

STUDENT RIGHTS AND RESPONSIBILITIES
INVESTIGATIONS AND SEARCHES AND DRUG TESTING

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 District 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.

Use of Metal
Detectors

In order to prevent and deter the presence of weapons and other contraband on campus and at school-sponsored activities, student and visitors at all secondary campuses and at school-sponsored events off campus will be subject to random, suspicionless searches using metal detectors. The District's procedures for metal detector searches are designed to ensure that searches are conducted uniformly and equitably, with minimal interference with the educational process and individual privacy rights. District officials will not select a particular individual to search except as authorized by law and District policy.

Possible Search
Methods

The district's metal detection program may include the use of walk-through and/or handheld metal detectors and inspection of bags and personal items large enough to hold weapons or other contraband.

The District may employ any of following metal detector search methods:

1. Allowing student and visitors to enter only at specified times and only through specified entrances. All student and visitors will be screened daily as they enter the building.
2. Allowing student and visitors to enter only at specified times and only through specified entrances. All students and visitors will be screened on randomly selected days as they enter the building.
3. Screening all student and visitors arriving through a particular entrance (e.g., the north and west entrances).

In any of these methods, students may be screened in a randomized, numeric pattern (e.g., every other student or every fifth student) in order to minimize wait times and avoid the risk of bias.

If a student's or visitor's bag or personal item activates the metal detector, the District personnel operating the metal detector will request that the individual make the bag or item available to be searched for weapons or other contraband. If a student or visitor's person activates the metal detector, he or she may be escorted to a more private area for a reasonable suspicion-based search in accordance with law and District policy.

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Refusal to Cooperate	<p>A student's refusal to cooperate with the District's search procedures may be grounds for immediate removal, referral to law enforcement, and/or discipline under the Student Code of Conduct, as appropriate under the circumstances.</p> <p>If a visitor refuses to cooperate with the District's search procedures, authorized District personnel may ask the visitor to leave and, if the individual refuses to leave peaceably, may eject or refuse to allow the individual to enter District property in accordance with Education Code 37.105. [See GKA]</p>
Notification	<p>Parents and students will be notified of the District's policy on searches at the beginning of the school year. When metal detectors are being used at an entrance to a campus or off-campus school-sponsored activity, the District will post signs outside the area where metal detectors are being used to warn students and visitors that they may be required to submit to a screening for metal as a condition of entering the building or event.</p>
When Searches With Metal Detectors Are To Be Conducted	<p>The Superintendent may determine at his or her discretion when and at what campus any random search for weapons with metal detectors shall be conducted. This determination at the Superintendent's discretion may be made in consultation with other members of the faculty and staff. Such searches shall be on a random basis and none shall be directed at a particular student unless there is a reasonable suspicion to believe that the student is in possession of a weapon.</p>
Guidelines	<p>All searches shall be conducted by Police officers of the District. Once a determination is made as to when and where such random search shall be made, the District Police Department officers shall conduct the search using the following procedures:</p> <ol style="list-style-type: none"><li data-bbox="560 1356 1430 1629">1. All students in the subject area are subject to search although the officers may choose to limit the search by any random formula. For example, if the lines become too long, the officers may decide at their discretion to search every-second or third student. The officers are prohibited, however, from selecting a particular student to search unless there is a reasonable suspicion to believe that the student is in possession of a weapon.<li data-bbox="560 1654 1430 1717">2. Officers shall explain briefly to the student the scanning process.<li data-bbox="560 1743 1430 1810">3. Officers shall ask the student to place any bags and parcels on a table and remove all metal objects from pockets.

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4. If a student refuses to cooperate, the officers shall notify the principal or administrator who should be stationed nearby to monitor the search.
5. If the student cooperates, then the student is scanned beginning at the toes and continuing up to the head without actually touching the body. All bags and parcels are to be scanned also.
6. If a student's bag or parcel activates the scanning device, the officer is to request the student to open the container in question so that the officer may look for weapons.
7. If a student's body activates the device, the officer will once again ask the student to remove any other metal objects

Drug/Alcohol Offences

The District shall require a student to submit to an alcohol or drug screen/test when a school official has *reasonable suspicion* to believe a student is under the influence. Testing must be based on the school official's specific observations concerning the student's appearance, behavior, speech, or body odor.

Any student who is suspected of engaging in any drug or alcohol offense, found to be under the influence, or suspected of being under the influence will undergo the following administrative steps:

1. The school will use reasonable efforts to notify the parent or guardian.
2. The school nurse will observe student appearance, behavior, speech and body odor to rule out underlying medical conditions.
3. The parent/guardian must take the student for a drug or alcohol screen/test as soon as possible, at Substance Abuse and Mental Health Services Administration certified laboratory at the parent's expense.
4. School police will be contacted.

Parent Notification
Refusal to Test

Parents or student (where applicable) will be notified of the results by the laboratory. Results will be considered confidential. If school officials have *reasonable suspicion* the student is or has recently been under the influence of drugs or alcohol, the District will interpret a refusal to cooperate for the screen/test by the student or parent as a presumption of guilt.

Out-Of-Town Trips

In the event that an administrator or teacher has a *reasonable suspicion* that a student is under the influence and the student informs the administrator or teacher that he used drugs or alcohol away from school during the day, at night, or the weekend and will test

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positive, the District will consider the student under the influence and no drug screen/test will be ordered.

A Sponsor may send a student, who is suspected of drug or alcohol use while on a trip, home at the parents' expense. In addition to the District's Student Code of Conduct, each sponsor has rules and/or an organizational constitution that outlines behavior expectations for the particular extra-curricular activity.

Discipline	Any student determined to be violating the District's policy on drug or alcohol use shall be disciplined according to the Student of Conduct and Board Policy.
Voluntary Request for Testing	A parent of a student under 18 years of age may request a test/screen at no cost to the parent. If the test/screen is positive for the student, a campus official will refer the student to an ECISD counselor for counseling. If a school official had <i>reasonable suspicion</i> of a student being under the influence of drugs or alcohol prior to receiving a request for testing from the student's parent, and the test is positive, the student will not be eligible for referral to an ECISD counselor and will be disciplined in accordance with the Student Code of Conduct and Board Policy for such violation. If a student voluntarily admits to use of drugs or alcohol, prior to <i>reasonable suspicion</i> by school officials, a campus official will contact the parents and refer the student to an ECISD counselor for counseling for the first admission only.