

ALCOHOL AND OTHER DRUGS (AOD) ABUSE: REGULATIONS

Alexandria City Public Schools (ACPS) supports substance abuse prevention and early intervention programs that vary according to individual needs. Included among these are programs to educate students about the harmful effects of illegal drugs and alcohol; the misuse of drugs and other legal substances; programs for staff in the identification of substance abuse; and activities and programs for those who desire more information and for those who need help with intervention activities and programs.

Although the primary responsibility for helping students who are involved with substance abuse lies with students and their families, ACPS strives to implement a Multi-Tiered System of Supports (MTSS) approach to providing a supportive school environment for students involved with substance use or abuse. The Division substance abuse prevention and early intervention program may provide group experiences, individual counseling and other programming. Additionally, referral of students and parents/guardians to community agencies for assistance, at parent/guardian expense, may also occur.

PURPOSE

ACPS K-12 substance abuse prevention and early intervention services serve to support students with overcoming specific substance abuse related barriers to their education (i.e., substance use, misuse, or abuse), and fall within the scope of services provided by ACPS. This regulation:

- Outlines the ACPS Drugs in Schools Policy; and
- Outlines the methods and guidelines by which ACPS engages in substance abuse prevention and intervention activities.

DEFINITIONS

A. Alcohol and other Drugs (AOD) Violations:

A **student** may not:

- possess, procure, purchase, distribute or *attempt* to possess, procure, distribute or purchase;
- be under the influence of (legal intoxication not required); or
- use or consume, or *attempt* to use or consume

any of the drugs or controlled substances listed in this regulation (or what is represented by/to the student to be any of the drugs or controlled substances listed in this regulation, or what the student *believes* is any of the drugs or controlled substances in this regulation) on school property, on school buses, or during school activities, on or off school property.

- #### B. **Drugs or Controlled Substances:** Include alcohol, marijuana, narcotic drugs, tobacco or tobacco products, hallucinogens, stimulants, depressants, and anything else covered by the Drug Control Act, as well as any volatile/ignitable inhalant materials and/or aerosols, e-cigarettes (including electronic or non-electronic devices/tools/materials used for vaping and juuling), anabolic steroids, look-alike drugs, drug paraphernalia, both prescription and

47 non-prescription/non-controlled drugs if they are not taken in accordance with Policy
48 JHCD and Regulation JHCD-R, and anything that a student represents to be a restricted
49 substance or that a student believes is a restricted substance.
50

51 C. **Paraphernalia:** Includes devices/tools/materials used as instruments or implements or a
52 combination thereof intended for administering an illegal substance to self or to others. It
53 consists of materials commonly associated with illegal drug use and distribution of
54 controlled drugs.
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56 D. **Multi-Tiered System of Supports (MTSS):** a problem solving model designed to address
57 the needs of all students that is intended as an early intervention to prevent long-term
58 academic failure. It is a multi-step process of providing instruction and support to promote
59 the academic and behavioral success of all students. An individual student’s progress is
60 monitored regularly by the MTSS Team and results are used to make decisions about
61 further instruction and intervention.
62

63 When addressing potential substance abuse, it is a tiered system of early identification,
64 data-based decision making, and implementation of evidence-based practices of
65 appropriate intensity and duration. Tier 1: Universal Prevention, Tier 2: Selective
66 Prevention/ Intervention, Tier 3: Targeted Intervention.
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68 E. **Re-entry:** Students returning to ACPS from an out of school suspension related to a
69 violation of the Code of Conduct, or from an outside treatment program.
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71 F. **Substance Abuse Prevention and Intervention Counselor (SAC):** Refers to the certified
72 substance abuse counselor who delivers counseling services regarding prevention and early
73 intervention of substance use disorders. The SA Prevention and Intervention Counselor
74 does not provide therapy services, but does provide substance use disorder screenings,
75 assessments and education, and advises on possible treatment needs services, and provides
76 referrals to external partners. The SAC also leads ACPS’ drug use prevention and early
77 educational intervention program.
78

79 **ACCESSING SUBSTANCE ABUSE SERVICES:**
80

81 **A. Procedures**

- 82 ● Alcohol and illegal drug use and abuse are prohibited by the ACPS Student Code of
83 Conduct in compliance with all applicable federal, state or local laws and ordinances.
- 84 ● Any staff member reports to the relevant principal or designee any student suspected
85 of being under the influence of drugs or alcohol or in violation of the Student Code of
86 Conduct related to substance abuse.
- 87 ● The principal or designee will determine the appropriate administrative response and/or
88 consequences for AOD violations in adherence to Student Code of Conduct guidelines.
- 89 ● ACPS K-12 Substance Abuse (SA) Services serve as an important programmatic
90 element for substance abuse prevention, intervention, and linkage to treatment. To
91 support ACPS’ Strategic Plan goals and to:

- 92 ○ Reduce the disparity in administrative consequences issued to different
- 93 student groups for the same AOD-related offenses;
- 94 ○ Combat the disproportionality in referrals to SA Prevention and
- 95 Intervention Services for traditionally marginalized student populations;
- 96 ○ Make progress toward equitable outcomes for students;
- 97 ○ Ensure that students’ potential substance abuse and/or other underlying
- 98 issues are properly identified; and
- 99 ○ Support students with appropriate interventions;

