

ALCOHOL AND OTHER DRUGS (AOD) IN SCHOOLS

Alexandria City Public Schools (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. As such, the School Board supports substance abuse prevention and early intervention programs that vary according to individual needs. In addition to negatively impacting student health and learning, illegal drug use and abuse are prohibited by the ACPS Student Code of Conduct in compliance with all applicable federal, state or local laws and ordinances. Staff members report to the relevant principal or designee any student suspected of being under the influence of alcohol and other drugs (AOD) or in violation of the ACPS Student Code of Conduct related to substance abuse.

Regulation JFCF-R/JFCI-R outlines ACPS' promotion of substance abuse prevention programs to educate students and staff about the harmful effects of alcohol, illegal drugs and/or the misuse of legal drugs, and supports intervention programs for those who need help overcoming substance abuse. However, the primary responsibility for helping students who are involved with substance abuse lies with the students and their parents/guardians.

Prohibited Activity

1. No *person* may manufacture, sell or distribute or possess with intent to sell, give or distribute alcohol, any controlled substance, imitation controlled substance, or marijuana while:
 - On the property, including building or grounds, of any ACPS school;
 - On public property or any property open to public use within 1,000 feet of the property, including building or grounds, of any ACPS school;
 - On any school bus; or
 - At any designated school bus stop or any public property or any property open to public use within 1,000 feet of such school bus stop during the time when students are waiting to be picked up and transported to or are being dropped off from school or a school sponsored activity.
2. No student may:
 - 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 “**drug or controlled substance**” (or what is represented by/to the student to be any drug or controlled substance, or what the student *believes* is any drug or controlled substance) **as defined in Regulation JFCF-R/JFCI-R** on school property, on school buses, or during school activities (on or off school property).

Consequences Regarding AOD on School Property

46 A. Expulsion

47
48 A student who is determined to have brought alcohol, a controlled substance, imitation
49 controlled substance, or marijuana onto school property or to a school-sponsored activity
50 may be expelled in accordance with Policy JGD/JGE: *Student Suspension/ Expulsion*. The
51 Superintendent may determine, based on the facts of the particular case, that special
52 circumstances exist and no disciplinary action or another form of discipline is appropriate.
53 In addition, the School Board authorizes the Superintendent or designee to conduct a
54 preliminary review of such cases to determine whether a disciplinary action other than
55 expulsion is appropriate. Any such disciplinary action will be taken in accordance with
56 Title 22.1, Chapter 14, Article 3 of the Code of Virginia. Recommendations for expulsion
57 will be communicated to the School Board.

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59 B. Prevention and Intervention

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61 Any student who violates this policy must participate in the prevention and intervention
62 activities identified in Regulation JFCF/JFCI-R - Alcohol and Other Drug (AOD) Abuse
63 Regulation.

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65 ACPS may require any student who has been found to have been in possession of, or under
66 the influence of, drugs or alcohol on a school bus, on school property, or at a school-
67 sponsored activity in violation of ACPS policies, to undergo evaluation for drug or alcohol
68 abuse, or both, and, if recommended by the evaluator and with the consent of the student's
69 parent, to participate in a treatment program.

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71 C. Required Reporting to Parents/Guardians and Local Law Enforcement

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73 The Principal or designee reports violations of this policy to parents/ guardians and local
74 law enforcement as required by Policy CLA: *Reporting Acts of Violence and Substance*
75 *Abuse*.

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77 **Students with Disabilities**

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79 A Students with disabilities are subject to the provisions of this policy and may be disciplined
80 to the same extent as a nondisabled student provided the manifestation review committee
81 determines that the violation was not a manifestation of the student's disability. The
82 provisions of Policy JGDA: *Disciplining Students with Disabilities*, will be followed in
83 addition to the regular disciplinary procedures.

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85 B Additional authority to remove a student with a disability from school for a drug
86 violation.

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88 1. When **special circumstances** exist, ACPS has additional legal authority,
89 beyond that granted in subsection A. Expulsion. above, to remove a student
90 with a disability without parent/guardian consent to be assigned to an interim
91 alternative education program by school personnel for not more than forty-five

(45) school days. This option is available regardless of whether a manifestation exists.

