

To: J.P.  
From: Dr. Bill Rosier  
Re: Policy Summaries for Board Meeting  
Date: November 6, 2017

① I. 8.4  
P. 18  
② P. 18.6  
P. 18.7  
③ S. 21

Per your request, I am sending you the final versions of several policies upon which you, Nicole, Travis and I have been collaborating:

(P) I.8.4. Parental Request for an Independent Educational Evaluation (IEE)

File: P.18. Employee Staff Development Programs

(P) P.18.6 Employee Option to Earn an In-lieu Professional Learning Day REPEAL

(P) P.18.7. Failure to Complete Required Continuing Education Hours

File: S.21. Drug Testing Policy for Simulated Workplace Participants and Opt-In Participants

School Day  
④ Celebrations  
Snacks

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(P) I.8.4. Parental Request for an Independent Educational Evaluation (IEE)

Federal regulations, *Individual with Disabilities Act (IDEA)* and state guidelines, *SBP 2419 Regulations for the Education of Students with Exceptionalities* grant the parents/guardians of a student with exceptionalities the right to challenge and disagree with the assessment and evaluation results for their child.

Federal guidelines grant parents/guardians who file a disagreement with the school system two options:

❖ They can ask for an **Independent Educational Evaluation (IEE)**. Parents usually pay for an IEE or private testing. But the school system may agree to pay for an IEE in those cases where an outside, independent evaluation is clearly needed including:

- When the school system doesn't have the staff needed to do the testing that your child needs; or
- When the school system's evaluation team thinks outside testing is needed.

❖ The parents' second option is to ask for what is called an **IEE at Public Expense**. If a parent/guardian asks for an **IEE at Public Expense**, according to federal guidelines, the school system has two options: **Fund** or **File**:

The school system must either pay for the independent evaluation (**Fund**) or file for a Due Process hearing (**File**), claiming that the district's assessment is "appropriate." The school system may ask for specific areas of disagreement.

If the school system prevails at hearing, it does not have to pay for additional assessment requested by the parent. If it loses, it will have to pay for the requested evaluation...

#### Limitations on the Cost of an Independent Educational Evaluation (IEE)

In the event the Pendleton County Board of Education agrees to fund an **Independent Educational Evaluation (IEE)**, it shall limit the costs to a sum which would be equal to what it usually pays for similar evaluations performed by evaluation professionals who are employed or contracted by the Board.

#### Limitations on the Selection of Evaluators for an Independent Educational Evaluation (IEE)

Federal regulations state that the school system must set criteria under which an **IEE** can be obtained at public expense, including the location of the evaluation and the qualifications of the examiner, which must be the same as the criteria the school system uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an IEE. Other than establishing these criteria, a school system may not impose conditions or timelines related to a parent obtaining an **IEE** at public expense.

When enforcing IEE criteria, the school system must allow parents the opportunity to select a qualified evaluator that meets its criteria even if that evaluator is not on the list of potential evaluators established by the school system.

See 34 CFR §300.502(e)(1) and §300.502(e)(2).

<b>PENDLETON COUNTY BOARD OF EDUCATION</b> <b>P. PERSONNEL – PROFESSIONAL AND SERVICE</b> <b>File: P.18. Employee Staff Development Programs</b>	<b>Adopted: August 20, 2003</b> <b>Last Review:</b> <b>July 2016</b>
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State law and state board policy require local school boards ensure that professional staff are provided continuous high-quality, sustained, and classroom-focused professional learning that increases the knowledge and skills required to create conditions that result in students achieving high levels of performance in the approved West Virginia content standards.

The Pendleton County Board of Education shall annually provide to all professional and service personnel meaningful Professional Learning experiences in accordance with existing codes and State Board Policy. Pendleton County's policy is that both Professional and Service Personnel shall annually complete 18 hours of Professional Learning. The school calendar shall be constructed in a manner that Professional Learning activities will be scheduled during the 200 day employment term. Per WVC §18-2I-2, Professional Learning activities shall be conducted outside of scheduled instructional time.

It is the responsibility of the district to support, monitor, and ensure the fidelity of the implementation of professional learning experiences that are aligned to WVBE Goals and Standards for Professional Learning.

