

## **Aultman College of Nursing and Health Sciences**

SUBJECT: Substance Abuse Prevention Program    POLICY: Substance Abuse Prevention

DEPARTMENT: Student Affairs

EFFECTIVE DATE: 8/05

REVISION DATE: 6/09, 11/10

### **PURPOSE:**

Aultman College of Nursing and Health Sciences (ACNHS) has adopted the following substance abuse policy for the purposes outlined below:

- To establish and maintain a safe, healthy learning environment for all students/employees.
- To provide a safe, healthy environment for clients while providing care.
- To preserve the reputation of the College and its employees within the community at large and within the health care community.

The College opposes substance abuse and will enforce its rules regarding alcohol and illegal drugs. The College also supports and will cooperate with authorities at the local, state, and federal levels regarding the regulation of alcohol and illegal drugs. The College will not protect a student/employee in violation of the law from prosecution under federal, state or local law. The College will not provide sanction from the law nor are the students/employees immune from legal investigation or arrest by civil authorities.

### **POLICY: (Standards of Conduct)**

The following rules represent Aultman College of Nursing and Health Sciences' (ACNHS) policy concerning substance abuse:

- All students are prohibited from attending class, labs or clinicals of any nature or any college related activities under the influence of alcohol or illegal drugs.
- All employees are prohibited from working under the influence of alcohol or illegal drugs
- The manufacture, sale, possession, distribution or use of illegal drugs on Aultman property or while engaged in official ACNHS educational activities is strictly prohibited and is cause for dismissal.
- For purposes of this policy, "illegal drug" includes any prescription drug for which the individual does not have a valid prescription. Only the person for whom a prescription drug is issued can bring the medication on Aultman premises in its original container. The student/employee must use the prescription drug only in the manner, combination, and quantity prescribed.

## **PROCEDURE AND DISCIPLINARY SANCTIONS:**

### **Student Testing**

**Pre-admission testing:** Upon acceptance to ACNHS, all applicants/students will be required to pass an entrance drug screening and alcohol test as a condition of active admission into the ACNHS.

**Testing upon reasonable cause to believe student has engaged in substance abuse:** Reasonable cause shall mean that evidence which forms a reasonable basis for concluding it is more likely than not that a person has engaged in substance abuse. Facts which could give rise to reasonable cause include, but are not limited to:

- observable phenomena, such as direct observation of drug use and/or physical symptoms or manifestations of being under the influence of a drug, including, but not limited to, erratic behavior, slurred speech, staggered gait, flushed face, dilated/pinpoint pupils, wide mood swings or inappropriate responses to stimuli, while the student is attending class, clinical or any college related activities
- information that a student has caused or contributed to an accident that resulted in injury requiring treatment by a licensed health care professional, or where a student shows signs of impairment after any accident or occurrence that results in a significant injury or damages while performing ACNHS activities
- evidence that the student has tampered with a previous drug test
- arrest, conviction, or acceptance of responsibility for being in possession of, or being found guilty of a drug, alcohol or controlled substance related offense.

### **Student Procedure for Drug Testing**

**Drug testing prior to admission:** Students selected for admission to ACNHS will be notified of the procedure to follow for the drug test. Students will be required to follow the procedures established by ACNHS and should not obtain a drug test prior to being notified.

**Drug testing upon reasonable cause:** Students will be asked to submit to drug testing upon reasonable cause as described above.

**Drug testing:** Testing will follow the guidelines used by Aultman Health Services. Tests will be conducted by a qualified laboratory using established methods and procedures. Confidentiality of the student, as well as the integrity of testing procedure and results will be protected. A student will be requested to sign an informed consent to be tested before a specimen is collected. Students who refuse to submit to drug and alcohol testing if required to do so under this policy will be given a final dismissal.

**Students who test positive for drugs and/or alcohol will be dismissed from the College. Appeals may be made through the grievance process.**

**Readmission After Positive Drug Test:** A student who is dismissed from ACNHS due to a positive drug test may be considered for readmission if the student submits to an evaluation for substance abuse by a College-approved evaluation or treatment agency and completes a prescribed treatment program, and the student submits to a drug test prior to readmission. A positive drug test will result in ineligibility for readmission.

