

Ozarka College Drug and Alcohol Prevention Program and Policy

Pursuant to Public Law 101-226, entitled Drug Free School and Communities Act Amendment 1989, the College is committed to maintaining a drug and alcohol free workplace for employees and students. This is an essential part of ensuring the safety of employees and students while at work and school, and eliminating poor job performance, inefficient operations, College rule violations, and unethical behavior.

Standards of Conduct for Students

1. Students may not drink, be under the influence of, possess, sell, or distribute intoxicating beverages on College property.
2. The illegal use of drugs is strictly prohibited on College property or at College functions. Students may not use, be under the influence of, in possession of, sell, or distribute illegal drugs on College property or at College functions.

Note: Students found in violation of the illegal drug and alcohol policy at Ozarka College are subject to Campus disciplinary action, including possible expulsion, and may be subject to local, state, or federal laws and may face criminal charges punishable by fines and or imprisonment.

Employee Conduct

Drug abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and result in damage to state property. Therefore, it is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in a state agency's workplace is prohibited. If an employee is suspected of Drug/Alcohol usage, Ozarka may request he/she submit to an immediate Drug/Alcohol test. Any employees violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

1. State agencies will not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on agency premises will be subject to discipline up to and including termination.
2. The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and other federal regulations. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, Heroin, Marijuana, Cocaine, PCP, Methamphetamine and "Crack." They also include "legal drugs" which are not prescribed by a licensed physician.
3. Each employee is required by law to inform the agency in writing within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the agency's premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court or other court of competent jurisdiction.
4. Ozarka College must notify the U.S. government agency with which the contract was made within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction.
5. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the agency will require the employee to successfully finish a drug abuse program at St. Bernard's Regional Behavioral Health in Jonesboro (1-800-800-0496), or another approved private or governmental institution.
6. As a condition of further employment on any federal government contract, the law requires all employees to abide by this policy.

Description of Health Risks associated with Drugs and Alcohol

Serious health and personal risks are associated with the use of illegal drugs and abuse of alcohol. They may include temporary or permanent physical or mental impairment, injury, or death. Consequences also include temporary or permanent loss of educational or employment opportunities.

Health Risks Associated with Drugs

Narcotics (Heroin): Initial euphoria followed by drowsiness and nausea; constricted pupils, watery eyes, dazed look; overdose may produce slow, shallow breathing, clammy skin, loss of appetite and weight, and possible death

Depressants (Barbiturates, Tranquilizers): Relaxed muscles, calmness, drowsiness; confusion, disorientation, slurred speech; overdose may produce shallow breathing, clammy skin, weak and rapid pulse, coma, and possible death

Stimulants (Cocaine, Methamphetamine): Increased heart and respiratory rate, elevated blood pressure, decreased appetite; blurred vision, dizziness, insomnia, anxiety; high doses can cause physical collapse, irregular heartbeat, stroke, and possible death

Hallucinogens (LSD, PCP, Mushrooms): Illusions and hallucinations; confusion, panic, anxiety, depression, and poor perception of time and distance; respiratory failure, death due to careless behavior

Cannabis (Marijuana, Hashish): Increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite; interferes with memory, speech, coordination, and perception of time; Increases risk of lung cancer, weakened immune system, and affects reproductive system

Health Risks Associated with Alcohol

- Impairment of brain function, judgment, alertness, coordination, and reflexes
- Attitude and/or behavioral changes, such as uncharacteristic hostility, or increased risk taking, such as driving recklessly
- Alcohol taken with other drugs can intensify the effects of the drug, alter the desired effect of the drug, cause nausea, sweating, severe headaches, and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, or legal problems
- Health problems such as cirrhosis of the liver
- If used during pregnancy, birth defects and mental retardation in users' unborn children may occur

State and Federal Laws and Sanctions Concerning Drugs and Alcohol

In addition to disciplinary sanctions imposed by the College, those found guilty of illegal drug and alcohol violations face state and federal penalties such as those listed below.

State of Arkansas Sanctions and Penalties

- Underage DUI Law – Penalties for a first offense can result in suspension of driver's license for not less than 90 days; a fine of no less than \$100 or more than \$500; assignment to public service work; and/or completion of an alcohol and driving education program.
- Driving While Intoxicated – Penalties may include suspension of license, imprisonment for no less than 24 hours, fines of no less than \$150, and a requirement to complete an alcohol education program.
- Public Intoxication – Public intoxication is a Class C misdemeanor, and can result in a fine of up to \$100, and/or imprisonment in the county jail (or other authorized institution) for up to 30 days.
- Drinking in Public – Penalties include a fine of up to \$100 and/or imprisonment for up to 30 days. Possession of any alcoholic beverages on any College property is prohibited.