In carrying out this responsibility, the district plan shall be developed by the Local Staff Development Council (WV Code §18A-3-8) using data from:

- ❖ West Virginia Support for Improving Professional Practice (hereinafter WVSIPP);
- ❖ W. Va. 126CSR142, WVBE Policy 5310, Performance Evaluation of School Personnel
- ❖ Student data from the West Virginia General Summative Assessment; and
- ❖ Student evidence of learning from utilization of the formative assessment process.

It is further the responsibility of the district to develop and implement a professional and personalized learning plan that includes high-quality professional and personalized learning experiences to support all educators and support personnel in the delivery of high-quality educational programming. The plan should align, be incorporated into, and complement the district's Strategic Plan, specifically the WV Support for Improving Professional Practice Plan,

It is also the responsibility of the district to ensure:

- ❖ all West Virginia educators have access to high quality professional and personalized learning experiences that focus on individual professional growth of educators, student need based on acquired data, and school-wide goals for professional and personalized learning;
- ❖ educators are engaged in learning with colleagues through a collaborative model to improve individual teaching practice, support student learning, and foster school-wide growth;
- ❖ school-based professional learning communities examine student data to increase student achievement;
- ❖ use of school budgets to support professional and personalized learning;
- ❖ use of flexible and creative scheduling to create time for educators to participate in professional learning communities during the work day; and

- ❖ reduction of the number of large-scale professional development offerings to focus professional learning in individualized and school-based settings.

The Superintendent shall submit Pendleton County's professional learning plans to the WVBE no later than May 1. Upon approval of the WVBE, those professional learning plans shall be compiled into the statewide master plan for professional learning for the upcoming school year.

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**TO BE REPEALED !!!**

**~~(P) P.18.6 Employee Option to Earn an In-lieu Professional Learning Day~~**

~~———— All Pendleton County employees are required to annually participate in the county-prescribed Professional Learning activities which have been scheduled by the Professional and Service Personnel Professional Learning Councils. In most cases, those hours are scheduled during regular working hours as a part of the 200-day school calendar. However, the Pendleton County School System has a history of providing its employees the opportunity to annually schedule up to six hours of Continuing Education activities on their own time outside of the school calendar with the understanding that they will receive a compensatory day (in-lieu day) scheduled near the end of the school term.~~

~~———— These in-lieu hours may be earned by attending county-sponsored educational workshops in the summer, attending workshops on weekends or after-school hours and approved college course work.~~

~~*Special Note: The State Department's chief financial officer has ruled that employees who receive a stipend for attending Professional Learning activities scheduled outside the school calendar may not count those hours toward a compensatory day (in-lieu day) at a later date in the school calendar.*~~

**The In-Lieu Day**

~~———— The in-lieu day shall be scheduled near the end of the school year, but prior to the last scheduled day for employees. The following guidelines will be followed:~~

- ~~❖ A six-hour Continuing Education activity will be scheduled for that day. Employees who have not completed their required Professional Learning shall be required to participate in that activity.~~
- ~~❖ Those employees who have completed six hours of Professional Learning outside of the school calendar will not have to report to work on that day.~~
- ~~❖ Employees who have completed the required hours of Professional Learning as a part of the 200-day calendar (they have attended activities scheduled during regular working hours) will report to work and shall use the day as a work day in their room or completing duties assigned by the principal.~~

~~———— If the in-lieu day has been converted to an instructional day in compliance with state law and policy regarding school calendar, it's no longer available as an in-lieu of day."~~

**(P) P.18.7. Failure to Complete Required Continuing Education Hours**

Employees are required by State Board Policies 5500 and 5500.02 to complete the scheduled hours of Professional Learning each year and employees who fail to complete those hours shall be subject to disciplinary action. Pendleton County's policy is that both Professional and Service Personnel shall annually complete 18 hours of Professional Learning. The training is required irrespective of whether an employee is present or absent from work on the days that the Professional Learning activity is scheduled.

Employees who are absent from work are required to complete the training at another time. It is not acceptable to excuse an employee from completing the required training because the employee was absent from work on the days that the training was scheduled regardless of the reason for the absence.

