

**Policy JFCI-1: STUDENT ALCOHOL AND DRUG TESTING**

**Status:** DRAFT

**Original Adopted Date:** Pending

**23D UPDATE EXPLANATION  
(VERSION 1)**

This policy was previously supplemental, and not all districts will have a copy in their manual. MSBA is offering this policy to all districts but encourages districts to read this policy carefully before adopting it.

There are two versions of this policy. This version (Version 1) authorizes the district administration to require students to submit to drug or alcohol testing when the administrator has reasonable suspicion that a student is under the influence of drugs or alcohol. Version 2 includes the same language but also authorizes the administration to require random drug testing as a condition of participating in extracurricular activities governed by the Missouri State High School Activities Association (MSHSAA) in grades nine through twelve.

MSBA has created administrative procedures to address the details of these drug testing programs.

**Drug Testing Is Not Required**

Please note that, most of the time, drug testing is not necessary. If an administrator has evidence that a student has consumed drugs or alcohol, the administrator does not need additional evidence to take action. Drug testing is one of many tools available to determine whether a student is under the influence of prohibited substances.

**Training**

MSBA strongly encourages administrators to receive professional training on drugs and alcohol and the signs that indicate that a student may be under their influence. This training can assist administrators in deciding whether there is reasonable suspicion to conduct drug testing.

**Marijuana**

Please note that MSBA has also addressed the use of marijuana in this policy. It is MSBA's position that students who come to school under the influence of marijuana can be disciplined even if they have a valid, Missouri-issued medical marijuana card. Marijuana is still illegal at the federal level, and students need to come to school unimpaired and ready to learn. Some attorneys disagree with this approach. Please consult your district's private attorney prior to adopting this policy language. MSBA recommends that districts provide professional training to employees such as administrators, school resource officers, or school nurses on the signs that a student is under the influence.

**A+ Scholarships**

High school students are eligible to participate in the A+ Scholarship program, which requires that students refrain from the use of alcohol and drugs (see policy JFCL). Districts that participate in the A+ Scholarship program will be required to exclude students from the program when a reasonable suspicion drug or alcohol test comes back positive.

### ***(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.