



STUDENTS RIGHTS AND RESPONSIBILITIES:

INTERROGATIONS AND SEARCHES -FNF(LOCAL)

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 questions 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 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 FNC(LOCAL), 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.

USE OF TRAINED DOGS continued

Such visits to school shall be unannounced. The dogs shall be used to sniff vacant classrooms, vacant common areas, the areas around school 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 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 any time.
2. Vehicles parked on school property may be sniffed by trained dogs 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, possession 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.

CONFIDENTIALITY OF RESULTS

All drug test results are considered confidential information and will be handled accordingly. Those persons having results reported to them, as set forth in this policy must sign a Confidentiality Statement.

DEFINITION OF EXTRACURRICULAR ACTIVITIES

Texas Administrative Code– rules adopted by the Commissioner of Education define “extracurricular activities” for Texas schools as: UIL or School sponsored: An extracurricular activity is an activity sponsored by the University Interscholastic League (UIL), the school district board of trustees, or an organization sanctioned by resolution of the board of trustees. The activity is not necessarily directly related to instruction of the essential knowledge and skills but may have an indirect relation to some areas of the curriculum. Extracurricular activities include, but are not limited to, certain public performances, contests, demonstrations, displays, and club activities.

Students that drive vehicles to school are also subject to drug

VOLUNTARY

Parents can volunteer to have their students (Children) tested by contacting the school principal. Results will be reported to the parent only.

EXTRACURRICULAR DRUG-TESTING POLICY/ DRIVING A VEHICLE TO AND FROM SCHOOL.

The Board has approved the following drug testing policy:

STATEMENT OF NEED AND PURPOSE

Recognizing that observed and suspected use of alcohol and illicit drugs by District students who drive a vehicle to and from school and who participate in extracurricular activities is occurring, a program of deterrence as a proactive approach to a truly drug-free school. Likewise, through participation in extracurricular activities and driving a vehicle to school, student using illegal drugs pose a threat to their own health and safety, as well as to that of other students. The purpose of this program is three fold:

1. To provide for the health and safety of all students;
2. To undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs; and
3. To encourage students who use drugs to participate in drug treatment programs.

The program is academically non-punitive and is designed to create a safe, drug-free environment for students engaged in extracurricular activities and /or drive a vehicle to school and to assist them in getting help when needed.

OBJECTIVES

The objectives of the program shall be:

1. To provide a deterrent to drug use for middle school and senior high school students engaged in extracurricular activities and/or drive a vehicle to school.
2. To provide a drug education program for those students engaged in extracurricular activities and drive a vehicle to and from school who test positive for drug use.
3. To provide for the health and safety of all students engaged in extracurricular activities and drive a vehicle to and from school.
4. To undermine the effects of peer pressure by providing a legitimate reason for student to refuse to use illegal drugs.

PLAN

1. Before a student is allowed to participate in extracurricular activities and/or drive a vehicle to school, the student’s parent must sign a **Drug Testing Authorization Form.**
2. All students driving a vehicle to school and/or engaged in extracurricular activities shall be tested at least once yearly upon entering into the extracurricular activity that will include practice or preparation for the activity. Random drug testing shall be conducted on at least ten students from middle school and at least ten students from high school a minimum of five times per year on random dates after the initial testing. The dates shall be selected by the testing facility.
3. Students shall be selected at random by a representative from the testing laboratory from a computer-generated pool of all students engaged in extracurricular activities and/or drive a vehicle to school.
4. All students at the District middle school and senior high school who are engaged in extracurricular activities and/or drive a vehicle to school shall be subject to testing.
5. The method of testing shall be by a nationally certified independent laboratory.
6. The testing shall be administered as follows:
 - A. All students driving a vehicle to school and/or engaged in extracurricular activities at the District middle school and senior high school, and their parents or guardians, shall be asked to sign a drug-testing consent form as a condition of participating in extracurricular activities and/or drive a vehicle to school. No student may participate in practice or competition until the consent form is properly executed and on file with the appropriate administrator. Each consenting student shall be issued an identification number. The campus administrator shall maintain the names of student with their corresponding identification numbers. A representative from the testing laboratory shall take samples to the testing laboratory and retrieve results. All specimens shall be identified by the student’s identification number.
 - B. Male students selected at random shall provide a urine sample in a stall with the door closed in

