

**MSBA Core Manual
Basic Policy Management Services**

Policy JFCH: STUDENT ALCOHOL AND DRUG USE

Status: ADOPTED

Original Adopted Date: 01/23/2020 | **Last Revised Date:** 12/14/2023 | **Last Reviewed Date:**
12/14/2023

February 15, 2024

Definitions

Controlled Substances – Substances listed in schedules I, II, III, IV, and V of the federal Controlled Substances Act, 21 U.S.C. § 812. For the purposes of this policy, a controlled substance shall also include any controlled substance, counterfeit substance, or imitation controlled substance as defined in § 195.010, RSMo., and any chemical substances structurally similar to and treated as controlled substances under state law.

District Activity – Any activity, event, or function that is sponsored or approved by the district and where students are under district supervision, such as field trips or athletic events.

District Property – Any property owned or leased by the district, including any vehicle owned, leased, or used for district purposes, and any location where a district-sponsored or district-approved activity takes place.

Prohibited Substances – For the purposes of this policy, a prohibited substance shall include:

1. Alcohol
2. Controlled substances for which the student does not have a valid prescription.
3. Unauthorized inhalants.
4. Counterfeit or imitation controlled substances.
5. Marijuana or marijuana-infused products.
6. Any other illegal drug.
7. Any drug or medicine prohibited on district property by law or policy.
8. Substances intended to create a false negative on a drug test.

Prohibited Substances

The district is concerned with the health, welfare, and safety of its students. Therefore, the district prohibits individuals from manufacturing, using, selling, transferring, distributing, possessing, or being under the

influence of prohibited substances on district property, at district activities, and in any district-owned or district-approved vehicle used to transport students to or from district activities. The use, sale, transfer, or possession of drug-related paraphernalia is also prohibited.

Marijuana

Because marijuana and marijuana-infused products are prohibited under federal law, the district does not permit their possession, use, or administration for medicinal or other purposes on district property or at district events even with a valid, Missouri-issued medical marijuana card.

Under the Influence

If there is evidence that a student is under the influence of a substance prohibited by this policy, the student may be removed from school or activities and may be disciplined depending on the circumstances. The student will be given an opportunity to explain the apparent impairment prior to being removed. The district may conduct student drug testing in accordance with policy JFCI.

Consequences

Students who violate this policy will be disciplined in accordance with the district's code of student conduct. In accordance with law, the district is required to immediately notify law enforcement when a student is in possession of a controlled substance and will also notify law enforcement when a student is in possession of any other illegal substance or illegal drug paraphernalia.

The board encourages the superintendent or designee to consider alternative discipline for students who are willing to seek treatment or counseling options.

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Dent-Phelps R-III School District, Salem, Missouri

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.

| State | Description |
|------------------------|-------------------------------|
| §§ 578.250-.265, RSMo. | State Statute |
| §167.115, RSMo | State Statute |
| §167.117, RSMo | State Statute |
| §167.161, RSMo | State Statute |

§167.171, RSMo [State Statute](#)

§195.017, RSMo. [State Statute](#)

§577.625, RSMo. [State Statute](#)

§577.628, RSMo. [State Statute](#)

Mo. Const. art. XIV §§ 1-2 [State Statute](#)

Federal

Description

20 U.S.C. §§ 7102-7165 [Safe and Drug-Free Schools and Community Act](#)

20 U.S.C. § 1400-1417 [Individuals with Disabilities Education Act](#)

21 U.S.C. § 812(c) [Federal Statute](#)

21 U.S.C. §§ 841, 844, 860 [Federal Statute](#)

34 C.F.R. § 300.520 [Federal Regulation](#)

Cross References

Code

Description

GBEBA

[DRUG-FREE WORKPLACE](#)

IGAEA

[TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO](#)

IGAEA-AP(1)

[TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO -
\(Tobacco Use Prevention Education\)](#)