Within one week of missing a scheduled Professional Learning session the employee shall meet with the Professional Learning Coordinator and his/her supervisor to establish a plan to make-up the time missed. Calendar restraints limit opportunities to make-up missed Professional Learning; however possible opportunities include, but are not limited to:

- ❖ The training could be obtained during hours that the employee is "on the clock" but able to be away from their primary duties or work assignments, such as before the "instructional day" begins, after the "instructional day" ends or the employee may voluntarily forego a lunch break to complete SD requirements.

~~❖ Register for approved in-lieu hours.~~

- ❖ Professional Learning could be offered on a work day when the employee is not required to perform his/her primary duties.

The county Professional Learning Coordinator shall annually establish a deadline prior to the last week of instruction for all employees to have completed their Professional Learning hours. ~~or to be scheduled for the third Professional Learning day near the end of the school term.~~ Employees who fail to attend or who are not scheduled to attend sufficient Professional Learning activities to complete the required 18 hours shall be suspended without pay one day for each six hours of Professional Learning missed. Employees who are short less than six hours of Professional Learning shall be suspended without pay on a pro rata basis.  
(WVC §18-5-45; SBP 5500; SBP 5500.02)

<b>PENDLETON COUNTY BOARD OF EDUCATION</b> <b>S. STUDENTS</b> <b>File: S.21. Drug Testing Policy for Simulated Workplace Participants and Opt-In Participants</b>	<b>Adopted:</b> <b>Last Reviewed:</b>
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Pendleton County Schools, in an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students, proposes to adopt the following policy for drug testing of Simulated Workplace Students.

#### **Statement of Purpose and Intent**

Although the administration and staff desire that every student in the Pendleton County Schools refrain from using or possessing illegal drugs, school officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this policy governs only performance-enhancing and illegal drug use by students participating in the Simulated Workplace and those students whose parents or guardians elected to include their students in the random student drug testing selection process. The sanctions imposed for violations of this policy, could include, but are not limited to, limiting the opportunity of any student determined to be in violation of this policy to a student's privilege to participate in interscholastic extra-curricular activities and to participation in the Simulated Workplace. This policy supplements and complements all other policies, rules, and regulations of the Pendleton County Schools regarding possession or use of illegal drugs.

Students who participate in interscholastic, extra-curricular activities and the Simulated Workplace are respected by the student body and are representing the School and the community. Accordingly, these students carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct and training, which includes avoiding the use or possession of illegal drugs. Additionally, students participating in the Simulated Workplace have a responsibility for the safe operation of equipment and machinery in the CTE setting.

The purposes of this policy are six (6) fold:

- to educate students on the serious physical, mental, and emotional harm caused by illegal drug use;
- to alert students with possible substance abuse problems, and their parent/guardian, of the potential harms that drug use poses for their physical, mental, and emotional well-being
- to ensure that students adhere to a training program that bars the intake of illegal and performance-enhancing drugs;
- to prevent injury, illness, and harm to students that may arise as a result of using illegal and performance-enhancing drugs;
- to offer students practices, competition, and school activities free of the effects of illegal and performance-enhancing drug use;
- to assure the safe operation of student-driven vehicles on campus.

Illegal and performance-enhancing drug use of any kind is not compatible with the physical, mental, and emotional demands placed upon participants in interscholastic, extra-curricular activities, and upon the positive image these students project to other students and to the community on behalf of the Pendleton County Schools. For the safety, health, and well-being of students who participate in interscholastic extra-curricular activities and/or participate in the Simulated Workplace, and/or voluntarily choose to participate, the Pendleton County Board of Education has adopted this policy for use by all participants in interscholastic extra-curricular activities, and/or all participants in the Simulated Workplace and who voluntarily choose to participate in the drug testing.

The administration shall adopt necessary regulations to implement this policy.

