

## ALCOHOL AND OTHER DRUGS (AOD) IN SCHOOLS

### I. AFFILIATED REGULATION: JFCF-R/JFCI-R: ALCOHOL AND OTHER DRUG (AOD) ABUSE: REGULATIONS

### II. GENERALLY

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.

### III. CONSEQUENCES REGARDING AOD ON SCHOOL PROPERTY

#### A. Prohibited Activity

1. No *person* may manufacture, sell or distribute or possess with intent to sell, give or distribute alcohol or any controlled substance or imitation controlled substance 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 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).

B. Expulsion

A student who is determined to have brought alcohol, a controlled substance or imitation controlled substance onto school property or to a school-sponsored activity may be expelled in accordance with Policy JGD/JGE: *Student Suspension/ Expulsion*. The Superintendent may determine, based on the facts of the particular case, that another form of discipline is appropriate. In addition, the School Board authorizes the Superintendent or designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Any such disciplinary action will be taken in accordance with Title 22.1, Chapter 14, Article 3 of the Code of Virginia. Recommendations for expulsion will be communicated to the School Board.

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

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

#### IV. STUDENTS WITH DISABILITIES

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

B. Additional Authority to remove a student with a disability from school for a drug violation.

1. When **special circumstances** exist, ACPS has additional legal authority, beyond that granted in subsection A. above, to remove a student with a disability without parent/guardian consent to be assigned to an interim 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, §§ 16.1-305.1, 18.2-247, 18.2-250, 18.2250.1, 18.2-255.2, 22.1-78, 22.1-276.01, 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
JGD-R/JGE-R	Student Suspension/Expulsion Regulations
JGDA	Disciplining Students with Disabilities
JHCD	Administering Medications to Students
JHCD-R	Regulations for the Administration of Medications to Students
JHG	Child Abuse and Neglect Reporting
JO	Student Records