**MSBA Core Manual**

**Basic Policy Management Services**

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| **Policy JFCI-1: STUDENT ALCOHOL AND DRUG TESTING** | **Status:** ADOPTED |
| **Original Adopted Date:** 12/14/2023 **| Last Reviewed Date:** 05/15/2024 |  |

### *(District Does Not Perform Random Drug Testing)*

The board recognizes the importance of protecting the health and safety of students from the impact of using illegal drugs, performance-enhancing drugs, and alcohol. The purpose of this policy is to help prevent student substance use, encourage treatment for students who use substances, and ensure that students can attend school and participate in activities in a safe and healthy environment.  
  
The board directs the superintendent or designee to create appropriate administrative procedures to implement this policy.

### Reasonable Suspicion Drug and Alcohol Testing

A drug or alcohol test is not necessary to discipline a student when there is evidence that the student is under the influence of or has recently consumed alcohol or any drug prohibited by district policy. In accordance with law, district administrators may, at their discretion, utilize drug and alcohol testing to assist with student discipline when there is reasonable suspicion that a student has consumed drugs or alcohol and is on district property or at a district activity.  
  
Students who test positive will be disciplined and excluded from extracurricular activities in accordance with the district's discipline policy and may also be excluded from the district's A+ scholarship program. Students who refuse to submit to testing or take measures to falsify results may still be disciplined under the district's discipline code for being under the influence of alcohol or drugs.  
  
The board encourages the superintendent or designee to consider alternative discipline for students who are willing to seek treatment or counseling options.

#### Marijuana and Reasonable Suspicion Testing

Students suspected of being under the influence who test positive for marijuana may be removed from school or activities and may be appropriately disciplined even if they have a valid, Missouri-issued medical marijuana card.  
  
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## Policy Reference Disclaimer:

 These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

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| **State** | **Description** |
| §§ 167.115, .117, .161, .171, 195.010, .017, RSMo. | [State Statute](https://revisor.mo.gov/main/Home.aspx) |
| §§ 577.625, .628, 578.250 - .265, RSMo. | [State Statute](https://revisor.mo.gov/main/Home.aspx) |
| Mo. Const. art. XIV §§ 1-2 | [State Statute](https://revisor.mo.gov/main/Home.aspx) |
| **Federal** | **Description** |
| 20 U.S.C. §§ 7101 – 7165 | [Safe and Drug-Free Schools and Communities Act](https://uscode.house.gov/) |
| 21 U.S.C. §§ 812(c), 841, 844, 860 | [Federal Statute](https://uscode.house.gov/) |
| 34 C.F.R. § 300.520 | [Federal Regulation](http://www.law.cornell.edu/cfr/text) |
| FEDERAL COURT | [Board of Educ. of Ind. Sch. Dist. No. 92 of Pottawatomie County v. Earls, 536 U.S. 822 (2002)](http://www.findlaw.com/casecode/supreme.html) |
| FEDERAL COURT | [Vernonia Sch. Dist. v. Acton, 515 U.S. 646 (1995)](http://www.findlaw.com/casecode/supreme.html) |

**Cross References**

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| **Code** | **Description** |
| IGAEA | [TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031111&revid=YuUbpGslshYE3oh3ndoH4yMLg==) |
| IGAEA-AP(1) | [TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO - (Tobacco Use Prevention Education)](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031111&revid=oBrj9wVCMEwqmjhuUHaCcA==) |
| IGD | [DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031111&revid=WcaHysyKmIvaCdKgt4ABaA==) |
| IGD-AP(1) | [DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031111&revid=nMKisvFVOjn6qVmsE8ZLpw==) |
| IGD-AF(1) | [DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS - (Application for Approval of Clubs or Groups)](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031111&revid=ISjYPwvplusiE4mhuPvGeO4Fw==) |
| IGD-AF(2) | [DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS - (Semester Declaration for Home-Schooled Student Participation in MSHSAA-Governed Activities)](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031111&revid=2xIMLIIE9A8gQIDrY4nIEw==) |
| IGD-AF(3) | [DISTRICT-SPONSORED EXTRACURRICULAR ACTIVITIES AND GROUPS - (Mid-Semester Declaration for Home-Schooled Student Participation in MSHSAA-Governed Activities)](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031111&revid=slshd8tF1Ku6slshALsq2Ho6mt5g==) |