

# DRUG & ALCOHOL ABUSE & PREVENTION POLICY

## Drug-Free Workplace Act

In accordance with the Drug-Free Workplace Act of 1988 (Public Law 101-690): Sonoran University of Health Sciences, Sonoran University Medical Center, Neil Riordan Center for Regenerative Medicine & the Ric Scalzo Institute for Botanical Research (hereafter referred to as Sonoran University Facilities); and all associated patient care sites, will not tolerate and will take action against the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by any student or employee on its property or as part of any of its activities.

## Drug-Free Schools and Communities Act

On December 12, 1989, the United States federal government enacted the Drug-Free Schools and Communities Act Amendments of 1989. As outlined in the Act, an institution of higher education, as a condition for receiving federal funds under any federal program, must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs by students and employees. To comply with this law and further its commitment to support society's effort to eliminate drug and alcohol abuse, Sonoran University adopted the Drug and Alcohol Abuse and Prevention policy (hereafter referred to as the DAAP policy) to supplement the Student Code of Professional Conduct. If there is a conflict between Sonoran University's DAAP policy and the Student Code of Professional Conduct, the Code will supersede the DAAP policy.

## Prohibited Conduct

Students are prohibited from:

1. Unlawfully manufacturing, distributing, dispensing, or otherwise trafficking, possessing, or using any controlled substance, including illegal drugs or alcohol, in or around the premises of Sonoran University or any associated institutions or associated patient care sites.
2. Being under the influence of alcohol, illegal drugs, or other controlled substances, including being under the influence of legal drugs that may impair the student's performance or threaten the safety of the student or others, while on Sonoran University premises or while performing any Sonoran University business off Sonoran University premises.
3. To the extent such conduct is deemed to have a substantial impact on the safety or general welfare of Sonoran University or their patrons, engaging in the foregoing conduct—regardless of where or when such conduct occurs.

Unless there is a nexus to the health and safety concerns of Sonoran University, or as otherwise specified herein, the DAAP policy does not apply to the legal use or possession of alcohol or legal drugs in the personal residences of the student.

Any employee or student who knowingly conceals or withholds information about a student's violation of the DAAP policy shall be subject to disciplinary action.

## Health Risks

There are definite health risks associated with the use of alcohol and controlled substances. Alcohol or any other drug used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long term, such as liver deterioration associated with the prolonged use of alcohol. In addition to health-related problems, other concerns relating to substance abuse include, but are not limited to, the following:

- People who abuse alcohol and other drugs often have erratic lifestyles which interfere with sleep, nutrition, and exercise;
- Alcohol and substance abuse may lead to financial difficulties, domestic violence, child abuse, harm to an unborn child, deterioration of the family structure, motor vehicle accident injuries, crime, and decline in job performance;
- Repeated abuse of alcohol and other controlled substances can lead to dependence.

## Treatment and Counseling

The following state and national alcohol and drug prevention counseling resources, self-help, and peer-support groups are confidential and do not involve Sonoran University's administration. The list below is provided to assist any member of Sonoran University's community who may have a drug or alcohol problem:

- A complete list of Arizona service providers is available through the Substance Abuse and Mental Health Services Administration (SAMHSA) (<https://findtreatment.samhsa.gov/>)
- Al-Anon (<https://al-anon.org/>): 1.800.344.2666
- American Council on Alcoholism Helpline: 1.800.527.3344
- National Council On Alcoholism and Drug Dependence: 1.800.NCA.Call (1.800.622.2255)
- National Alcohol and Substance Abuse Information Center: 1.800.784.6776
- SMART Recovery (<http://www.smartrecovery.org/>): 1.866.951.5357
- Sonoran University sponsored counseling services found on MySonoran, Student Health & Mental Wellness Resources ([https://my.sonoran.edu/ICS/Students/Student\\_Health\\_\\_Mental\\_Wellness\\_Resources/](https://my.sonoran.edu/ICS/Students/Student_Health__Mental_Wellness_Resources/)) page

## Sanctions Sonoran University Policy

Students who are the subject of investigations into alleged violations of the DAAP policy may be suspended in the interim, pending completion of the investigation, and any resulting disciplinary procedures. In the event the investigation fails to substantiate a violation of the DAAP policy, the student will be provided an appropriate opportunity to make up any academic work missed as a result of the interim suspension.

If a substance test performed on a student, pursuant to Sonoran University's Drug Testing Policy, demonstrates that the student is under the influence of a prohibited substance, the student shall be subject

to discipline, up to and including, dismissal/expulsion from Sonoran University, pursuant to applicable disciplinary procedures.

