES OF STUDENT BELONGINGS	Searches of student vehicles parked on school property may occur at any time that reasonable suspicion exists to do so. If a vehicle subject to a search is locked, District police will ask the student to unlock the vehicle. If the student refuses, the student's parent/guardian should be contacted for consent for a search.
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.
STUDENT DRUG TESTING PROGRAM	<p>Middle school students (in grades 7-8) and high school students (in grades 9-12) who choose to participate in extracurricular activities or drive a vehicle to school will be subject to random drug testing. Students will be randomly selected for drug testing by the District's contracted vendor at a frequency and rate determined by the District.</p> <p>Students selected at random for drug testing on a given date, who leave school because of illness or any other legitimate reason before the drug screening, shall be included in the next testing session.</p>
STUDENT AND PARENT CONSENT FORMS	<p>Before a student is allowed to participate in any extracurricular activity and/or obtain/maintain a permit to park on campus, the student and the parent and/or persons otherwise in lawful control of the student, shall attend a mandatory orientation meeting to review the District's student drug testing program.</p> <p>After completing meeting attendance requirements, the student and the parent will be given a consent form to complete and sign. To be valid, a consent form must have the signature of the student and the parent/guardian. If the student is 18 years of age or older, only the student's signature is required.</p> <p>Students who participate in extracurricular activities that begin during the summer months and before the first day of school, must attend a mandatory orientation meeting to review the District's student drug testing policy and submit a signed consent form to the sponsor/director prior to participating in practices or any other extracurricular activity. SFDR CISD directors/sponsors shall maintain</p>

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full responsibility for providing the orientation and for maintaining and updating consent forms on file.

Students who plan to participate in any extracurricular activities and/or who plan to apply for a permit to park on campus during the course of the school year must attend a mandatory orientation meeting to review the District's student drug testing program and return a signed consent form prior to participation in practices or any extracurricular activity.

A student/parent consent form must be submitted to the DRHS principal's designee for parking permits.

A consent form must be submitted to the sponsor/director in order to be eligible for participation in any extracurricular activities. SFDR CISD directors/sponsors shall maintain full responsibility for maintaining and updating consent forms on file.

TESTING
PROCEDURES AND
PROTOCOL

The District shall contract for drug-screening services through an independent laboratory that has met all standards for certification as established by the Substance Abuse and Mental Health Services Administration (SAMHSA), and all testing shall be conducted by qualified laboratory personnel in accordance with accepted practices and procedures established by the contracted laboratory.

COLLECTION
PROTOCOL

Testing shall be accomplished by urinalysis using accepted immunological screening procedures. The collection and coding of specimen samples shall be executed by personnel from the drug testing laboratory and by District personnel in a manner that ensures proper identification and total confidentiality. Chain-of-custody documentation shall be maintained throughout the collection and testing processes by authorized District personnel using the following steps:

1. 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.
2. A designated registered nurse shall provide the student with a collection beaker to collect a urine sample. The student donor shall produce a sample within a closed restroom stall under conditions that are no more intrusive than the conditions experienced in a public restroom.
3. The registered nurse shall also certify and sign the Validator Affidavit verifying that the collection beaker and specimen remained in control of the donor throughout the process; and remained in constant view of the donor and the validator.

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4. The student (donor) shall also certify and sign the Validator Affidavit verifying that he/she provided the specimen and remained in his/her control until the collector packaged the specimen in the vials and applied the security seals. The student will also verify that the numbered vials correspond to the number on the Validator Affidavit form.
5. The Drug Testing Coordinator will certify and sign that he/she witnessed the donor and the collector package the specimen and seal it for transport to the laboratory.

The District contracts the services of a medical review officer (MRO) who is certified by the Medical Review Officer Certification Council or by the American Association of Medical Review Officers as having proven by examination to have the appropriate medical training to properly interpret and evaluate the results of any drug testing authorized by the District. The MRO shall, as well, agree to abide by the procedures established by the District for the evaluation and timely reporting of any positive tests.

In the case of a confirmed positive test, the Student Drug Testing Coordinator shall attempt to contact the parent or person otherwise in lawful control of the student within one school day of having received the results to determine whether there is an alternative medical explanation for the positive test result. Should the District Student Drug Testing Coordinator be unsuccessful in initial attempts to contact the parent within the time specified, then he/she shall conduct a home visit in an effort to locate the parent or person otherwise in lawful control of the student. In such cases, the parties should only assume that the contact is for the purpose of responding to routine questions associated with the follow-up of any test.

