

Policy Committee: Shiloh, Jami W. and Noah. Of course all are welcome to attend.

On Monday the 26th at 6:00 we will have a policy committee meeting to review Policy 3340 - our alcohol, drug, and tobacco use policy and Policy 2314 - Learning Materials Review Policy

\* Attached includes the following regarding 3340:

3340 - MTSBA Model Policy

3340 - Current Frenchtown Policy

3350 - Roundup Schools Extracurricular Activities Drug-Testing Program

(Mrs. Leishman has been invited)

\*Attached includes the following regarding 2314:

2314 - MTSBA Model Policy

2314 - Current Frenchtown Policy

2314F - Current Frenchtown Request for Review

and - proposed Frenchtown Request for Review

(I am sure a teacher or two will attend)

Reminder - Superintendent Review will occur on Tuesday, June 27th at 5:30.

Among the items to cover will be a hiring committee and zoom meetings.

We will have dinner of some sort provided. Most likely Bronc sandwiches.

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**STUDENTS**

Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use

The District views participation in extracurricular activities as an opportunity extended to students willing to make a commitment to adhere to the rules which govern them. The District believes that participation in organized activities can contribute to all-around development of young men and women and that implementation of these rules will serve these purposes:

Emphasize concern for the health and well-being of students while participating in activities;

Provide a chemical-free environment which will encourage healthy development;

Diminish chemical use by providing an education assistance program;

Promote a sense of self-discipline among students;

Confirm and support existing state laws which prohibit use of mood-altering chemicals;

Emphasize standards of conduct for those students who, through their participation, are leaders and role models for their peers and younger students; and

Assist students who desire to resist peer pressure that often directs them toward the use of chemicals.

Violations of established rules and regulations governing chemical use by participants in extra- and co-curricular activities will result in discipline as stated in student and athletic handbooks.

Legal Reference: § 20-5-201, MCA Duties and sanctions

Policy History:

Adopted on:

Reviewed on:

Revised on:

**Policy 3340: Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use**

Status: ADOPTED

Original Adopted Date: 11/13/2001 | Last Revised Date: 06/17/2014 | Last Reviewed Date: 06/17/2014

Extra- and Co-Curricular Alcohol, Drug, and Tobacco Use

Students participating in extra- and co-curricular activities, whether sponsored by the MHSA or not, shall not use, have in possession, sell, or distribute alcohol, tobacco, or illegal drugs or abuse prescription or non-prescription drugs during their extracurricular seasons. These rules are in effect twenty-four (24) hours a day. If a student receives an IP or is seen using tobacco, alcohol, or illicit drugs, the student will forfeit the privilege of participating in accordance with the activities and student handbooks.

Policy Coverage

This policy applies to middle and high school students who are involved in the extra- and co- curricular activities program.

Policy Duration

This policy is in effect each school year from the date of the first practice for fall activities until the last day of school or activities, whichever is later. Violations are cumulative, through the student's period of attendance in grades 7-8 and in grades 9-12. The Administration shall publish the participation rules annually in the activities and student handbooks.

Student and Parent/Legal Guardian Due Process

If a determination is made that a student has violated this policy, the student and parent or guardian shall be notified of the violation by telephone where possible, and also by mail. Also at this time, the student and parent or guardian shall be notified of the type of discipline that will be administered or recommended to the Board.

Any parent or legal guardian and student who are aggrieved by the imposition of any action (other than a recommendation for exclusion from an activity) shall have the right to an informal conference with the principal, for the purpose of resolving the grievance. At such a conference, the student and the parent shall be subject to questioning by the principal, and shall be entitled to question staff involved in the matter being grieved.

If the discipline involves a high school student and the recommended discipline is exclusion from participation in extra- and/or co-curricular activities for a period in excess of ten (10) days, the parent and student will be notified of the date and time the Board will consider the recommendation. Only the Board can exclude a high school student from participation in extra- and/or co-curricular activities.