- In order to assure fair and consistent treatment of all students and employees who are accused of illegal use of drugs and alcohol, the University will handle all cases which come to its attention within the guidelines of the applicable policies and procedures of the University (i.e., Student Code of Professional Conduct, Student Disciplinary Procedures, and Employee Handbook) and where appropriate, local, state, and federal regulations.
- Any violation of the DAAP policy may result in disciplinary action up to and including suspension or dismissal/expulsion, pursuant to applicable disciplinary procedures.
- If a student is convicted of a criminal drug violation, Sonoran University may require them to participate in a treatment program as part of the disciplinary process. If they agree to accept the help, they must satisfactorily complete the agreed-upon steps or risk being dismissed.
- The President/CEO must approve any exception to the DAAP policy for a special situation (e.g., moderate use of alcohol at Sonoran University-sponsored social events).

## Local, State, and Federal Laws

State and Federal laws impose significant criminal penalties for the unlawful possession, use, manufacture, or distribution of alcohol and illicit drugs. These penalties may include imprisonment, fines, and assigned community service. The following is a description of some of the applicable legal sanctions under federal, state, and local laws for the unlawful possession, use, or distribution of illicit drugs, including alcohol. This list is not intended to be an exhaustive list of all offenses involving drugs and alcohol, and this material should not be relied upon as legal advice or guidance regarding these offenses.

Federal law prohibits, among other things, the manufacturing, distributing, selling, and possession of controlled substances as outlined in 21 United States Code, Sections 801 through 971. Depending on the amount, first offense maximum penalties for trafficking marijuana range from five years imprisonment and a fine of \$250,000 to imprisonment for life and a fine of \$1 million.

Depending on the amount, first offense maximum penalties for trafficking other controlled substances (e.g., methamphetamine, heroin, cocaine, cocaine base, PCP, LSD, fentanyl, and fentanyl analog) range from five years to life imprisonment, and fines range from \$2 to \$4 million.

First-offense penalties and sanctions for the illegal possession of small amounts of controlled substances range from up to one year in prison or a fine of at least \$1,000. For more information see USC Title 21, Chapter 13 (<https://uscode.house.gov/view.xhtml/?path=/prelim@title21/chapter13&edition=prelim>).

For more information on local and state criminal drug-related offenses and sanctions for trafficking and possession of controlled substances see Title 13, Chapters 34-34.1 (<https://www.azleg.gov/arsDetail/?title=13>). Additional state and local penalties and sanctions may also apply.

Any student or employee who has been disciplined under the DAAP policy and successfully completes a drug or alcohol rehabilitation program approved by Sonoran University may, at the sole discretion of Sonoran University and upon presenting adequate documentation, be considered for reassignment or reinstatement (if employed) consistent with the availability of that person's former position. With regard to a student's

re-enrollment and receipt of financial aid, the rehabilitation program entered must be in compliance with federal guidelines (see Financial Aid Eligibility (<https://catalog.sonoran.edu/catalog/financial-information/#financialpolicies>)). Students shall comply with all terms of a written aftercare program and shall submit to random drug or alcohol testing in accordance with the provisions of the DAAP policy.

## Reporting Responsibility

All students agree to abide by the prohibition against unlawful manufacture, distribution, dispensation, possession, and use of controlled substances and/ or alcohol at Sonoran University, Sonoran University's clinical care facilities, and all affiliated patient care site premises and to notify Sonoran University of any criminal drug statute conviction for a violation no later than five (5) days after such conviction. Within ten (10) days of our learning of the conviction, Sonoran University will, in turn, report such convictions to the appropriate federal agency.

The Dean of Students, Human Resources, and Dean of Academic Affairs must be notified immediately if there is suspicion of any student appearing to be under the influence of alcohol or illegal drugs.

## University Rights

### Drug Testing

Unless otherwise prohibited or restricted by applicable state or federal law, Sonoran University may periodically conduct substance tests on students based on breath, saliva, urine, blood, and/or hair samples under any of the circumstances noted below. Testing for substances shall be conducted in accordance with and limited by applicable laws, including A.R.S. § 23-493, et seq., notwithstanding any terms of this policy to the contrary.

A student may be asked or required to submit to testing procedures designed to detect the presence of drugs and/or alcohol if they are acting in a manner that leads to a suspicion that the student either possesses, controls, or is under the influence of a drug and/or alcohol or has been involved in the use, possession, and/or sale of drugs or alcohol in areas controlled by Sonoran University.

Any student who does not consent to and cooperate fully with any search and/or medical testing procedure shall be subject to disciplinary action up to and including dismissal.

### Workplace Searches

Sonoran University may conduct searches of Sonoran University property, including lockers, and any student's personal property in cases where there is reason to believe that a student is violating the DAAP policy. Any student who refuses to cooperate in the conducting of such searches will be subject to discipline, up to and including, dismissal from Sonoran University, pursuant to applicable disciplinary procedures.