

## STUDENT SERVICES

File: JFCF-R

### DRUGS IN SCHOOLS

1. Possession of a controlled substance, imitation controlled substance as defined in Va. Code § 18.2-247 or synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1 on school property or at a school-sponsored activity by any student is prohibited.
2. Any student who is determined to have brought a controlled substance, imitation controlled substance or marijuana or synthetic cannabinoids as defined in Va. Code § 18.2-248.1:1, onto school property or to a school-sponsored activity shall be suspended up to 10 days and recommended for expulsion in accordance with [Policy JGD/JGE](#) (Suspension and Expulsion) and the [Code of Student Conduct](#).
3. The Superintendent may determine, based on the facts of the particular case that special circumstances exist and another form of discipline is appropriate. Any such discipline shall be taken in accordance with Policy JGD/JGE and the Code of Student Conduct.
4. Any student who violates [Policy JFCF](#) or these regulations shall participate in the prevention and intervention activities identified in Charlottesville City school division's drug and violence prevention plan under the direction of the Assistant Superintendent of Administrative Services.
5. The School Board may require any student who is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.
6. The principal shall report any violation of this policy to parents of the student(s) and local law enforcement as required by [Policy CLA](#) (Reporting to Law Enforcement).

#### Students with Disabilities

1. Students with disabilities are subject to the provisions of Policy JFCF and these regulations and may be disciplined to the same extent as a student without disabilities provided the manifestation review committee determines that the violation was not a manifestation of the student's disability.
2. The provisions of [Policy JGDA](#) and its accompanying regulations will be followed in addition to the regular disciplinary procedures. The disciplinary procedures may be located in the Code of Student Conduct.

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### Additional authority to remove a student with a disability from school for a drug violation.

1. In addition to the authority granted above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs, or sells or solicits 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.
2. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.
3. The decision to remove the student for forty-five days shall be made by the IEP committee.
4. 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.

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Legal References: 20 U.S.C. §§1415(k)(1)(G)(ii), 1415(k)(7)(A), 1415(k)(7)(B).  
21 U.S.C. § 812(c).  
Code of Virginia, 1950, as amended, § 18.2-247, 18.2-250, 18.2-250.1, 18.2-255.2, 22.1-277.08  
8 VAC 20-81-10

Cross References: CLA Reporting Acts of Violence and Substance Abuse  
JGD/JGE Student Suspension/Expulsion  
JFC Student Conduct  
JFC-R Standards of Student Conduct  
JGDA Disciplining Students With Disabilities