100 **ALL students who violate Policy JFCF/JFCI will be eligible for referral to**

101 **substance abuse services.**

- 102 ● K-12 Substance Abuse (SA) Prevention and Intervention Services is an internal
- 103 program within the ACPS Department of Student Services. Only School administrators
- 104 and Student Support Team (SST) members can refer students to the program.
- 105 Administrators and SST members will follow the confidentiality and privacy practices
- 106 outlined in Section VI. of this regulation. SST members include at a minimum, the
- 107 school nurse, social worker, and school psychologist, as well as the student’s school
- 108 counselor.
- 109 ● In alignment with Va. Code § 22.1-277.2:1, ACPS requires any student involved in
- 110 Code of Conduct violations related to alcohol or drug use or distribution to be referred
- 111 to SA Services for evaluation and/or assessment for drug or alcohol abuse or both. If
- 112 recommended by the SA Counselor (SAC) and with the consent of the student's
- 113 parent/guardian, the student may be referred to participate in a community-based
- 114 treatment program.
- 115 ● Parents or legal guardians should sign the related documentation regarding
- 116 confidentiality and privacy prior to any assessment.
- 117 ● Results from assessments are conveyed to the student, parents/guardians, and, upon
- 118 parent/guardian authorization, the school referral source.
- 119 ● Results from the assessment will be reviewed by the SST members (following privacy
- 120 and confidentiality rules), who will produce a service plan to meet the student’s
- 121 academic, mental health and substance abuse needs.
- 122 ● If the student’s needs are beyond drug education, a referral for treatment or higher level
- 123 care should be made upon consultation with parents/guardians and the student. ACPS
- 124 does not provide substance abuse treatment. Therefore, it is the parent’s/guardian’s
- 125 responsibility to connect the student to the services they need. In cases where
- 126 parents/guardians fail to do so, ACPS may contact Child Protective Services (CPS).
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128 **B. Tier 1 - Prevention/Education**

129

130 **Prevention Campaigns and Workshops:** ACPS engages in school-wide awareness

131 campaigns utilizing both internally and nationally developed resources. Some campaigns

132 are implemented in collaboration with external partners. For example, the *Substance Abuse*

133 *Prevention* program consists of a series of workshops providing students with the skills to

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137 **Standards of Learning (SOL):** Substance abuse education is included in the Standards of
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 140 education content by providing consultation and technical assistance, in collaboration with
 141 the Health and Physical Education department, to support the delivery of classroom content
 142 aligned to SOL goals related to drug education.

143 **Partnerships:** ACPS values networking and building partnerships to support substance
 144 abuse education at ACPS. Building collaboration with internal and external partners, such
 145 as the Substance Abuse Prevention Coalition of Alexandria (SAPCA), is essential to
 146 successfully deliver drug prevention and intervention programs. Partners help by means of
 147 technical support, consultation, funding, and more. They are essential in helping to lower
 148 costs by providing facilitators and materials for prevention programs, and in helping to
 149 increase the number of students who have access to quality prevention and intervention
 150 programs. In addition, their expertise and involvement expands the variety of programs
 151 provided to students.

152 C. TIER 2, 3 - Intervention/Screening

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- 154 1. **Screening and Assessments:** ACPS provides screening and assessment with the
 155 intent to:
 - 156 ● Determine whether a student has a **MILD** (low risk), **MODERATE** (medium
 157 risk) or **SEVERE** (high risk) form of substance use symptoms;
 - 158 ● Determine whether a student has a full substance use disorder;
 - 159 ● Provide suggestions to parents/guardians and students about the services that
 160 best meet the student’s needs; and
 - 161 ● Advise SST members and teachers on ways to support the student.
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 - 163 2. **Alcohol and Other Drugs (AOD) Education Seminars:** ACPS provides
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181 student already has a therapist and attends treatment, the service will monitor and
182 support the existing treatment and collaborate with current providers with
183 parent/guardian consent.
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185 **CONFIDENTIALITY**
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187 **A.** ACPS protects and prioritizes student confidentiality. Information sharing will be
188 conducted in accordance with FERPA, 42 CFR Part 2, HIPAA and related regulations.
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190 **42 CFR Part 2** governs confidentiality for those seeking treatment for substance use
191 disorders from federally assisted programs. It:

- 192 ● Applies to any program or individual that involves substance abuse education,
193 treatment and or prevention. Any ACPS professional that provides substance use
194 disorder screening, assessments, educational intervention or referral for treatment
195 should observe that all records relating to the identity, diagnosis, prognosis, or
196 treatment of any student in a substance abuse program is protected from being
197 disclosed without the proper authorization.
- 198 ● Requires any ACPS professional who wants to release substance abuse related
199 protected information to have a written authorization by the parent/guardian, or by
200 students above age 14. Also, the release should proceed as long as those entities
201 have a substance abuse service provider relationship with the student. The student
202 and parent/guardian need to be aware of the possible list of entities to which their
203 information has been disclosed.
- 204 ● Does not allow ACPS to redisclose (without express written consent) information
205 pertaining to substance abuse education, treatment and/or prevention. A general
206 release is not permitted.
- 207 ● Allows for *mandated* disclosure of protected information where the state mandates
208 child-abuse-and-neglect reporting, when the cause of death has been reported as
209 relating to substance abuse, or when the disclosure is required by a court order.
- 210 ● Permits disclosure of the student’s identifying information in particular
211 circumstances, including but not limited to, medical emergencies.