### **Employee Testing and Procedure for Drug Testing**

All Aultman College employees will follow the policies and procedures as defined in the Aultman Employee Handbook.

## **LEGAL SANCTIONS FOR USE OR POSSESSION OF DRUGS & ALCOHOL**

Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, dispense, deliver or sell, controlled substances. The penalty imposed depends on several factors, which include the type and amount of controlled substance involved, the number of prior offenses, whether death or serious bodily injury resulted from the use of such substance, and whether any other crimes were committed in connection with the use of the controlled substance. Penalties for violation of the law can include imprisonment up to a term of life imprisonment, and/or fines as much as \$4,000,000, supervised release, and/or a combination of such penalties.

### **Federal Penalties and Sanctions**

#### **21 U.S.C. 844(a)**

1st conviction: Up to 1 year imprisonment and fined at least \$1,000, or both.

After 1 prior drug conviction: At least 15 days imprisonment, not to exceed 2 years, and fined at least \$2,500

After 2 or more prior drug convictions: At least 90 days imprisonment, not to exceed 3 years, and fined at least \$5,000.

Special sentencing provisions for possession of crack cocaine: At least 5 years imprisonment, not to exceed 20 years, and fined at least \$1,000, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent conviction and the amount of crack possessed exceeds 1 gram.

#### **21 U.S.C. 853(a)(2)**

Forfeiture of personal property used, or intended to be used, in any manner or part, to commit, or to facilitate the possession of a controlled substance.

#### **21 U.S.C. 881(a)(7)**

Forfeiture of real property used, or intended to be used, in any manner or part, to commit, or to facilitate the possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)

**21 U.S.C. 881(a)(4)**

Forfeiture of vehicles, boats, aircraft or any other conveyance used, or intended for use, to transport or conceal a controlled substance.

**21 U.S.C. 844a**

Civil fine of up to \$10,000.

**21 U.S.C. 862(b) and (d)**

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 5 years for the first offense, up to 10 years for a second offense, and permanent ineligibility for third or subsequent offenses.

**18 U.S.C. 922(g)**

Ineligible to receive or purchase a firearm.

**Miscellaneous**

Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

**State Laws**

The relevant Ohio statutes are contained in the Ohio Revised Code Chapter 2925 (drug offenses); 4301.63 (purchase of alcohol by a person under the age of 21); Chapter 2929 (penalties and sentencing); and Chapter 4723 (regulations on the practice of nursing).

**Section 2925.02** prohibits by any means administering or furnishing to another or induce or cause another to use a controlled substance, and thereby cause serious physical harm to the other person, or cause the other person to become drug dependent.

**Section 2925.11** No person shall obtain, possess or use a controlled substance.

**Section 2925.12** No person shall knowingly make, obtain, possess or use any instrument, article, or thing for which the customary and primary purpose is administering or using dangerous drugs.

**Section 2925.32** No person shall dispense or distribute harmful intoxicants such as nitrous oxide to a person under the age of 18 or older than 18 years of age.

**Section 4301.631** No underage person shall order, pay for, share the cost of, or attempt to purchase any low-alcohol beverage.

**Section 4301.63** No person under the age of 21 shall purchase beer or intoxicating liquor.

**Section 4301.633** No person shall knowingly furnish any false information as to name, age, or other identification of any person under the age of 21 for the purpose of obtaining

or with the intent to obtain, beer or intoxicating liquor for a person under 21 years of age by purchase, or as a gift.

**Section 4301.636** No person shall manufacture, transfer, or distribute in any manner any identification card issued for the purpose of establishing a person's age that displays the great seal of the state of Ohio.

**Ohio Criminal Sanctions:** The court may institute prison terms up to 10 years, financial sanctions, such as fees up to \$20,000, or both, depending on the offense.

### Local Laws

**Canton Ordinance 513.02 (marijuana offense—20 grams or less)**

Violation of this section is a 4th degree misdemeanor for the 1st offense, and for any subsequent offense, it is a misdemeanor of the 3rd degree.