#### **Definitions**

- A. "Activity student" means a student of Pendleton County High School, who is a member of any extra-curricular or co-curricular organization which participates in interscholastic competition, including but not limited to: career tech student organizations and other student support personnel.
- B. "Simulated Workplace student" means a student of Pendleton County High School, who is a member of any CTE class program participating in the West Virginia Department of Education pilot program.
- C. "Drug use test" means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drugs or the metabolites thereof in a person's hair sample, urine sample, and/or breathe analysis.
- D. "Illegal drugs" means any substance which an individual may not sell, possess, use, distribute, or purchase under either Federal or West Virginia law. "Illegal drugs" includes, but is not limited to, all scheduled drugs as defined by the West Virginia Uniform Controlled Substances Act, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose. "Illegal drugs" shall also include alcohol.
- E. "Opt-in participant" means any student, less than eighteen (18) years of age in grades 9-12 beginning during the 2017-2018 school year whose parent or guardian elects to include the student in the random selection for drug testing. A student may become an opt-in participant at any time during the school year. Students 18 years of age and over not included in Definitions A, B, or C are considered emancipated and can opt-in at their discretion with the understanding they could be treated as an adult if their violation(s) of the policy merit such consideration.
- F. "Participating student" means all students included in the random testing pool. The testing pool is to be maintained by programmatic level and consequences remain in effect for the programmatic level, meaning that consequences are carried over year to year for the time the students are in the high school grades or unless they are removed from the testing pool.
- G. "Performance-enhancing drugs" include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or other athletic ability. The term "performance-enhancing drugs" does not include dietary or nutritional supplements such as vitamins, minerals, and proteins which can be lawfully purchased over-the-counter.
- H. Positive" when referring to a drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing service administering the drug use test.
- I. Random selection basis" means a mechanism for selecting participating students for drug testing that:
  1. results in an equal probability that any participating student from the total pool of activity students, driving students and opt-in participants subject to the selection mechanism will be selected; and
  2. does not give the Pendleton County Schools discretion to waive the selection of any participating students selected under the random selection mechanism.
- J. Reasonable suspicion" means a suspicion of illegal or performance-enhancing drug use based on specific observations made by instructors/administrators of the appearance, speech, or behavior of a participating student; the reasonable inferences that are drawn from those observations; and/or information of illegal or performance-enhancing drug use by a participating student supplied to school officials by other staff members.

#### **Implementation Guidelines**

A. Consent Forms

At the beginning of each school year each participating student shall be provided with a copy of the "Student Drug Testing Consent Form" which shall be read, signed, and dated by the student, parent, or custodial guardian and instructor before such student shall be eligible to participate in any extra-curricular activities or participate in the Simulated Workplace. The opt-in participant and parent or custodial guardian shall also consent to read and sign a consent form. This consent requires the activity student and opt-in participant to provide a hair sample, urine sample, and/or breath analysis (hair sample, urine sample, and/or breath analysis can go back 90 days, less invasive) as follows:

1. when the activity student, Simulated Workplace participant, or opt-in participant is selected by the random selection basis to provide a hair sample, urine sample, and/or breath analysis; and
2. at any time when there is reasonable suspicion (easier standard to allow test than probable cause) to test for illegal or performance-enhancing drugs.

B. Orientation Session

Prior to the commencement of drug testing each year, an orientation session shall be held with each activity student, Simulated Workplace participant, and opt-in participant to educate them of the sample collection process, privacy arrangements, drug testing procedures, and other information which may help to reassure the students and help avoid embarrassment or uncomfortable feelings about the drug testing process. A mandatory training session will be held annually for instructors to review this policy.

The orientation session will also be conducted at the beginning of the second semester for students who, at that time, want to become participating students. Their parents/guardians must also attend this orientation session.

C. Distribution of this Policy

Each adult student, activity student, driving student, Simulated Workplace student, opt-in participant, and parent/guardian shall receive a copy of the Student Drug Testing Policy. The Vocational Director or instructor shall be responsible for explaining the policy to all prospective students, and for preparing an educational presentation to acquaint the student with the harmful consequences of drug and alcohol use and abuse.

D. Random Sample

Drug use testing for participating students shall be done quarterly on a random selection basis from a list of all participating students who are involved in driving, Simulated Workplace, or an opt-in participant. The school shall select a minimum of two percent (2%), up to forty percent (40%) of student names, of all participating students' names to be drawn at random to provide a hair sample, urine sample, and/or breath analysis for drug use testing for illegal drugs or performance-enhancing drugs.

E. Reasonable Suspicion Sample

In addition to the drug tests required above, any activity student, Simulated Workplace participant or opt-in participant may be required at any time to submit to a test for illegal or performance-enhancing drugs, or the metabolites thereof when an administrator, coach, instructor or sponsor has reasonable suspicion of illegal or performance-enhancing drug use by that particular student.