- the male student’s restroom facility, or at a secure private site as selected by the administrator. The urine sample shall be collected in a sealed split specimen collection container provided by the testing laboratory. The container shall have the student’s identification number written on a chain of custody and control form. The administrator shall select a male member of the campus faculty who will be present while the sample is collected. The selected male faculty member shall not directly observe the male students collect their samples. Immediately upon collecting the samples, the selected male students shall give the collected samples to the testing laboratory representative and the male faculty member present shall ensure that each student’s identification number is on the chain of custody and control form. The split specimen sample bottles “A” and “B” shall be sealed and witnessed by the student. A representative from the testing laboratory shall then deliver the collected samples to the laboratory for analysis.
- C. Female students selected at random shall provide a urine sample in a stall with the door closed in the female student’s restroom facility, or at a secure private site as selected by the administrator. The urine sample shall be collected in a sealed split specimen collection container provided by the testing laboratory. The container shall have the student’s identification number written on a chain of custody and control form. The administrator shall select a female member of the campus faculty who will be present while the sample is collected. The selected female faculty member shall not directly observe the female students collect their samples. Immediately upon collecting the samples, the selected female students shall give the collected samples to the testing laboratory representative and the female faculty member present shall ensure that each student’s identification number is on the chain of custody and control form. The split specimen sample bottles “A” and “B” shall be sealed and witnessed by the student. A representative from the testing laboratory shall then deliver the collected samples to the laboratory for analysis.
7. Refusal to provide a sample or noncompliance with the testing procedures by a student driving a vehicle to and from school and/or engaged in extracurricular activities shall be considered a positive result and shall be reported to the appropriate campus administrator.
8. All drug test results shall be considered confidential information and shall be handled accordingly. The MRO (Medical Review Officer) shall report all drug test results to designated school officials.
9. The testing laboratory may not release any statistics on the rate of positive drug tests to any person, organization, news publication, or media without the expressed written consent of the Board. However, the testing laboratory may provide the campus administrator or the Board with a quarterly report showing the number of tests performed, rate of positive and negative tests, and substances found in the positive and negative tests, and substances found in the positive urine specimens.
10. Whenever a student’s test result indicates the presence of illegal drugs or banned substances, the parent shall be contacted by a Medical Review Officer (MRO). The MRO shall determine if there is a medical explanation for the student’s drug report. If the parent can provide a medical excuse with documentation, the MRO shall report the test results as a negative. However, without medical information, the MRO shall report to the school-designated representative a positive drug screen. The service shall provide MRO services for interpretation and verification of results.
11. Students who test positive for drug use may request a second test, using bottle “B” of the split specimen and a laboratory from a list of nationally certified independent laboratories to be provided by the District, at the student’s expense. Such a request must be made to the campus administrator in writing within 72 hours from the first notification of possible test results. The District shall reimburse the student’s expense for any false-positive test as long as the second test is completed on bottle “B” of the split specimen at a nationally certified independent laboratory from the list supplied by the District.
12. The testing laboratory may use quantitative results to determine if positive results on repeat testing indicate recent use of illicit or banned substances or the natural decline of levels of the illicit or banned substance from the body. If the testing laboratory believes the quantitative levels determined to be above the established cutoffs do not reflect current use but natural decay, then a negative result may be reported.
- BANNED SUBSTANCES**
- Alcohol, Amphetamines, Anabolic Steroids, Barbiturates, Benzodiazepines, Cocaine Metabolites, LSD, Methadone, Methaqualone, Nicotine (if under 18 years of age), Opiates, Phencyclidine, Tetrahydrocannabinols (THC) (Marijuana)
- All substances listed on the Schedules of Controlled Substances pursuant to the Texas Controlled Substances Act established by Chapt. 481 of the Texas Health and Safety Code.

POSITIVE RESULTS

The following shall apply if a student tests positive:

First Offense

- Mandatory Substance Abuse Counseling for students and parents as approved by the Taft Independent School District. Any cost associated with the Mandatory Substance Abuse Counseling is the parent’s/guardian’s responsibility.
- The student will be suspended from participation in all performances, practice, contests in all activities and driving a vehicle to and from campus for 30 calendar days. The suspension will begin after the appeals process has been finalized. The student may begin competing in activities, after the 30-day period, if the most recent tests are negative, and required counseling is completed. Any participant testing positive will be removed from the random testing pool, and will be required to be tested at the time of each random testing, for a minimum period of one calendar year and a minimum of six (6) consecutive tests as scheduled.

Second Offense

- Mandatory Substance Abuse Counseling for students and parents as approved by the Taft Independent School District. Any cost associated with the Mandatory Substance Abuse Counseling is the parent’s/guardian’s responsibility
- The student will be suspended from participation in all performances, practice, contests in all activities and driving a vehicle to and from campus for 60 calendar days. The suspension will begin after the appeals process has been finalized. The student may begin competing in activities, after the 60-day period, if the most recent tests are negative, and required counseling is completed. Any participant testing positive will be removed from the random testing pool, and will be required to be tested at the time of each random testing, for a minimum period of one calendar year and a minimum of six (6) consecutive tests as scheduled.

Third Offense

- Mandatory Substance Abuse Counseling for students and parents as approved by the Taft Independent School District. Any cost associated with the Mandatory Substance Abuse Counseling is the parent’s/guardian’s responsibility
- Suspension from participation and practice in all extracurricular activities and driving a vehicle to and from campus for one (1) calendar year.

Fourth Offense

- Suspension from participation and practice in all extracurricular activities and driving a vehicle to and from campus for the remainder of time the student is enrolled in Taft ISD

REFUSAL

If a student refuses any test or counseling as required or authorized by this policy, the student shall receive the same consequences as set out for a positive result for each refusal.

NONPUNITIVE NATURE OF POLICY

No student shall be penalized academically for testing positive for illegal drugs or banned substances. The results of drug tests pursuant to this policy shall not be documented in any student’s academic records. Information regarding the results of drug tests shall not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the Board shall not solicit. In the event of service of any such subpoena or legal process, the student and the student’s custodial parent or legal guardian shall be notified at least 72 hours before a response is made by the Board, to the extent permitted by such subpoena or legal process.

This policy and all other District policies can be viewed online at the District’s Webpage

www.taftisd.net

Questions or comments should be directed to the District Chief of Police, Tony Arsuaga.

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