- Possession of Alcohol by a Minor – Penalties include a fine of up to \$500, probation under the direction of the court, and driver’s license suspension for a period of up to one year.
- Knowingly Furnishing to a Minor – Can result in a fine of up to \$1,000 and/or imprisonment in the county jail (or other authorized institution) for up to one full year.
- Manufacture or Delivery of a Controlled Substance – Penalties can range from three (3) years to life in prison and fines up to \$250,000, depending on the quantity and type of drug. In addition, real and personal property used in the manufacture, delivery, or importing of controlled substances may be forfeited to the government.
- Manufacture or Delivery of a Counterfeit Substance – Penalties can range from 1 to 20 years in prison and fines up to \$15,000.
- Possession of a Controlled or Counterfeit Substance – Penalties can range from 1 to 10 years in prison and fines up to \$10,000.

Persons convicted of drug possession under state or federal law are ineligible for federal student grants and loans or for participation in federally sponsored research grants or contracts for up to one year after the first conviction, and up to five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, 10 years after the second, and permanently after the third.*

Federal Laws and Sanctions

The possession, use, or distribution of illegal drugs is prohibited by federal law. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

- Denial of Federal Benefits (21 U.S.C. 862) - A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.
- Forfeiture of Personal Property and Real Estate (21 U.S.C. 853) - Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.
- Federal Drug Trafficking Penalties (21 U.S.C. 841) - Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$10 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.
- Federal Drug Possession Penalties – Conviction may result in penalties of up to one year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.
- After two prior drug convictions additional sanctions may apply. More information may be found at: <http://www.deadiversion.usdoj.gov/21cfr/21usc/>

Note: Under federal law, distribution of drugs to a person under age 21 is punishable by twice the normal penalty, i.e., a mandatory one-year prison term; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture and distribution of drugs if death or serious injury results from use of the substance.

**In accordance with the requirements of the Drug-Free Workplace Act of 1988, as a condition of employment, any employee who is engaged in the performance of work under a federal grant or contract must notify the College if he or she is convicted of violating any criminal drug statute for activities done in the workplace not later than 10 days after conviction; students who receive Pell and certain other federal grants are subject to similar conditions and must report any conviction of a drug-related offense to the US Department of Education within 10 days of the conviction if the offense occurred during the period covered by the grant.*

Drug and alcohol programming at Ozarka includes but is not limited to:

- Information available at each campus location on drug and alcohol abuse prevention or cessation.
- Students may contact the Vice President of Student Services for information or referral concerning substance abuse.
- Participation in the Arkansas College Drug Education Committee (ACDEC): events, meetings, encouraging student attendance at events, and requesting funds for additional programming when available.
- The incorporation of prevention activities into campus events when appropriate.
- Standards of Conduct for students, which are reviewed annually, may be found in the Catalog at: <https://www.ozarka.edu/catalog.cfm>
- All Ozarka College Employees sign a Drug Free Workplace Policy adherence form upon employment.
- The Financial Aid Office distributes information to each student regarding their rights and responsibilities to financial aid, including consequences for illegal drug or alcohol convictions while on financial aid.
- Enforcement of the tobacco-free campus policy.
- Annual review of Campus Crime/Clery Act reports by Student Services.
- Contracts with local law enforcement to routinely patrol campus.

Local Drug and Alcohol Rehabilitation Programs and Mental Health Counseling Resources

John 3:16 Charlotte, AR – Men’s Facility

<http://john316thecure.com/>

Phone Number: 870-799-2525

Butterfly Ranch – Swifton, AR – Women’s Facility

<https://www.facebook.com/Butterfly-Ranch-Womens-Center-204447896234640/>

Phone Number: 870-485-2000

Baxter Regional Medical Center – Behavioral

Health Center

<https://www.baxterregional.org/medical-services/behavioral-health-counseling/adult-behavioral-health-center/>

The above information is distributed annually to students and employees of Ozarka College. A hard copy of the Drug and Alcohol Prevention Program and Policy as well as the biennial program review may be obtained by contacting the Vice President of Student Services at 870-368-2027.