F. Drug Testing Service

Any drug use test shall be administered by or at the direction of a drug testing service chosen by the Board. The drug testing service shall be required to use scientifically validated toxicological testing methods, have detailed written specifications to assure chain of custody of the specimens, and proper drug testing service control and scientific testing. The drug testing service shall provide all collection containers used in the drug testing process.

G. Privacy

All aspects of the drug use testing program, including the taking of specimens, shall be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible.

H. Obtaining Samples

The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, the specimen shall be collected in a facility behind a closed door. The drug testing service shall provide a trained employee to collect the samples subject to drug testing. This individual will also monitor

the collection of samples. If deemed necessary, the representative of the drug testing service may request that the school administrator provide personnel to assist with monitoring as samples are collected.

Any eligible student selected randomly for drug testing who is not in school on the day of testing will be tested at the next available testing time. Students not able to provide an adequate hair/urine specimen at testing time will be unable to participate or park until proper specimen is provided. A student whose season is over can be removed from the program by signed parental consent delivered to the designated school official, but the student will be ineligible for extra-curricular activities for the remainder of the school year.

1. Tampering

If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the Administrative Director or designee who will then determine if a new sample should be obtained.

2. List of Medications Taken

In the event of a positive test result, the Medical Review Officer (MRO) of the drug testing service shall contact the parent/guardian of the student and be provided with an opportunity to provide documentation of medications legally prescribed for the student. Based on the documentation provided by the parent, the MRO will determine the status of the test result. The communication between the parent/guardian and the MRO regarding medications prescribed to the student will be strictly confidential and not shared with school personnel.

*NOTE: School personnel may be aware of medication prescribed to students due to information provided on school emergency cards.*

I. Positive Tests

In the event of a positive test result, the parent/guardian may challenge the positive test result. The procedure would consist of a second test of the same specimen and would be conducted at the parent/guardian's expense.

### Confidentiality

A. Notification by Drug Testing Service

The drug testing service shall notify the Vocational Director or designee of any positive test.

B. Notification to Student, Adult Student, Administration, Instructor, and His/Her Parent/Guardian

In order to keep the positive test results confidential, the Vocational Director or designee shall provide written notification:

1. For Participating Students the student, adult student, the Vocational Director, the instructor, and the parent or custodial guardian of the student.
2. For the Opt-in Participants the student and the parent or custodial guardian of the student.

The Vocational Director or designee shall schedule a conference with the student and parent or guardian and explain the student's opportunity to submit additional information to the Vocational Director or designee or to the lab. The school will rely on the opinion of the drug testing service which performed the test in determining whether the positive test result was produced by something other than consumption of an illegal or performance-enhancing drug.

C. Record of Test Results

Test results shall be kept in the files separate from the student's other educational records, shall be disclosed only to those school personnel who have a need to know, and shall not be turned over to any law enforcement authorities unless the law enforcement authority presents a valid court subpoena, search warrant, or signed consent from the parent, guardian, or student. Records of positive test results maintained at the school shall be destroyed upon the student's graduation from high school.

### Appeal

#### Procedure for Appeal

A participating student (adult and secondary) who has been determined by the Vocational Director/designee to be in violation of this policy shall have the right to appeal the decision to the Principal or his/her designee(s). Such a request for a review must be submitted to the Principal in writing within five (5) working days of notice

of the positive test. A student requesting a review shall remain eligible to participate in any extra-curricular activities, drive to school, and participate in the Simulated Workplace until the review is completed. The Principal or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Principal's decision shall be provided and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the Principal which shall be final and non-appealable.

## Consequences

### A. Restrictions on Participating Students

Any participating student who tests positive in a drug test under this policy shall be subject to the following restrictions, which shall be cumulative throughout each programmatic level:

#### 1. First Offense

After the parent/guardian or adult student has been notified of a positive result by the Medical Review Officer, a meeting shall then be set up with the adult student; student, parent/guardian, and Vocational Director or designee concerning the positive drug test. In order to continue participation in the activity the student and parent/guardian must, within five (5) school days of the joint meeting, show written proof that the student has been referred to a Counseling Center. Proof must be provided that the student is receiving counseling from a qualified drug treatment program or counseling entity. Additionally, the student must voluntarily submit to a second drug test to be administered within two (2) weeks in accordance with the testing provisions of this policy. The parent/guardian shall be responsible for the cost of this drug test.

