

# Questions and Answers about the New FCPS Policy for Storage and Administration of CBD and THC-A Oils in Schools

## What is CBD and THC-A?

**CBD** stands for *Cannabidiol*. It is the second most prevalent active ingredient of cannabis (marijuana), next to THC. CBD is an essential component of medical marijuana and is derived directly from both hemp and marijuana plants. While CBD is a component of marijuana (one of hundreds), by itself it does not cause a “high.”

**THC-A** is the abbreviation of *Tetrahydrocannabinolic Acid*, a cannabinoid which is closely related to Tetrahydrocannabinol (THC.) THC-A is produced in the raw cannabis plant before any THC is present and is non-psychoactive (i.e., does not produce a “high”). THC-A can be transformed into THC when exposed to heat or sunlight over a prolonged period. THC itself is the psychoactive ingredient in marijuana, which produces a “high.”

Sources: *Center for Disease Control (CDC), National Institute on Drug Abuse (NIDA), Harvard Health Publishing, 2019*

## What is the new Code of Virginia requirement regarding CBD and THC-A oil use in schools?

In July 2019, General Assembly passed a law to clarify the right to use cannabidiol (CBD) and THC-A oil for students. This legislation provides access for students who have proper authorization and documentation from a licensed practitioner.

**“VA Code § 22.1-27. states: E. Notwithstanding the provisions of § 22.1-277.08, no school board shall be required to suspend or expel any student who holds a valid written certification for the use of cannabidiol oil or THC-A oil issued by a practitioner in accordance with subsection B of § 54.1-3408.3 for the possession or use of such oil in accordance with the student's individualized health plan and in compliance with a policy adopted by the school board.”** <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-277/>

Due to these recent legislative changes, FCPS is now required to develop a policy to address the storage and administration of CBD and THC-A oils in schools by a school nurse or employee of a local health department who is assigned to an FCPS school.

## How are CBD and THC-A defined under the Code of Virginia in terms of what is allowable?

### **CBD oil:**

- A processed Cannabis plant extract that contains at least 15% CBD, but no more than 5% THC tetrahydrocannabinol; or,
- A dilution of the resin of the Cannabis plant that contains at least five milligrams of CBD per milliliter, but not more than 5% THC.

### **THC-A oil:**

- A processed Cannabis plant extract that contains at least 15% THC-A but not more than 5% THC; or,
- A dilution of the resin to the cannabis plant that contains at least five milligrams of THC-A per milliliter but not more than 5% THC.

## What is the new FCPS policy passed by the School Board and when was it passed?

Effective October 10, 2019, the Fairfax County School Board approved a policy on the storage and administration of CBD and THC-A oils which aligns with Virginia law.

Policy 2112, *Storage and Administration of Cannabidiol Oil (CBD) or Tetrahydrocannabinolic Acid (THC-A) Oil in Schools*, states that no school nurse or employee of a local health department who is assigned to a public school can be prosecuted for possessing, storing, or distributing CBD or THC-A oil that has been prescribed via a valid, written certification by a medical professional.

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## What is the new FCPS policy passed by the School Board and when was it passed? (cont.)

Regulation 2102, *First Aid, Emergency Treatment, and Administration of Medication for Students*, has also been revised to address CBD and THC-A oils. Detailed information about these changes can be found at:  
[https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BGMP3B617680/\\$file/R2102.15%20final%20redline%20for%20CBD%20THC-A%20Work%20Session.pdf](https://go.boarddocs.com/vsba/fairfax/Board.nsf/files/BGMP3B617680/$file/R2102.15%20final%20redline%20for%20CBD%20THC-A%20Work%20Session.pdf)

## What is required if my child is prescribed CBD or THC-A oil?

As indicated in FCPS Regulation 2102, FCPS schools require a completed Medical Authorization Form for prescribed medications, including CBD or THC-A oil, signed by the licensed, prescribing physician. Click here to access the form:  
<https://www.fcps.edu/sites/default/files/media/forms/se63.pdf>

## How is this addressed in the 2019-20 Student Rights and Responsibilities (SR&R) booklet?

THC-A and CBD can be found under the prescription drug section of the SR&R, under Appendix D, p. 26-27:

- Possession of CBD/THC-A oil in the schools may lead to an SR&R violation:  
*"The following violation may result in school-based disciplinary action. Possession or use of his or her own: (i) prescription medication; or (ii) THC-A or cannabidiol oil, provided that written certification for use of such was issued by a licensed practitioner in accordance with the Code of Virginia."*
- Parents must bring the prescribed CBD/THC-A oil to the school health room with a signed form from the prescribing doctor:  
*"Parents are expected to bring all medications to the school health room, with a form signed by a doctor for the administration of any prescription drug during the school day, or during school activities, so the medication can be safely stored and administered"*

The 2019-2020 Student Rights & Responsibilities booklet can be found here:

English:

<https://www.fcps.edu/sites/default/files/media/forms/SRR1920.pdf>

Other Languages:

<https://www.fcps.edu/index.php/about-fcps/policies-regulations-and-notice/student-rights-and-responsibilities/video-and-resources>

## Who can I contact if I have questions?

For any questions about these or any other substances, please contact your child's school to reach its assigned **Substance Abuse Prevention (SAP) Specialist**.

For any questions regarding alcohol and other drug prevention, intervention and support efforts throughout Fairfax County Public Schools, please contact the **Student Safety and Wellness Office at 571-423-4270**.

If you have any questions about Policy 2112, Regulation 2102 or medication authorization requirements, please contact the **FCPS Manager of School Health Services at [ltrouton@fcps.edu](mailto:ltrouton@fcps.edu)**.