

Drug and Alcohol Abuse Prevention Policy

Version 3.1

Effective: April 18, 2016

Updated: May 9, 2023

Policy Statement

IntelliTec College, 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 College 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: [Drugs | United States Sentencing Commission \(ussc.gov\)](https://www.ussc.gov/drugs)
DEA Drug Trafficking Penalties: <https://www.dea.gov/sites/default/files/2021-12/Trafficking%20Penalties.pdf>
State Drinking Laws: <https://alcoholpolicy.niaaa.nih.gov/>

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/

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>

Helpline.org (Drug Abuse):

http://www.helpline.org/mental/drug_substance_abuse_addiction_signs_effects_treatment.htm

Counseling and Treatment Programs

All students have access to the below Local Resources that are available for counseling, information, and treatment programs. For further local resources please see your campus Director of Education.

Alcoholics Anonymous, Albuquerque	(505) 266-1900 www.albuquerqueaa.org
Oficina Intergrupala Hispana	(505) 266-3688 www.aaoficinahispanadealbuquerque.org
Alcoholics Anonymous, Colorado Springs	(719) 573-5020 www.coloradospringsaa.org
Alcoholics Anonymous, Grand Junction	(970) 245-9649 www.aa-westerncolorado.org
Alcoholics Anonymous, Pueblo	(719) 546-1173 www.puebloaa.org
Narcotics Anonymous, Albuquerque	(800) 798-6649 https://greaterabq.riograndena.org/
Narcotics Anonymous, Colorado Springs & Pueblo	(719) 637-1580 http://nacolorado.org/cospgs/
Narcotics Anonymous, Grand Junction	(970) 201-1133 http://nacolorado.org/serenityunlimited/
Narcotics Anonymous, Pueblo	(719) 569-5955
Narcotics Anonymous, Phone Application	https://apps.apple.com/us/app/na-meeting-search/id627643748

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:

<https://intellitec.edu/admissions/consumer-information/>

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.

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 College 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.

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

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<p>First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p>Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment.</p> <p>Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	5 kgs or more mixture	<p>First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment.</p> <p>Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<p>First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: 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.</p>		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<p>First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p>Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>		
All other Schedule IV drugs	Any amount	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Flunitrazepam (Schedule IV)	Other than 1 gram or more			
All Schedule V drugs	Any amount	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		