Violations of established rules and regulations governing chemical use by participants in extra- and co-curricular activities will result in discipline as stated in student and athletic handbooks.

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## Roundup School District

Students 3350

### Extracurricular Activities Drug-Testing Program

Roundup School District Board of Trustees, in an effort to protect the health, safety, well-being, and welfare of its extra-curricular activity students from the effects of illegal drug use and abuse, thereby setting an example for all other students, adopts the following policy for drug testing students participating in MHSA sanctioned activities:

**PURPOSE:** The Roundup School District believes that participation in extra-curricular activities is a privilege and contributes to the all-around development of young men and women. The Roundup School District activity programs are dedicated to providing competitive and enjoyable experiences for the students, student-participants, coaches, advisors, faculty, parents, fans, and community. In doing so, we hold high expectations for all in areas of Character, Citizenship, Scholarship, and Leadership as we strive to be competitive, develop skill, make healthy decisions, and act as ambassadors of the Roundup schools and the Roundup community. Chemical use/illegal drug use of any kind is incompatible with the physical, mental, and emotional demands of school, school activities, and upon the positive image, we want these students to project to their peers, the community, and other schools involved in interscholastic activities.

The Roundup School District believes that students involved in activities are role models and that they carry a responsibility to themselves, their fellow students, younger students and mentees, their families, the school, and the community to set the highest possible example of conduct, sportsmanship, training, and good health. By committing to a team or activity, students choose to conduct themselves as models of good, safe, and moral behavior. These students choose to set an example for all other students of the Roundup School District by avoiding the use, misuse, possession, sale, and distribution of drugs, alcohol, tobacco, and/or other controlled substances and paraphernalia. Therefore, students involved in MHSA activities agree to submit to drug testing in accordance with this policy.

Over the last few years, it has become apparent - through surveys, the Montana Prevention Needs Assessment, and community outreach programs - that drug, alcohol, and tobacco use is increasing and has become a serious problem. Other efforts to prevent and stop student use of illegal substances have been ineffective. Students involved in activities who use illegal substances, through their leadership role, are contributing to the increase in use and creating an environment of tolerance among their peers for this illegal behavior. The Roundup School District believes accountability is a powerful tool to help students avoid using illegal drugs and that early detection and intervention can save lives.

In summary, the purposes and intent of this policy are:

1. To educate all students of the serious physical, mental, and emotional harm caused by illegal drug use.
2. To address and attempt to deter, curtail, and stop the use of drugs, alcohol, and tobacco.
3. To alert students with possible substance abuse problems to the harm that such behavior poses to their physical, mental, and emotional well-being and offer them the privilege of participating in activities as an incentive to stop using such substances.
4. To prevent the risk of injury, illness, and harm to students that may result from illegal drug use.
5. To ensure that students adhere to a training program that bars the intake of illegal drugs.
6. To offer students a safe and challenging environment for practices, competition, and school activities free of the effects of illegal drug use.
7. To give students an opportunity to say NO to peer pressure that exists around illegal activities.

Roundup School District administration may adopt procedures and regulations to further implement this policy consistent with its purpose and intent and the following guidelines.

### Definitions

Activity Student or Participant: A student who is a member of, belongs to, or is enrolled in any MHSA sponsored extra-curricular activity at Roundup High School.

Drug: Any substance considered illegal or controlled by the Food and Drug Administration.

Student Participation: A student participating in any extra-curricular activity under the control and jurisdiction of the Montana High School Association and/or Roundup High School.

Activity Season: Fall, Winter, and Spring seasons begin on the first day of practice/participation allowed by the MHSA/Roundup High School, and end after the final competition for that activity and the student has returned to Roundup or has been released to their parent or guardian.