“Special circumstances” are defined in the Student Code of Conduct as “knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency,”

Removals under this subsection may not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school-day removal, “illegal drugs” and “controlled substance” are defined as follows:

a. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).

b. **Illegal drug** means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

Adopted: June 18, 1998

Amended: July 6, 2000

Amended: June 21, 2001

Amended: June 15, 2004

Amended: July 1, 2011

Amended: December 18, 2014

Amended: December 20, 2018

Amended: December 16, 2021

Legal Refs: 20 U.S.C. §1415.

21 U.S.C. § 812.

Code of Virginia, 1950, as amended, §§ 18.2-247, 18.2-250,

18.2-255.2, 22.1-277.08.

8 VAC 20-81-10.

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

GAE Child Abuse and Neglect Reporting

IGAG Teaching About Drugs, Alcohol and Tobacco

JFC Student Conduct

JFCF-R/JFCI-R Alcohol and Other Drugs (AOD) Abuse: Regulations

JGD/JGE Student Suspension/Expulsion

138	JGD-R/JGE-R	Student Suspension/Expulsion Regulations
139	JGDA	Disciplining Students with Disabilities
140	JHCD	Administering Medications to Students
141	JHCD-R	Regulations for the Administration of Medications to
142		Students
143	JHG	Child Abuse and Neglect Reporting
144	JO	Student Records

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1 ALCOHOL AND OTHER DRUGS (AOD) IN SCHOOLS

2 ~~I. AFFILIATED REGULATION: JFCF-R/JFCI-R: ALCOHOL AND OTHER~~
3 ~~DRUG (AOD) ABUSE: REGULATIONS GENERALLY~~

4 Alexandria City Public Schools (ACPS) strives to implement a Multi-Tiered System of Supports
5 (MTSS) approach to providing a supportive school environment for students involved with
6 substance use or abuse. As such, the School Board supports substance abuse prevention and early
7 intervention programs that vary according to individual needs. In addition to negatively impacting
8 student health and learning, illegal drug use and abuse are prohibited by the ACPS Student Code
9 of Conduct in compliance with all applicable federal, state or local laws and ordinances. Staff
10 members report to the relevant principal or designee any student suspected of being under the
11 influence of alcohol and other drugs (AOD) or in violation of the ACPS Student Code of Conduct
12 related to substance abuse.

13
14 Regulation JFCF-R/JFCI-R outlines ACPS' promotion of substance abuse prevention programs to
15 educate students and staff about the harmful effects of alcohol, illegal drugs and/or the misuse of
16 legal drugs, and supports intervention programs for those who need help overcoming substance
17 abuse. However, the primary responsibility for helping students who are involved with substance
18 abuse lies with the students and their parents/guardians.

19 ~~CONSEQUENCES REGARDING AOD ON SCHOOL PROPERTY~~

20 ~~A.~~ P
21 **rohibited Activity**

- 22
23 1. No *person* may manufacture, sell or distribute or possess with intent to sell, give or
24 distribute alcohol, ~~or~~ any controlled substance, ~~or~~ imitation controlled substance, or
25 marijuana while:

- 26 ● On the property, including building or grounds, of any ACPS school;
- 27 ● On public property or any property open to public use within 1,000 feet of the property,
28 including building or grounds, of any ACPS school;
- 29 ● On any school bus; or
- 30 ● At any designated school bus stop or any public property or any property open to public
31 use within 1,000 feet of such school bus stop during the time when students are waiting
32 to be picked up and transported to or are being dropped off from school or a school
33 sponsored activity.

- 34
35 2. No student may:

- 36 ● possess, procure, purchase, distribute or *attempt* to possess, procure, distribute or
37 purchase;
- 38 ● be under the influence of (legal intoxication not required); or
- 39 ● use or consume, or *attempt* to use or consume any “**drug or controlled substance**” (or
40 what is represented by/to the student to be any drug or controlled substance, or what
41 the student *believes* is any drug or controlled substance) **as defined in Regulation**
42 **JFCF-R/JFCI-R** on school property, on school buses, or during school activities (on
43 or off school property).

Commented [MS1]: Added marijuana to make the prohibition explicit.