212
213 **B.** Records Maintenance
214

215 Protecting confidentiality is critical in the ACPS substance abuse prevention and
216 intervention program. Students have a right to privacy and have the right to feel protected
217 against the stigma that may cause them to avoid treatment. However, parents/guardians
218 and agencies like the Community Services Board (CSB) or the Department of Children &
219 Human Services (DCHS) regularly need information related to diagnosis and participation
220 in treatment. Records should be kept observing the Family Educational Rights & Privacy
221 Act (FERPA), 42 CFR Part 2 (Confidentiality of Substance Use Disorder Patient Records)
222 and the Health Insurance Portability and Accountability Act (HIPAA) and related
223 regulations.
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225 **ACCOUNTABILITY**
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227 A. Data Tracking and Reporting

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229 The Superintendent will provide to the School Board on an annual basis the prior school
230 year’s data reflecting all occurrences of AOD Code of Conduct violations for each school
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232 involved in such violations, as well as the resulting administrative responses or
233 consequences issued. This will also include student referrals for counseling and
234 intervention services, and any referrals to law enforcement or alternative education
235 programs. (The report will not include personally identifiable information regarding
236 students.)

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238 As outlined in the current Memorandum of Understanding (MOU) between the Alexandria
239 City School Board and the Alexandria Police Department (APD), any incident in which a
240 law enforcement officer(s) makes official contact with a student(s) will be documented,
241 tracked and reviewed by the Office of Safety and Security Services by using the ACPS
242 Law Enforcement Occurrence Report Form.

243

244 B. Training

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246 School-based administrators and SST members will receive training on procedures and
247 best practices to reduce disparities when:

- 248 • Making referrals for AOD intervention services; and
- 249 • Determining appropriate consequences for AOD-related Code of Conduct
250 violations.

251

252 Established: December 20, 2018

253 Revised: December 16, 2021

254

255 Legal Refs: 20 U.S.C. §1415.

256 21 U.S.C. § 812.

257

258 42 C.F.R. §§ 2.12 (c), 2.51.

259 45 C.F.R. §§ 164.502, 164.506(c), 164.512(f).

260

261 Code of Virginia, 1950, as amended, §§ 16.1-305.1, 18.2-247, 18.2-250,
262 18.2-255.2, 22.1-78, 22.1-277.08.

263

264 8 VAC 20-81-10.

265

266 Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse

267 GAE Child Abuse and Neglect Reporting

268 IGAG Teaching About Drugs, Alcohol and Tobacco

269 JFC Student Conduct

270 JFCF /JFCI Alcohol and other Drugs (AOD) in Schools

271 JGD/JGE Student Suspension/Expulsion

272 JGD-R/JGE-R Student Suspension/Expulsion Regulations

273	JGDA	Disciplining Students with Disabilities
274	JHCD	Administering Medications to Students
275	JHCD-R	Regulations for the Administration of Medications to Students
276		
277	JHG	Child Abuse and Neglect Reporting
278	JO	Student Records

DRAFT

1 **ALCOHOL AND OTHER DRUGS (AOD) ABUSE: REGULATIONS**

2 ~~**GOVERNING POLICY: JFCF/JFCI: ALCOHOL AND OTHER DRUGS (AOD) IN**~~
3 ~~**SCHOOLS**~~

4
5 **PREAMBLE**

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8 intervention programs that vary according to individual needs. Included among these are programs
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42 by/to the student to be any of the drugs or controlled substances listed in this regulation, or
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69 appropriate intensity and duration. Tier 1: Universal Prevention, Tier 2: Selective
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80 referrals to external partners. The SAC also leads ACPS’ drug use prevention and early
81 educational intervention program.

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83 **III. ACCESSING SUBSTANCE ABUSE SERVICES:**

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85 A. **Procedures**

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- 87 • Alcohol and illegal drug use and abuse are prohibited by the ACPS Student Code of
88 Conduct in compliance with all applicable federal, state or local laws and ordinances.
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- 94 element for substance abuse prevention, intervention, and linkage to treatment. To
- 95 support ACPS' Strategic Plan goals and to:
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272	IGAG	Teaching About Drugs, Alcohol and Tobacco
273	JFC	Student Conduct
274	JFCF /JFCI	Alcohol and other Drugs (AOD) in Schools
275	JGD/JGE	Student Suspension/Expulsion
276	JGD-R/JGE-R	Student Suspension/Expulsion Regulations
277	JGDA	Disciplining Students with Disabilities
278	JHCD	Administering Medications to Students
279	JHCD-R	Regulations for the Administration of Medications
280		to Students
281	JHG	Child Abuse and Neglect Reporting
282	JO	Student Records

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