Reasonable Suspicion: The suspicion of illegal drug use based on specific observations made by school sponsors, coaches, teachers, or administrators of the appearance, speech, or behavior of an extra-curricular student; the reasonable inferences that are drawn from those observations; and/or reliable information of illegal drug use by an extra-curricular student reported to a school coach, teacher, or administrator. Anonymous contacts made by individuals not willing to confront the activity student will not be acted upon.

Drug Use Test: The use of a scientifically substantiated method to test for the presence of illegal drugs or metabolites thereof in a person's saliva or urine.

Illegal Drugs: Any substance that an individual may not sell, possess, use, distribute, or purchase as defined by either federal or Montana law. In addition, "illegal drugs" include all prescription drugs obtained without authorization, all prescribed and over-the-counter drugs or other substances being used or misused for an abusive purpose, faux drugs, alcohol, tobacco, and drug paraphernalia.

Positive: When referring to a drug use test administered under this policy, "positive" means toxicological test result that demonstrates the presence of an illegal drug or metabolites thereof, using the standards customarily established by the testing laboratory administering and evaluating the drug use test.

Random Selection Basis: A mechanism for selecting extra-curricular students for drug testing that:

- A. results in an equal probability that any extra-curricular student from a group of extra-curricular students subject to the selection mechanism will be selected, and
- B. does not give the School District discretion to waive the selection of any extra-curricular student selected under the mechanism.
- C. Selections are conducted by a 3<sup>rd</sup> Party Professional Consortium.

## PROCEDURES

### Consent

It is MANDATORY that each student who participates in activities read, sign, and return the "Student Drug Testing Consent Form" to the designated administrator prior to participation in any activity. A parent or guardian of a student under age 18 must also sign the consent form. The consent form requires the activity student to provide a sample: (a) annually before participation in activities; (b) when the activity student is selected by the random selection process to provide a sample; and (c) at any time when there is reasonable suspicion to test for illegal drugs. Each activity student shall be given a copy of the drug testing policy and any administrative rules or procedures pertaining to drug testing with the consent form.

### Orientation

Prior to the commencement of drug testing each year and at other times throughout the school year as designated by school administration, an orientation session will be held with activity students to educate them regarding the sample collection process, privacy arrangements, drug testing procedures, and any other issues regarding testing.

### Timing of Testing

1. Pre-season: All activity students will be required to be drug tested before the student is allowed to participate in an activity or as soon as practical after the start of a season. A student who enrolls in the District after the season for an activity begins who wishes to participate in that activity will be required to be drug tested before the student is allowed to participate in that activity.
2. Random: Periodically throughout the school year, activity students will be required to participate in random drug testing. The selection of participants to be tested will be done randomly by Lane and Associates, Inc. or other contracted third party testing company. Names will be drawn from the complete pool of activity students. Each student will be assigned a number that will be placed in the random drawing, and only student numbers will be utilized by the testing company. The process will be documented in writing by the principal, administrative designee, or contracted third party testing company. Testing may occur at any time during the school day or during a scheduled activity time from Monday through Saturday. No student or school personnel will be given advance notice or early warning of the testing. This variable schedule will keep students conscious of the possibility of being tested at any time during the school year.
3. Reasonable Suspicion: Any activity student may be required to participate in a drug test when there is reasonable suspicion of illegal drug use.

### Testing Protocol

The company/professional laboratory selected for conducting the drug testing must follow the standards set by the Department of Public Health and Human Services. It must be certified under the auspices of the Clinical Laboratory Improvement Act (CLIA), the Joint Commission, or some other comparable certifying agency that indicates that it meets recognized standards in the industry. It shall be required to use scientifically validated toxicological testing methods, have detailed written specifications to assure chain of custody of the specimens, and have proper laboratory control (Federal Department of Transportation regulations 49 CFR Part 40) (MCA 203-211).

The contracting third party testing company is required to have ongoing training on the proper set-up of the collection environment, chain of custody requirements, and any other protocols required by the testing laboratory to ensure the accuracy of the tests.