Upon verification of a positive test, the Student Drug Testing Coordinator shall report to the Chief Human Resources Officer within one school day after confirmation with the parent or person otherwise responsible for the student.

CONFIDENTIALITY

Test results shall be made known to the Superintendent or designee, the campus principal, the extracurricular director/sponsor (if applicable), the student and the parent or person otherwise in lawful control of the student. All other parties involved in a case of a confirmed positive test shall be notified only with respect to the level of the offense.

Test results shall be released only upon written request of a parent or person otherwise in lawful control of the student or to the student if he/she is of legal age. Test results shall be destroyed on the date of withdrawal, graduation or in five years whichever is sooner.

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The vendor, laboratory, and MRO shall be prohibited from releasing any statistical information relating to the nature or rate of any positive tests that result from the testing program to any person, organization, news publication, or the media without the expressed written consent of the District. The vendor shall, however, provide the District with a report after each test administration and must include a list of the substances identified from any positive specimens.

SCREENING
PARAMETERS

For 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. The District shall reserve the right to test for any and all illegal or controlled substances as determined at the discretion of the District.

CONSEQUENCES

Beginning July 1, 2017, consequences will be imposed for positive test results and will include the following: notification to the student and parent or person otherwise in lawful control of the student, conferencing, district-sanctioned counseling and suspension from participation in any competitive, after-school, extracurricular practices performances, competitions, and/or activities, and/or parking permit privileges.

The length of the suspension is determined by whether the student has a first or second positive test during a random drug screening. [See FNF(LOCAL)].

TRANSITION

Students who tested positive prior to July 1, 2017, and have had consequences imposed under the policy in effect at that time shall transition to the new policy.

The days served for a suspension shall not exceed 90 school days for a first offense. The transition plan shall also ensure that the student is subject to current retesting and counseling requirements and the consequences for any subsequent offenses in accordance with this policy. [See FNF(LOCAL)].

MONTHLY
RETESTING AFTER
CONFIRMATION OF
POSITIVE RESULTS

Beginning July 1, 2017, if the student wishes to return to participation in extracurricular activities or have a parking permit reinstated after any applicable consequences, the student shall be retested monthly during the period of suspension and have a negative test result; following the period of suspension, the student shall be retested monthly for the remainder of the student's enrollment in the District so long as the student wishes to participate in extracurricular activities or park a vehicle on school property. All retesting shall be at the parent's expense.

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The drug-testing laboratory shall test for the presence of: alcohol, performance-enhancing substances, including anabolic steroids, marijuana, cocaine, methaqualone, benzodiazepines, phencyclidine (PCP), methadone, barbiturates, propoxyphene, amphetamines, opiates, and metabolites of any of these substances.

FAILURE OR
REFUSAL TO SUBMIT
TO DRUG TESTING

Any student identified for random drug testing on a given date but who, because of illness or any other legitimate reason leaves school before the test is performed, shall be included in the next random screen. Refusal on the part of any student to participate in a scheduled or random drug test shall be considered as having tested positive.

STUDENT SUPPORT
SERVICES

The District shall require a student to participate in district sanctioned counseling through BCFS Health and Human Services before returning to any extra-curricular activities and before resuming parking privileges. This specialized counseling shall include the following objectives:

1. Participation in a Solution Focused Therapy approach to counseling to help the student find resolutions and coping skills for drug use and/or abuse.
2. Participation in a curriculum-based self-help and recovery program, Alcohol Chemical Treatment Series (ACTS), for a minimum of 10 weeks with topics addressing
 - a. The Truth About Drugs
 - b. Effects of Drug Use
 - c. Consequences of Teen Substance Abuse
 - d. Truth about Marijuana
 - e. Truth about Alcohol
 - f. Truth about Synthetic Drugs
 - g. Truth about Barbiturates
 - h. Truth about Stimulants
 - i. Impact of Peer Pressure

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j. Positive Changes

The student shall submit a certificate of completion to the Superintendent's designee, campus principal and extracurricular director/sponsor as proof of completing the substance abuse counseling requirement.

The District shall also provide information regarding external agencies that provide substance abuse education or counseling upon request. Any cost of such external services, however, shall be the responsibility, of the student and/or parent or person otherwise in lawful control of the student.

LOSS OF PARKING
PRIVELEGES

Students who park on campus during periods of suspension will be subject to disciplinary consequences because they do not have a valid parking permit. Loss of parking privileges does not allow another student driver to drive the suspended student's vehicle while he/she (the suspended student) rides as a passenger.

ATTENDING
PRACTICE

Participation is not permitted while the student is suspended.