

1 **ALCOHOL AND OTHER DRUGS (AOD) ABUSE: REGULATIONS**
2

3 Alexandria City Public Schools (ACPS) supports substance abuse prevention and early
4 intervention programs that vary according to individual needs. Included among these are programs
5 to educate students about the harmful effects of illegal drugs and alcohol; the misuse of drugs and
6 other legal substances; programs for staff in the identification of substance abuse; and activities
7 and programs for those who desire more information and for those who need help with intervention
8 activities and programs.
9

10 Although the primary responsibility for helping students who are involved with substance abuse
11 lies with students and their families, ACPS strives to implement a Multi-Tiered System of Supports
12 (MTSS) approach to providing a supportive school environment for students involved with
13 substance use or abuse. The Division substance abuse prevention and early intervention program
14 may provide group experiences, individual counseling and other programming. Additionally,
15 referral of students and parents/guardians to community agencies for assistance, at parent/guardian
16 expense, may also occur.
17

18 **PURPOSE**
19

20 ACPS K-12 substance abuse prevention and early intervention services serve to support students
21 with overcoming specific substance abuse related barriers to their education (i.e., substance use,
22 misuse, or abuse), and fall within the scope of services provided by ACPS. This regulation:
23

- 24 ● Outlines the ACPS Drugs in Schools Policy; and
- 25 ● Outlines the methods and guidelines by which ACPS engages in substance abuse
26 prevention and intervention activities.
27

28 **DEFINITIONS**
29

30 A. Alcohol and other Drugs (AOD) Violations:
31

32 A **student** may not:

- 33 ● possess, procure, purchase, distribute or *attempt* to possess, procure, distribute or
34 purchase;
- 35 ● be under the influence of (legal intoxication not required); or
- 36 ● use or consume, or *attempt* to use or consume
37 any of the drugs or controlled substances listed in this regulation (or what is represented
38 by/to the student to be any of the drugs or controlled substances listed in this regulation, or
39 what the student *believes* is any of the drugs or controlled substances in this regulation) on
40 school property, on school buses, or during school activities, on or off school property.
41

42 B. **Drugs or Controlled Substances:** Include alcohol, marijuana, narcotic drugs, tobacco or
43 tobacco products, hallucinogens, stimulants, depressants, and anything else covered by the
44 Drug Control Act, as well as any volatile/ignitable inhalant materials and/or aerosols, e-
45 cigarettes (including electronic or non-electronic devices/tools/materials used for vaping
46 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.
55

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.
67

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.
70

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

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

128

129 **B. Tier 1 - Prevention/Education**

130

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

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

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

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

135 prevent detrimental behaviors and attitudes following an evidence-based practice

136 curriculum.

137

138 **Standards of Learning (SOL):** Substance abuse education is included in the Standards of
 139 Learning for the Health and Physical Education curriculum. ACPS K-12 substance abuse
 140 prevention and early intervention services support teachers in the implementation of drug
 141 education content by providing consultation and technical assistance, in collaboration with
 142 the Health and Physical Education department, to support the delivery of classroom content
 143 aligned to SOL goals related to drug education.