All drug tests will be supervised by a school administrator or designee who is responsible for escorting students to and from the collection site. The student should not be allowed to go to his/her locker but should carry all personal belongings with him/her. All students being tested shall remain under school supervision until they have produced an adequate sample. The test must be completed within the time limit or the student will be deemed to have refused to participate in the drug test.

In the event of a "Shy Bladder" the student will be offered up to 32 oz of water provided by the school to induce the ability to provide a specimen. However, it is not mandatory for said student to consume the water.

Before the drug test, students shall fill out, sign, and date any form that may be required by the testing laboratory.

The student and/or parent shall sign any authorization required by the health care provider to provide that information.

The testing process will be conducted as to minimize intrusiveness and safeguard the privacy of the student to the maximum degree possible while still ensuring that the sample process is unadulterated.

In order to maintain confidentiality, the container that contains the sample to be tested will not have the student's name on the container, but will have an identification number as established in the testing protocol.

If it is proven that a student has tampered with the sample or cheated, or attempted to compromise the testing process during the sample collection process, the student will be deemed to have failed the test.

If a drug test occurs during the school day, the activity student shall be allowed to make up any missed work during the time of absence from class. Faculty shall make all reasonable accommodations to assist the student in gathering the materials missed and/or completing the work. Immediately after the sample is collected, the student will return to class with a slip signed by the supervising administrator or designee who shall also note the time when the student left the collection site.

If an activity student refuses to participate in a drug test, the student shall be ineligible to participate in any activities, including meetings, practices, performance, and competitions for the remainder of the season.

#### Test Results and Appeal Process

A drug test shall not be reported positive to the school administrator unless the second test is also positive ("confirmed positive test").

The testing laboratory shall preserve the unused portion of a specimen that tested positive for a period of three (3) months or the end of the appeal process, whichever is earlier. All specimens that tested negative may be discarded by the testing laboratory immediately.



The testing laboratory will notify the supervising school administrator of any confirmed positive test. The school administrator will schedule a conference with the student (and parent/guardian if under age 18) and explain to the student that there is a confirmed positive test and give the student the opportunity to submit additional information to the administrator or testing laboratory to challenge the confirmed positive test. After receiving the report of a confirmed positive test, if the student admits to using illegal drugs, the student will be subject to immediate discipline as set forth below.

The student or parent/guardian may make arrangements to have any remaining portion of the positive sample tested by a different laboratory whose laboratory and testing methods meet the same standards of reliability as the one selected and used by the school district. If this test is also positive, discipline will be imposed as set forth below.

If this test proves negative, a licensed physician trained in the field of substance abuse and interpretation of these laboratory tests ("medical review officer") will review all test results, interpret the conflicting test results and all other information provided by the student or anyone on his or her behalf, and provide a certified opinion as to the test result. If that certified opinion is that the student tested positive for illegal drug use, the school district will impose discipline as set forth below.

The student has the right to appeal the decision to impose discipline after a determination has been made that the student has used illegal drugs. The appeal must be in writing and submitted to the Superintendent within five (5) calendar days of the determination. The Superintendent shall review the entire drug testing process for purposes of determining whether all requirements imposed by policy, administrative procedures, and the testing laboratory's protocols were met, shall review any information provided by the student and his parent/guardian, and shall review the results of any further testing. The Superintendent is not a medical doctor and does not have authority to reverse the opinions reached in the testing process but must focus solely on whether all procedures were correctly followed. A student requesting an appeal will remain ineligible to participate in any MHSA activities until the appeal is completed.

#### **DISCIPLINARY AND OTHER CONSEQUENCES:**

Upon the conclusion of all testing and appeals, if the final decision is that the student tested positive for illegal drugs:

1. The student will be suspended from his/her current activity for twenty-eight (28) calendar days unless the student agrees to enroll in a district-approved drug/alcohol/tobacco education program consisting of a four (4) week course.
2. If the student does enroll in a district-approved drug/alcohol/tobacco education program and submits documentation to the Athletic Director, the activity suspension will be fourteen (14) calendar days.
3. The cost of the district-approved course will be born by the student and/or parent/guardian.

