

# Drug and Alcohol Abuse Prevention Policy

**Version 2**

**Approved: April 7, 2016**

**Effective: April 18, 2016**

## Policy Statement

IntelliTec Colleges, in accordance with the Education Department General Administrative Regulations (EDGAR) Title 34 Part 86 Drug Prevention and Abuse and Section 120 of Title I of the Higher Education Act of 1965, has established the following Drug and Alcohol Abuse Prevention policy. This policy prohibits, the manufacture; sale, purchase, distribution or other transfer; possession; or being impaired or under the influence, of any controlled substance including alcohol; illegal drugs; legal drugs used or to be used illegally; or medicinal or recreational marijuana.

## Scope of Policy

This policy applies to all employees, students, contractors, consultants, or any third party on any property controlled by IntelliTec, at any IntelliTec event, or while representing IntelliTec in an official capacity.

## Violation of Policy

Failure to comply with any aspect of this policy will result in disciplinary action, up to and including termination or expulsion. Types of disciplinary actions that can be taken for a violation of this policy are outlined below and are dependent upon the relationship with the college and the severity of the incident and any previous disciplinary actions. This list of actions is not progressive and may be used in any order, or in conjunction with each other, as determined appropriate for the violation.

### **Employee Sanctions:**

1. Written Warning
2. Referral to a mandatory substance abuse evaluation and any subsequently recommended treatment based upon the results of the evaluation
3. Suspension of Employment
4. Termination of Employment

### **Student Sanctions:**

1. Written warning
2. Referral to a mandatory substance abuse evaluation and any subsequently recommended treatment based upon the results of the evaluation
3. Suspension of Enrollment
4. Expulsion

IntelliTec Colleges may report violations of this policy, which also result in a violation of any applicable laws, to the appropriate law enforcement agencies. Determination will be made in consultation with legal counsel as to which policy violations will be reported to law enforcement.

### *Legal Sanctions:*

Various Federal, State, and local laws apply to the use or transfer of illegal drugs and to the use or transfer of legal drugs used illegally. Violation of those laws may result in some or all of the following consequences:

- Conviction of Misdemeanors
- Conviction of Felonies
- Prison Sentences
- Tickets
- Revocation of Driver's License

For more information on the consequences of violating drug and alcohol laws please review the following websites:

Federal Drug Primer: [http://www.ussc.gov/sites/default/files/pdf/training/primers/2015\\_Primer\\_Drug.pdf](http://www.ussc.gov/sites/default/files/pdf/training/primers/2015_Primer_Drug.pdf)  
DEA Drug Trafficking Penalties: <http://www.dea.gov/druginfo/ftp3.shtml>  
State Drinking Laws: [http://alcoholpolicy.niaaa.nih.gov/APIS\\_State\\_Profile.html?state=CO](http://alcoholpolicy.niaaa.nih.gov/APIS_State_Profile.html?state=CO)

*Please see appendix A for specific sanction information.*

### Health Risks

There are many health risks associated with the use of alcohol, illegal drugs, or legal drugs used illegally. Some of these risks include:

- Loss of memory
- Shrinking of the brain
- Liver disease
- Heart damage and heart attacks
- Increased risk of rape and other sexual assaults
- Increased risk of mouth, throat, lung, esophagus, liver, and colon cancer
- Stroke
- Increased risk of diseases such as HIV/AIDS, hepatitis, immune disorders, kidney failure, and sexually transmitted diseases
- Permanent and/or temporary loss of motor skills
- Tooth decay
- Weight loss
- Lesions

For more information on the risks associated with alcohol, illegal drugs, or legal drugs used illegally please review the following websites:

#### **Center for Disease Control (Drug and Alcohol):**

<http://www.cdc.gov/>

#### **Teens Health (Drugs and Alcohol):**

[http://kidshealth.org/teen/drug\\_alcohol/](http://kidshealth.org/teen/drug_alcohol/)

#### **WebMD (Alcohol Abuse):**

<http://www.webmd.com/mental-health/alcohol-abuse/features/12-health-risks-of-chronic-heavy-drinking>

#### **WebMD (Drug Abuse):**

<http://www.webmd.com/mental-health/features/rx-drug-abuse-common-dangerous>

#### **Helpguide.org (Drug Abuse):**

[http://www.helpguide.org/mental/drug\\_substance\\_abuse\\_addiction\\_signs\\_effects\\_treatment.htm](http://www.helpguide.org/mental/drug_substance_abuse_addiction_signs_effects_treatment.htm)

## Counseling and Treatment Programs

All employees and students have access to the confidential Employee and Student Assistance Program (ESAP) which provides substance abuse assessments and treatment. These assessments and treatments are provided at no cost to the employee or student.