**Canton Ordinance 513.03 (drug abuse; controlled substance possession or use)**

No person shall knowingly obtain, possess, or use controlled substances. Such an offense is punishable by sanctions, including the loss of the offender's driver's license for not less than 6 months or more than 5 years. (The drug and the amount of that drug determine the offense).

### **Drug Convictions and Financial Aid Eligibility**

Under the Higher Education Act, students become ineligible for federal student aid upon conviction during any period of enrollment of any offense involving the possession or sale of illegal drugs. Federal Aid includes Federal Direct Loans, Federal Direct PLUS Loans, Federal PELL Grants, Federal Supplemental Educational Opportunity Grants, Federal ACG Grants, Federal SMART Grants, Federal TEACH Grants, Federal Work Study, and Perkins Loans.

### **Penalties for Drug Convictions**

Possession of Illegal Drugs:

- First offense: 1 year from the date of conviction
- Second Offense: 2 years from the date of conviction
- Third and Subsequent Offenses: Indefinite ineligibility from the date of conviction

Sale of Illegal Drugs:

- First Offense: 2 years from the date of conviction
- Second and Subsequent Offenses: Indefinite ineligibility from the date of conviction

## **How to Regain Eligibility**

If a student successfully completes a drug rehabilitation program, he or she can regain eligibility for federal; student aid funds as of the day the student successfully completes the program.

To be sufficient to reinstate financial aid eligibility, the program must:

- Include at least 2 unannounced drug tests

AND

- Be recognized as a Federal, State, or local government agency program

### **Free Application for Federal Student Aid (FAFSA)**

Question 31 on the FAFSA form asks if the student has ever been convicted of a drug related offense. Failure to answer the question will automatically disqualify the student from receiving Federal aid. Answering this question falsely, if discovered, could result in fines up to \$20,000, imprisonment, or both.

### **Convictions during Enrollment**

According to the United States Department of Education, if a student is convicted of a drug offense after receiving Federal; aid, he or she must notify Financial Aid Services immediately and that student will be ineligible for further aid and required to pay back all aid received after the conviction.

### **HEALTH RISKS ASSOCIATED WITH THE USE AND ABUSE OF ALCOHOL and/or ILLEGALDRUGS**

The abuse of chemicals (alcohol and illegal drugs) adversely affects almost every body system. In many pathological conditions, chemical abuse is considered as either a contributing factor or a complicating factor. Excessive use of alcohol and/or drugs can produce numerous syndromes that are the result of damaging effects to the brain, liver, pancreas, gastrointestinal tract, heart, muscles, the endocrine system, the respiratory system, the reproductive system and the psyche. Alcohol has been proven to affect an unborn fetus and may result in a variety of physical and/or developmental defects. Only small quantity dosages of alcohol and certain drugs are needed to produce mind-altering and mood-altering effects on individuals, causing an impairment of intellectual functioning and depression. Over a period of time, large quantities of alcohol and/or drugs can lead to physical and/or psychological dependence. A high rate of illness and death has been implicated with dependence upon the excessive use of alcohol and/or drugs when compared with the general population.

The following chart lists effects of drugs and alcohol, but the list is not all inclusive. The effects of drugs and alcohol can vary from individual to individual depending on quantity and situation.

<b>Drug</b>	<b>Physical Dependence</b>	<b>Psychological Dependence</b>	<b>Possible Effects</b>	<b>Effects of Overdose</b>
Alcohol	Yes with repeated use	Yes with repeated use	Impaired mental function, effects ability to learn, decreased judgment,	Respiration depression and death
Cocaine/Crack	Yes – High	Yes – High	Dilated pupils, increased heart rate, elevated blood pressure, runny nose, violent behavior	Cardiac arrest
Marijuana	Possible – long term	Yes - long term	Blood shot eyes, impaired short-term memory, altered sense of time, reduced ability to perform tasks	Capable of causing serious damage
Narcotics (Heroin, codeine, morphine)	Yes	Yes	Drowsiness, nausea, vomiting constricted pupils, watery eyes	Slow shallow breathing, convulsions, death
Amphetamines/Other stimulants	Yes - possible	Yes	Increase heart rate, respiration rate dilated pupils, blurred vision, headache, sleeplessness,	Loss of coordination, stroke, irregular heartbeat, hallucinations
Barbiturates/Other Depressants:	Yes – possible	Yes	Altered perception, staggering, restlessness	Respiration depression, convulsions