If the adult student; parent/guardian and student agree to these provisions, the student may continue to participate in the activity and the Simulated Workplace Program. Should the parent/student not agree to these provisions, the consequences listed in this policy for the second offense for activity students shall be imposed.

#### 2. Second Offense

Suspension from participation in all activities covered under this policy for fourteen (14) calendar days, and successful completion of four (4) hours of substance abuse education/counseling. The student (adult and secondary) shall not participate in any meetings, competitions during this period, and removed from their participation in the Simulated Workplace program. The student (adult and secondary) shall be tested monthly for the remainder of the school year. The time and date will be unknown to the student and determined by the Vocational Director or designee.

- a. These restrictions and requirements shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test.
- b. Should the parent/student (adult and secondary) not agree to these provisions, the consequences listed in this policy for the third offense for activity students shall be imposed.
- c. Provided, however, a student (adult and secondary) who on his/her own volition informs (self-refers) the Administrative Director, designee, or instructor of usage before being notified to submit to a drug test will be allowed to remain active in all activities covered under this policy. Such student shall, however, be considered to have committed his/her first offense under the policy, and shall be required to re-test as would a student who has tested positive.
- d. Additionally, the student (adult and secondary) will not be eligible for any interscholastic activity honors or awards given by the Center.

#### 3. Third Offense and Each Offense Thereafter

Complete suspension from participation in all extra-curricular activities including all meetings and competitions and removed from the Simulated Workplace Program for one (1) calendar year.

### B. Restrictions for Opt-in Participants

The adult student; parent/guardian and student; shall be contacted immediately and a private conference shall be scheduled to present the positive test results.

- C. A violation of this policy is NOT a violation of the Student Code of Conduct Policy. Any participating student who tests positive in a drug test under this policy shall, as a result thereof, be subject to the restrictions described under this section labeled Consequences only; notwithstanding any provision of the Student Code of Conduct Policy. When Pendleton County Schools employees charged with the administration of this drug testing policy are made aware of drug use by an activity student, driving student,



Simulated Workplace student or opt-in participant, solely as a result of drug testing under this policy, that activity student, driving student, Simulated Workplace student or opt-in participant shall NOT be disciplined under the Student Code of Conduct Policy or of their drug use so discovered.

### **Refusal to Submit to Drug Use Test**

#### **Ineligibility to Participate**

A participating student (adult or secondary) who refuses to submit to a drug test authorized under this policy shall not be eligible to participate in any activities covered under this policy including all meetings, Simulated Workplace Participating Programs and competitions. Additionally, such student shall not be considered for any interscholastic activity honors or awards given by the Pendleton County Schools.

### **Important Note on Consequences**

Notwithstanding, any student who violates the Student Code of Conduct Policy and West Virginia law by the illegal use of medications or drugs of any kind while on school grounds, or is under the influence of medications or illegal drugs on school grounds, the student is subject to disciplinary action as outlined in the Student Code of Conduct Policy, up to and including expulsion.

### **Advisory Council**

In order to monitor policy effectiveness, the Vocational Director shall appoint an advisory council to review the local data and make recommendations to the Board of Education regarding policy effectiveness. This advisory council shall include but not be limited to a school counselor from the high school, a school nurse, and a community agency representative involved professionally with drug use prevention and treatment programs.

### **Postscript**

The Pendleton County Board of Education and all of its employees are committed to cooperating with parents/guardians in an effort to help students avoid illegal drug use. The Pendleton County Schools believes accountability is a powerful tool to help some students avoid using drugs and that early detection and intervention can save lives.

Amended/Revised:

**PENDLETON COUNTY SCHOOLS RANDOM DRUG TESTING CONSENT FORM  
FOR PARTICIPATING STUDENTS**

As an enrolled student/parent of Simulated Workplace – Career and Technical Education, I understand that the use of drugs, alcohol and other controlled substances in the workplace creates a safety concern for all students and employees. In the interest of creating a safe learning environment, I hereby give my consent for the Pendleton County Schools to conduct random drug tests it considers necessary as outlined in the Pendleton County Schools Random Drug Testing Policy, and I understand that these tests are required for enrollment in all Simulated Workplace settings.