46 **Consequences Regarding AOD on School Property**

47
48 B.A. Expulsion

49
50 A student who is determined to have brought alcohol, a controlled substance, ~~or~~ imitation
51 controlled substance, or marijuana onto school property or to a school-sponsored activity
52 may be expelled in accordance with Policy JGD/JGE: *Student Suspension/ Expulsion*. The
53 Superintendent may determine, based on the facts of the particular case, that special
54 circumstances exist and no disciplinary action or another form of discipline is appropriate.
55 In addition, the School Board authorizes the Superintendent or designee to conduct a
56 preliminary review of such cases to determine whether a disciplinary action other than
57 expulsion is appropriate. Any such disciplinary action will be taken in accordance with
58 Title 22.1, Chapter 14, Article 3 of the Code of Virginia. Recommendations for expulsion
59 will be communicated to the School Board.

60
61 B. Prevention and Intervention

62 Any student who violates this policy must participate in the prevention and intervention
63 activities identified in Regulation JFCF/JFCI-R - Alcohol and Other Drug (AOD) Abuse
64 Regulation.

65 ACPS may require any student who has been found to have been in possession of, or under
66 the influence of, drugs or alcohol on a school bus, on school property, or at a school-
67 sponsored activity in violation of ACPS policies, to undergo evaluation for drug or alcohol
68 abuse, or both, and, if recommended by the evaluator and with the consent of the student's
69 parent, to participate in a treatment program.

Commented [2]: From the VSBA model policy.

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71
72
73 C. Required Reporting to Parents/Guardians and Local Law Enforcement

74
75 The Principal or designee reports violations of this policy to parents/ guardians and local
76 law enforcement as required by Policy CLA: *Reporting Acts of Violence and Substance*
77 *Abuse*.

78
79 **Students with Disabilities**

80
81 A Students with disabilities are subject to the provisions ~~of Section III~~ of this policy and may
82 be disciplined to the same extent as a nondisabled student provided the manifestation
83 review committee determines that the violation was not a manifestation of the student's
84 disability. The provisions of Policy JGDA: *Disciplining Students with Disabilities*, will be
85 followed in addition to the regular disciplinary procedures.

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87 B Additional aAuthority to remove a student with a disability from school for a drug
88 violation.

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90 1. When **special circumstances** exist, ACPS has additional legal authority,
91 beyond that granted in subsection A, Expulsion, above, to remove a student

92 with a disability without parent/guardian consent to be assigned to an interim
93 alternative education program by school personnel for not more than forty-five
94 (45) school days. This option is available regardless of whether a manifestation
95 exists.

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97 “Special circumstances” are defined in the Student Code of Conduct as
98 “knowingly possessing or using illegal drugs, or selling or soliciting the sale of
99 a controlled substance while at school, on school premises, or at a school
100 function under the jurisdiction of a state or local educational agency,”

101
102 **Removals under this subsection may not be in excess of any removal**
103 **imposed on a student without a disability for the same offense.**

- 104
105 2. For purposes of this forty-five (45) school-day removal, “illegal drugs” and
106 “controlled substance” are defined as follows:
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108 a. **Controlled substance** means a drug or other substance identified under
109 schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act
110 at 21 U.S.C. § 812(c).
111
112 b. **Illegal drug** means a controlled substance, but does not include a controlled
113 substance that is legally possessed or used under the supervision of a
114 licensed health-care professional or that is legally possessed or used under
115 any other authority under the Controlled Substances Act or under any other
116 provision of federal law.

117
118 Adopted: June 18, 1998
119 Amended: July 6, 2000
120 Amended: June 21, 2001
121 Amended: June 15, 2004
122 Amended: July 1, 2011
123 Amended: December 18, 2014
124 Amended: December 20, 2018
125 Amended: December 16, 2021

126
127 Legal Refs.: 20 U.S.C. §1415.
128 21 U.S.C. § 812.

129
130 Code of Virginia, 1950, as amended, §§ ~~16.1-305.1~~, 18.2-247, 18.2-250,
131 ~~18.2250.1~~, 18.2-255.2, ~~22.1-78~~, ~~22.1-276.01~~, 22.1-277.08.

132
133 8 VAC 20-81-10.

134
135 Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse
136 GAE Child Abuse and Neglect Reporting
137 IGAG Teaching About Drugs, Alcohol and Tobacco

138	JFC	Student Conduct
139	JFCF-R/JFCI-R	Alcohol and Other Drugs (AOD) Abuse: Regulations
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142	JGDA	Disciplining Students with Disabilities
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146	JHG	Child Abuse and Neglect Reporting
147	JO	Student Records

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