Hallucinogens (PCP, Angel Dust)	Yes	Yes	Unpredictable, Time and body movements are slowed, dulled senses	Violent behavior, convulsions, death
Lysergic acid (LSD, mescaline)	Yes	Yes	Dilated pupils, increased heart rate and respirations, loss of appetite	Bad psychological reactions
Inhalants (laughing gas, Whippets)	Yes	Yes	Nausea, sneezing, nosebleeds,	Unconscious, stop breathing

## TREATMENT RESOURCES

<p><b>Quest Recovery and Prevention Services</b> 1341 Market North Canton, Ohio 44702 330-453-8252</p> <p><b>Mercy Medical Center – IMPACT Program</b> 1320 Timken Mercy Drive Canton, Ohio 44708 330-489-1233</p> <p><b>Crisis Intervention Center of Stark County Inc</b> 2421 13<sup>th</sup> Street NW Canton, Ohio 44708 330-452-6000</p> <p><b>One Step Inc.</b> 1177 S. Main Street North Canton, Ohio 44729 330-499-1338</p> <p><b>Behavioral Health Unit at Affinity Medical Center (Massillon Campus)</b> 875 8th Street NE Massillon, Ohio 44648 330-837-7290</p> <p><b>Neil Kennedy Recovery Clinic</b> 2151 Rush Avenue Youngstown, Ohio 44507 1-800-228-8287</p> <p><b>ADM Crisis Center/Oriana House</b> 15 Fredrick Avenue Akron, Ohio 44310 330-996-7730</p>	<p><b>St. Thomas Ignatia Hall Detox Program</b> 444 North Main Street Akron, Ohio 44310 330-379-5257</p> <p><b>Edwin Shaw Hospital for Rehabilitation Dobkin Center for Addiction Services</b> 1621 Flickinger Road Akron, Ohio 44312 330-784-1271 ext. 5151</p> <p><b>Tuscarawas County Alcohol and Drug Addiction Program</b> 897 East Iron Avenue Extended Dover, Ohio 44622 330-343-5555 Ext. 183</p> <p><b>Carroll County Alcohol and Addiction Program</b> 100 Canton Road NW Carrollton, Ohio 44615 330- 627-5891</p> <p><b>Community Health Center Community Drug Board Inc.</b> 725 E. Market Street Akron Ohio 44305 330-434-4141</p> <p><b>Alcoholics Anonymous</b> 330-491-1989</p> <p><b>Al-Anon</b> 330-438-9511</p>
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## **ENFORCEMENT OF POLICY**

**Distribution.** The College is committed to enforcing this Policy and to making sure that students/employees understand its contents and requirements. For this reason, a summary of the Policy will be published annually in the College's Student Handbook., and the full Policy will be available on the College's web site, and in the Health Services offices. All College employees will receive an annual notification of the Policy.

**Review.** The College will review its drug and alcohol abuse program and the Policy annually<sup>1</sup> or as otherwise required to determine its effectiveness and implement any changes as needed, and to help ensure that the disciplinary sanctions described in this Policy are enforced consistently.

**Other Applicable Laws.** All applicable laws pertaining to alcohol consumption, including laws relating to the sale to, purchase by, or use by underage persons of alcohol, will be enforced on the College campus. Similarly, all applicable federal, state, and local drug laws will be enforced on the College campus.

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<sup>1</sup> The Drug-Free and Campus Schools and Campuses Act (DFSCA), codified as Part 86 of EDGAR, requires that, as a condition of receiving funds or any form of financial assistance under any federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The DFSCA requires the IHE to review their policies and programs on a biennial basis. A copy of the biennial reviews are kept in the college office since these reviews may be requested by the Secretary of Education for monitoring. The biennial reviews are conducted on the even years.