In order to contact the ESAP provider LifeWorks:

1. Call 1-888-267-8126 and speak with a representative, or
2. Log onto [www.lifeworks.com](http://www.lifeworks.com). Employees or students can either schedule a call with a counselor or seek information regarding substance abuse on the website.
  - a. Employee username: **IntelliTecStaff** Password: **lifeworks**
  - b. Student username: **IntelliTec** Password: **lifeworks**

Additional Local Resources are available for counseling, information, and treatment programs.

|   |  |
|---|--|
| <b>Alcoholics Anonymous, Albuquerque</b>                  | (505) 266-1900<br><a href="http://www.albuquerqueaa.org">www.albuquerqueaa.org</a>                                 |
| <b>Oficina Intergrupala Hispana</b>                       | (505) 266-3688<br><a href="http://www.aaoficinahispanadealbuquerque.org">www.aaoficinahispanadealbuquerque.org</a> |
| <b>Alcoholics Anonymous, Colorado Springs</b>             | (719) 573-5020<br><a href="http://www.coloradospringsaa.org">www.coloradospringsaa.org</a>                         |
| <b>Alcoholics Anonymous, Grand Junction</b>               | (970) 245-9649<br><a href="http://www.aa-westerncolorado.org">www.aa-westerncolorado.org</a>                       |
| <b>Alcoholics Anonymous, Pueblo</b>                       | (719) 546-1173<br><a href="http://www.puebloaa.org">www.puebloaa.org</a>   |
| <b>Narcotics Anonymous, Albuquerque</b>                   | (505) 260-9889<br><a href="http://www.riograndena.org/albq.php">http://www.riograndena.org/albq.php</a>            |
| <b>Narcotics Anonymous, Colorado Springs &amp; Pueblo</b> | (719) 637-1580<br><a href="http://nacolorado.org/cospgs/">http://nacolorado.org/cospgs/</a>                        |
| <b>Narcotics Anonymous, Grand Junction</b>                | (970) 201-1133<br><a href="http://nacolorado.org/serenityunlimited/">http://nacolorado.org/serenityunlimited/</a>  |
| <b>Narcotics Anonymous, Pueblo</b>                        | (719) 569-5955   |

## Clery Crimes

Violations of this policy that result in arrests or disciplinary action that are also considered liquor law or drug abuse law violations may need to be reported under the Clery Act crime statistics. Refer all reports of incidents to the Clery Act Coordinator for determination of reporting.

## Biennial Policy Review

This policy will be reviewed on a biennial basis to:

1. Determine its effectiveness and implement changes to the program if they are needed;
2. Ensure that the disciplinary sanctions described in this policy are consistently enforced;
3. Determine the number of drug and alcohol related violations and fatalities; and
4. Identify the number and type of sanctions imposed.

Records of the biennial review process will be kept for a minimum of 3 years and are available upon request.

## Annual Distribution

The Drug and Alcohol Policy will be distributed to students and employees on an annual basis. The policy must be distributed to all currently enrolled students and all employees in the following manner:

The Drug and Alcohol Policy will be published on IntelliTec's Internet website at the following url:

[http://www.intellitecollege.com/your-right-to-know/healthSafety\\_DrugsAlcohol.pdf](http://www.intellitecollege.com/your-right-to-know/healthSafety_DrugsAlcohol.pdf)

An email will be sent to all current students and employees notifying of the availability of the policy. The notice will include: a statement of the report's availability; a list and brief description of the information contained in the policy; the exact address (URL) of the Internet or Intranet website at which the report is posted; and a statement that the school will provide a paper copy of the Drug and Alcohol Policy without fee upon request, written or otherwise.

The Drug and Alcohol Policy is available to prospective students and prospective employees upon request and will be maintained at the above url.

## Employee Drug Testing

Employees of IntelliTec may be subjected to the following forms of drug testing.

### *Pre-Employment:*

1. All persons seeking employment with IntelliTec Colleges shall undergo post-offer, pre-employment drug testing. Applicants will be informed that as a condition of employment they must pass a drug-screening test.
2. Applicants who test positive will be notified that they have not met the standards for employment and informed they can have the confirmed positive test re-tested by a government certified lab selected by the employee.

