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#### OPEN LETTER CONCERNING RANDOM DRUG TESTING OF TEACHERS

Gentlemen:

We have learned that the Lafourche Parish Council is considering asking the Louisiana State legislature to enact a law requiring random drug testing of public school teachers and other school employees. This letter is to express our serious concern for such a policy and to urge you not to make that request or, if such a bill is adopted, not to support a policy that would subject law-abiding school employees to warrantless and suspicionless searches.

The Fourth Amendment of the Bill of Rights of the U.S. Constitution protects Americans from unreasonable and warrantless searches. Similar protections are contained in Article I, Section 5 of the Louisiana Constitution. Invasive and embarrassing examination of bodily fluid is a glaring violation of the fundamental right to personal privacy as well as a warrantless search, in violation of both of these documents. Individual employees whose actions violate the law or endanger student welfare should be treated as the individuals that they are, and subject to lawful procedures appropriate to their actions. However, innocent employees must be treated with the presumption of innocence and allowed to do their difficult jobs of instructing our students.

The job of teachers is to instill respect for our system of laws. The notion that "those with nothing to hide have nothing to fear" is antithetical to our system of justice and renders our most sacred rights utterly meaningless. As role models entrusted with instructing students on the proper role of government and the importance of democracy, educators should not be made to sign off on government overreach in return for a paycheck. Indeed, the best way to protect our students now, as well as to provide them the tools to protect themselves in the future, is to instill

(2)

respect for the Constitution. And contrary to alarmist claims, infringing on educators' privacy will do nothing to advance student safety — in fact, quite the opposite. While dragnet searches may offer the illusion of security, they distract from actual threats to student safety.

We know that you are motivated by a desire to protect the children of Lafourche Parish. We also know that, as public servants, you are dedicated to the rule of law. The safety of the students of Lafourche Parish is best protected by providing them with quality educations, and setting an example that respects the Constitutional rights of their teachers to the presumption of innocence.

We therefore urge you not to take this action, but instead to set an example for your students by protecting the rights of those who work in their schools.

Sincerely,

Marjorie R. Esman