I fully understand that as a Simulated Workplace student/parent, I/My child will be subject to the Pendleton County Schools Random Drug Testing Policy. A copy of this policy has been made available for review, and I hereby acknowledge that I thoroughly understand its terms and provisions.

My signature hereon serves as student/parental consent:

1. For me/my child to undergo random drug testing and to submit a 7-panel cheek test for that purpose;
2. For me/my child to be randomly drug tested in accordance with the terms of the Pendleton County Schools Policy;
3. For the Pendleton County Schools to submit my child's swab sample for testing for drugs/alcohol prohibited by its policy; and
4. For the Pendleton County Schools to obtain the results of my child's drug /alcohol test from a certified laboratory for use in accordance with the Pendleton County Schools Random Drug Testing Policy.

I release the Pendleton County Schools and its Drug Testing Company from any liabilities, claims and causes of action, known or unknown, contingent or fixed, that may result from these tests.

\_\_\_\_\_  
Employee (Student) Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee (Student) Signature

\_\_\_\_\_  
Parent/Guardian Name (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

## **Policy for School Day Celebrations and School Day Snacks**

Pendleton County Schools will allow outside foods and beverages to be served at School Day Celebrations and Snacks. This includes foods and beverages that are served or distributed to students during the school day but does not include foods and beverages that are sold. Foods and beverages that are sold are regulated by USDA Smart Snack Standards.

Students with special dietary needs and food allergies must be considered in any and all scenarios where students with special dietary needs and food allergies are present. Schools shall operate with the utmost care and caution. School health teams will assist with identification of foods and beverages that meet an individual student's special dietary needs.

Schools will communicate information to parents/guardians about acceptable foods and beverages that meet nutrition and safety standards for school day celebrations and snacks.

Below are guidelines for celebrations and snacks:

### **School Day Celebrations:**

School Day Celebrations (Parties) are occasional celebrations of special events. The number of classroom celebrations that each school holds will be at the discretion of the School Principal.

Foods and beverages served to students at these celebrations shall meet the following guidelines:

1. All foods and beverages are to be commercially prepared with a nutrition label that contains an ingredients list. Exceptions are whole, uncut fresh fruits and fresh vegetables. (See #2 below.)
2. Whole, uncut, washed fresh fruits and fresh vegetables are acceptable without an ingredients list. However, cut fresh fruits and fresh vegetables shall be commercially prepared and contain an ingredients list.
3. Foods and beverages containing caffeine are prohibited. (Policy 4321.1)
4. Foods and beverages containing non-nutritive/artificial sweeteners are prohibited. (Policy 4321.1)
5. In elementary schools, celebrations shall not be held until 20 minutes after all students are served lunch. (Policy 4321.1)

### School Day Snacks:

Snacks are foods and beverages that are served to students on a regular basis, such as Pre-K and Kindergarten snacks. Since these snacks are served with more frequency, the standards for these snacks are will be more stringent to promote student wellness and prevent and reduce childhood obesity.

Guidelines for Snacks will adhere to WV State Board of Education Policy 4321.1 and are based on USDA Smart Snack Nutrient Standards.

1. All foods and beverages are to be commercially prepared with a nutrition label that contains an ingredients list. Exceptions are whole, uncut fresh fruits and fresh vegetables. (See #2 below.)
2. Whole, uncut, washed fresh fruits and fresh vegetables are acceptable without an ingredients list. However, cut fresh fruits and fresh vegetables shall be commercially prepared and contain an ingredients list.
3. Foods and beverages containing caffeine are prohibited. (Policy 4321.1)
4. Foods and beverages containing non-nutritive/artificial sweeteners are prohibited. (Policy 4321.1)
5. In elementary schools, snacks shall not be served until 20 minutes after all students are served lunch. (Policy 4321.1)
6. Foods and beverages shall meet nutrient standards for calories, fats, sodium, and sugar:

Calories	200 calories or less
Sodium	200 mg or less
Total Fat	35% of calories or less
Saturated Fat	Less than 10% of calories
Trans Fat	0 g
Sugar	35% by weight or less.

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