### *Reasonable Suspicion:*

1. Reasonable suspicion testing may result from one of the following examples, but is not limited to the following:
  - a. Specific, personal, and articulable observations concerning the appearance, behavior, speech or performance of the employee which indicate impairment; or

- b. Violation of a safety rule, or other unsafe work incident which, after further investigation of the employee's behavior, leads the supervisor(s) /manager(s) to believe that the employee's functioning is impaired; or
  - c. Other physical, circumstantial, or contemporaneous indicators of impairment.
2. When a supervisor/manager has reasonable suspicion to request testing, the supervisor/manager must first obtain approval from the Vice President, Shared Services prior to testing, and upon approval, will arrange to transport the employee to the collection site and arrange for the employee's transport home.
3. IntelliTec Colleges will place the employee on a paid leave pending the receipt of drug testing.

#### *Post-Accident:*

An employee may be required to submit to a drug and alcohol testing after an on the job accident.

1. An accident for purposes of this policy is defined as an incident or occurrence in which:
  - a. a person dies or requires medical treatment or
  - b. property damage is estimated at greater than \$250 or
  - c. the accident involves use of a Company vehicle or
  - d. the accident involves an employee in a personal vehicle accident while on the job.
2. An employee who is involved in an accident must immediately report the accident to his or her supervisor/manger.
3. Whenever a supervisor/manager observes or is notified of an accident as defined in #1 above, the supervisor/manager may initiate drug and alcohol testing after receiving approval from the Vice President, Shared Services. The supervisor/manager may order the employee to submit to a urine and/or breath test. The supervisor/manager may arrange to transport the employee to the collection site and will arrange for the employee's transport home.

#### *Return to Duty/Follow-up Testing:*

If the company elects to allow an employee to return to work following a positive test result, the employee must first pass a drug and alcohol test and subsequently submit to a program of unannounced testing for a period of not more that twelve (12) months from the date of return to duty and submit to a counseling or treatment program if recommended after evaluation by the company ESAP provider.

#### *Exceptions to Policy*

At certain preapproved events, the President of IntelliTec may allow alcohol to be served on campus. Any approval must be provided in writing and obtained prior to any such event. At no time will alcohol ever be made available in the presence of students.

Appendix A: Federal Trafficking Penalties

| Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)     |  |  |   |   |
|--|--|--|---|---|
| Sche   | Substance/Quantity   | Penalty  | Substance/Quantity  | Penalty   |
| II   | Cocaine<br>500-4999 grams mixture                          | <b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.<br><br><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual. | Cocaine<br>5 kilograms or more mixture                                | <b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.<br><br><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. |
| II   | Cocaine Base<br>28-279 grams mixture                       |  | Cocaine Base<br>280 grams or more mixture                             |   |
| IV   | Fentanyl<br>40-399 grams mixture                           |  | Fentanyl<br>400 grams or more mixture                                 |   |
| I  | Fentanyl Analogue<br>10-99 grams mixture                   |  | Fentanyl Analogue<br>100 grams or more mixture                        |   |
| I  | Heroin<br>100-999 grams mixture                            |  | Heroin<br>1 kilogram or more mixture                                  |   |
| I  | LSD<br>1-9 grams mixture                                   |  | LSD<br>10 grams or more mixture                                       |   |
| II   | Methamphetamine<br>5-49 grams pure or 50-499 grams mixture |  | Methamphetamine<br>50 grams or more pure or 500 grams or more mixture |   |
| II   | PCP<br>10-99 grams pure or 100-999 grams mixture           | PCP<br>100 grams or more pure or 1 kilogram or more mixture  |   |   |
| <b>Substance/Quantity</b>  |  | <b>Penalty</b>   |   |   |
| Any Amount Of Other Schedule I & II Substances   |  | <b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.   |   |   |
| Any Drug Product Containing Gamma Hydroxybutyric Acid                                    |  | <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.   |   |   |
| Flunitrazepam (Schedule IV) 1 Gram   |  | <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.   |   |   |
| Any Amount Of Other Schedule III Drugs   |  | <b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.<br><br><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more   |   |   |
| Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam) |  | <b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.<br><br><b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.  |   |   |
| Any Amount Of All Schedule V Drugs   |  | <b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.<br><br><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.   |   |   |