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

153 **C. TIER 2, 3 - Intervention/Screening**

- 154
- 155 1. **Screening and Assessments:** ACPS provides screening and assessment with the
 156 intent to:
 - 157 ● Determine whether a student has a **MILD** (low risk), **MODERATE** (medium
 158 risk) or **SEVERE** (high risk) form of substance use symptoms;
 - 159 ● Determine whether a student has a full substance use disorder;
 - 160 ● Provide suggestions to parents/guardians and students about the services that
 161 best meet the student’s needs; and
 - 162 ● Advise SST members and teachers on ways to support the student.
 - 163
 - 164 2. **Alcohol and Other Drugs (AOD) Education Seminars:** ACPS provides
 165 alternative ways to assist parents/guardians and students at low risk of substance
 166 use problems. Students and parents/guardians can benefit from monthly seminars
 167 to learn about the risk factors associated with student drug use and ways to mitigate
 168 them.
 - 169
 - 170 3. **Early Educational Intervention Sessions:** ACPS Substance Abuse Early
 171 Intervention is a series of sessions that educate students with detected drug
 172 involvement related problems about the causes and effects of drug use. Early
 173 intervention focuses on helping eligible students to process their violation of the
 174 ACPS Code of Conduct related to drug use or distribution. The SAC determines
 175 the content and number of hours of educational sessions needed in each case.
 176 Treatment is not included among the services that ACPS provides.
 - 177
 - 178 4. **Targeted Case Management:** The ACPS short-term targeted case management
 179 service links students to services that match their needs by providing referrals to
 180 specialized services in the community (external providers). Short-term case
 181 management also includes monitoring and consultation for re-entry cases. If the

182 student already has a therapist and attends treatment, the service will monitor and
183 support the existing treatment and collaborate with current providers with
184 parent/guardian consent.
185

186 **CONFIDENTIALITY**
187

188 **A.** ACPS protects and prioritizes student confidentiality. Information sharing will be
189 conducted in accordance with FERPA, 42 CFR Part 2, HIPAA and related regulations.
190

191 **42 CFR Part 2** governs confidentiality for those seeking treatment for substance use
192 disorders from federally assisted programs. It:

- 193 ● Applies to any program or individual that involves substance abuse education,
194 treatment and or prevention. Any ACPS professional that provides substance use
195 disorder screening, assessments, educational intervention or referral for treatment
196 should observe that all records relating to the identity, diagnosis, prognosis, or
197 treatment of any student in a substance abuse program is protected from being
198 disclosed without the proper authorization.
- 199 ● Requires any ACPS professional who wants to release substance abuse related
200 protected information to have a written authorization by the parent/guardian, or by
201 students above age 14. Also, the release should proceed as long as those entities
202 have a substance abuse service provider relationship with the student. The student
203 and parent/guardian need to be aware of the possible list of entities to which their
204 information has been disclosed.
- 205 ● Does not allow ACPS to redisclose (without express written consent) information
206 pertaining to substance abuse education, treatment and/or prevention. A general
207 release is not permitted.
- 208 ● Allows for *mandated* disclosure of protected information where the state mandates
209 child-abuse-and-neglect reporting, when the cause of death has been reported as
210 relating to substance abuse, or when the disclosure is required by a court order.
- 211 ● Permits disclosure of the student’s identifying information in particular
212 circumstances, including but not limited to, medical emergencies.
213

214 **B.** Records Maintenance
215

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

226 **ACCOUNTABILITY**
227

228 A. Data Tracking and Reporting

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

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

244
245 B. Training

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

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

252
253 Adopted: December 20, 2018

254 Amended: December 16, 2021

255 Amended: October 19, 2023

256
257 Legal Refs: 20 U.S.C. §1415.

258 21 U.S.C. § 812.

259
260 42 C.F.R. §§ 2.12 (c), 2.51.

261 45 C.F.R. §§ 164.502, 164.506(c), 164.512(f).

262
263 Code of Virginia, 1950, as amended, §§ 16.1-305.1, 18.2-247, 18.2-250,
264 18.2-255.2, 22.1-78, 22.1-277.08.

265
266 8 VAC 20-81-10.

267
268 Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse
269 GAE Child Abuse and Neglect Reporting
270 IGAG Teaching About Drugs, Alcohol and Tobacco
271 JFC Student Conduct
272 JFCF /JFCI Alcohol and other Drugs (AOD) in Schools
273 JGD/JGE Student Suspension/Expulsion

274	JGD-R/JGE-R	Student Suspension/Expulsion Regulations
275	JGDA	Disciplining Students with Disabilities
276	JHCD	Administering Medications to Students
277	JHCD-R	Regulations for the Administration of Medications
278		to Students
279	JHG	Child Abuse and Neglect Reporting
280	JO	Student Records