## **CONFIDENTIALITY AND PRIVACY:**

Drug testing results sheets, charts assigning numbers to student names, signed consent forms, and any other information pertaining to any student drug tests, authorized prescriptions, and self-referrals (other than general procedures and protocols) shall be kept confidential in locked files by the school administrator who administers this program. None of this information shall be kept on any school computer. The results of any drug tests will be destroyed when the student graduates or leaves school, if not earlier, and shall not be part of any permanent file. Confirmed positive test results will be kept in files separate from the students' other educational records and will not be divulged to any law enforcement authorities except as required by law.

It is the intent of the School District to keep positive test results and all information gathered in the appeal process confidential. The school administrator who receives and acts upon confirmed positive test results shall notify only those school personnel who have an established and recognized need to know, such as the principal, activities director, head coach, and/or sponsor. With the student's consent and in showing genuine desire to seek professional assistance, the information could be shared with a school counselor or psychologist or other health care provider.

Any school personnel who may have knowledge of the results of a drug test will not divulge that information or the consequences to anyone unless otherwise required by law.

## **FINANCIAL RESPONSIBILITY:**

All MHSA participants must pay a participation fee of (\$40.00) and purchase an activity ticket for (\$25.00). A portion of the \$40.00 activity fee will be used to pay for the initial mandatory drug urinalysis. All random sample tests will be paid for by Roundup School District.

Roundup School District wants all students to participate in extra-curricular activities and will make every attempt to help all students with payment options for the participation fee.

## FREQUENCY OF TESTING

The following provisions apply to frequency of testing:

1. One hundred percent of the student participants will be tested at the beginning of the season or activity. This initial screening will occur anytime from the first day of practice to the day preceding the first contest/event. The School District will pay for the screening. The following participants will make up the different pools for the specific seasons:  
**Fall:** Football, Volleyball, Fall Cheerleading, Speech and Drama, Pep Band  
**Winter:** Boys and Girls Basketball, Winter Cheerleading, Pep Band  
**Spring:** Track and Field, Golf, and Music
2. Random testing may occur during an activity season. Up to twenty (20) percent of students in each activity may be tested on a periodic basis.  
Once a student is in the pool, they will remain in the pool for the remainder of the academic year.

## SCOPE OF TESTS

The samples will be tested *for any or all* of the following: THC, cocaine, benzodiazepines, alcohol, amphetamines, barbiturates, ecstasy, marijuana, methadone, methamphetamine, morphine, opiates, oxycodone, phencyclidine, propoxyphene, and tricyclic antidepressants. The laboratory will be authorized to report test results to the superintendent or designee.

## REFUSAL TO SUBMIT TO DRUG USE TEST

A participating student, who refuses to submit to a drug test authorized under this policy, shall not be eligible to participate in any extra-curricular activity covered under this policy including all meetings, practices, performance, and competitions for the remainder of the school year.

*Roundup Public Schools is committed to cooperating with parents/guardians in an effort to help students avoid illegal drug use. The Roundup Public School District believes accountability is a powerful tool to help some students avoid using drugs and that early detection and intervention can save lives.*

### Procedure History:

Adopted on: 06/11/12

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**INSTRUCTION**

2314

Learning Materials Review

Citizens objecting to specific materials used in the District are encouraged to submit a complaint in writing using the Uniform Complaint Procedure (Policy 1700) and discuss the complaint with the building principal prior to pursuing a formal complaint.

Learning materials, for the purposes of this policy, are considered to be any material used in classroom instruction, library materials, or any materials to which a teacher might refer a student as part of the course of instruction.

Cross Reference:      1700    Uniform Complaint Procedure

- Policy History:
- Adopted on:
- Reviewed on:
- Revised on:

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3 **INSTRUCTION**

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5 Learning Materials Review

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7 Citizens objecting to specific materials used in the District are encouraged to submit a complaint  
8 in writing and discuss the complaint with the building principal prior to pursuing a formal  
9 complaint.

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11 A formal request to remove an item from the school or limit its use must be in writing and will  
12 be acted upon by the Superintendent. A spokesperson for each side of the issue will be heard by  
13 the Superintendent if requested. A written decision will be delivered to the complainant within  
14 forty (40) school days. Any appeal of this decision must be delivered in writing to the Board  
15 within fourteen (14) calendar days. The Board will make the final decisions on appeals.

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17 Learning materials, for the purposes of this policy, shall be considered to be any material used in  
18 classroom instruction, library materials, or any materials to which a teacher might refer a student  
19 as part of the course of instruction.

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23 Cross Reference: 1700 Uniform Complaint Procedure  
24 2314F Citizen's Request for Learning Materials Review

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26 Policy History:

27 Adopted on: 11/13/01

28 Reviewed on:

29 Revised on: 05/20/2014

1 **Frenchtown School District**

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3 **INSTRUCTION**

2314F

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5 Frenchtown School District  
6 Citizen's Request for Learning Materials Review  
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8 Author \_\_\_\_\_ Hardcover \_\_\_\_\_ Paperback \_\_\_\_\_

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10 Title \_\_\_\_\_

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12 Publisher (if known) \_\_\_\_\_

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14 Request initiated by \_\_\_\_\_

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16 Telephone # \_\_\_\_\_ Address: \_\_\_\_\_

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18 **Complainant represents:**

- 19 \_\_\_\_\_ Self
- 20 \_\_\_\_\_ Organization - Name of Organization \_\_\_\_\_
- 21 \_\_\_\_\_ Other group - Specify \_\_\_\_\_

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23 **Nature of the Complaint (Specify in detail the objections you have to the above-referenced**  
24 **materials):**

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31 **Requested Course of Action:**

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37 \_\_\_\_\_  
Date

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Signature of Complainant

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40 **Policy History:**

41 Adopted on: 11/13/01

42 Reviewed on: 05/20/2014

43 Revised on:

**Frenchtown School District #40  
Citizen's Request for Learning Materials Review**

Any individual who is a current Frenchtown District #40 student or a parent/guardian of a current Frenchtown District #40 student may challenge the selection of materials used by the Frenchtown School District.

After the written complaint is received, a review committee will be formed composed of five people: a teacher, a media specialist, a principal, and two parents of school children attending school in the Frenchtown School District. The committee will follow the following guidelines:

- a. Read and examine the challenged material.
- b. Read and examine critical reviews of the challenged material if available.
- c. Weigh strengths and weaknesses and form opinions based on the material as a whole and not on passages pulled out of context.
- d. Meet to discuss material and prepare a report for Trustees.
- e. Challenged material will be pulled during the examination. If examination exceeds 2 months without a decision, material will be available to use until a decision is made.

Author \_\_\_\_\_ Hardcover \_\_\_\_\_ Paperback \_\_\_\_\_

Title \_\_\_\_\_

Publisher (if known) \_\_\_\_\_

Request initiated by \_\_\_\_\_

Telephone # \_\_\_\_\_ Address: \_\_\_\_\_

Complainant represents:

\_\_\_\_\_ Self

\_\_\_\_\_ Organization - Name of Organization \_\_\_\_\_

\_\_\_\_\_ Other group - Specify \_\_\_\_\_

Have you read the challenged book in its entirety? \_\_\_\_\_

Please cite the specific section of the book being challenged.

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Nature of the Complaint (Specify in detail the objections you have to the above-referenced materials):

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Requested Course of Action:

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What material would you like to replace the challenged material to accomplish the same required learning outcome?

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\_\_\_\_\_ Date and Signature of Complainant