

Greater Altoona Career & Technology Center

ADULT EDUCATION

DRUG & ALCOHOL POLICY

The Greater Altoona Career & Technology Center recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the whole school community. As an educational institution, the center shall strive to prevent abuse of controlled substances.

The primary purpose and justification for any action, by the center will be for the protection of the health, safety and welfare of students, staff and school property.

It is the policy of the GACTC that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on the property of the school and on non-school property used in the performance of school services. GACTC regards illegal drug use and alcohol use as serious problems that can affect the entire school community. Students must be aware of the Schools' drug and alcohol policy, as well as pertinent local, state, and federal laws. It is also important that all members of our school know where help is available for those who need it.

GACTC provides the following information to students who are interested in having assistance regarding this issue of drug and alcohol abuse: local treatment centers, hospitals, and mutual help organizations that can assist in issues associated with drugs and alcohol. There are many institutions in the Altoona/Blair County area that provide treatment and/or rehabilitation for persons suffering from drug or alcohol abuse.

The School Safety Zone establishes special penalties for drug trafficking on school premise or within 1000 feet of school property for individuals over eighteen (18) years of age if the delivery or possession with intent to deliver the controlled substance was to a minor.

Any student found in violation of this prohibition shall be subject to disciplinary action, including dismissal, and may be required to participate in a drug abuse assistance or drug rehabilitation program.

Additionally students will be referred for prosecution consistent with local, state and federal laws.

Drug-Free School and Communities Act Amendment of 1989:

The Greater Altoona Career and Technology Center is committed to a drug-free campus for its students and employees. As part of that commitment, this document provides information pursuant to the *Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226)*. This act requires that as a condition of receiving funds or any other form of financial assistance under any federal program the school is committed to preventing the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Greater Altoona Career & Technology Center

ADULT EDUCATION

DRUG & ALCOHOL POLICY

Legal Sanctions:

In Pennsylvania, the purchase, consumption, transportation, or possession of alcoholic beverages by a person younger than 21 is punishable by a loss of driving privileges and fines of up to \$300 for the first offense and up to \$500 for subsequent offenses. (18 Pa.C.S.A. § 6308; 18 Pa.C.S.A. § 6310.4.)

Misrepresentation of age to procure or have furnished alcoholic beverages for oneself is a summary offense punishable by a fine of up to \$300 for a first offense and is a misdemeanor punishable by a fine of up to \$500 for a subsequent offense. All such violations are also punishable by a loss of driving privileges. (18 Pa.C.S.A. § 6307.) Misrepresentation of the age of another for the purpose of procuring alcoholic beverages for that person is a misdemeanor punishable by a fine of not less than \$300. (18 Pa.C.S.A. § 6309.)

The intentional and knowing sale or furnishing of alcoholic beverages to a person less than 21 years of age is a misdemeanor punishable by a fine of not less than \$1,000 for a first offense and \$2500 for subsequent offenses. (18 Pa.C.S.A. § 6310.1.)

Manufacturing, making, altering, selling or attempting to sell a false identification card is a misdemeanor punishable by a fine of not less than \$1,000 for a first offense and not less than \$2500 for subsequent offenses. (18 Pa.C.S.A. § 6310.2.)

The penalties for the unlawful possession, use, or distribution of illicit drugs are more diverse than those governing underage drinking and vary depending up the nature of the drug involved and the nature of the activity. For example, unlawful possession of 30 grams or less of marijuana or eight grams or less of hashish, for example, is a misdemeanor punishable by a term of imprisonment of up to 30 days and a fine of up to \$500 or both. (35 P.S. §780-113[a][31] and [g].)

At the other end of the scale, the manufacture, delivery, or possession with intent to manufacture or deliver heroin or other narcotics is a felony carrying a penalty punishable by a term of imprisonment of up to 15 years or a fine of up to \$250,000 or both. (75 P.S. § 780-104; 35 P.S. §780-113[a][30] and [f][1].) A complete summary of penalties related to unlawful possession, use, or distribution of alcohol or illicit drugs can be found in the Campus Safety Office. Individuals seeking advice regarding drug- or alcohol-related laws should consult legal counsel.

Greater Altoona Career & Technology Center

ADULT EDUCATION

DRUG & ALCOHOL POLICY

Legal Sanctions: (continued)

The following is a brief review of the legal sanctions under local, state, and federal law for the unlawful possession or distribution of illicit drugs and alcohol:

1. The Controlled Substance, Drug, Device and Cosmetic Act, 35 Pa. C.S.A. 780-101 et seq., sets up five schedules of controlled substances based on dangerousness and medical uses. It prohibits the manufacture, distribution, sale or acquisition by misrepresentation or forgery of controlled substances except in accordance with the Act as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the Act range from thirty days imprisonment, \$500 fine, or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to fifteen years or \$250,000 or both for the manufacture or delivery of a Schedule I or II narcotic. A person over eighteen years of age who is convicted for violating The Controlled Substance, Drug, Device and Cosmetic Act, shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1,000 feet of the real property on which a university is located, the person shall be sentenced to an additional minimum sentence of at least two years total confinement.
2. The Pharmacy Act of 1961, 63 Pa. C.S.A. 390-8 makes it unlawful to procure or attempt to procure drugs by fraud, deceit, misrepresentation or subterfuge or by forgery or alteration of a prescription. The first offense is a misdemeanor, with a maximum penalty of one year's imprisonment, a \$5,000 fine, or both.
3. The Vehicle Code, 75 PA, C.S.A. 3101 et seq., which was amended effective July 1, 1977, prohibits driving under the influence of alcohol or a controlled substance, or both, if the driver thereby is rendered incapable of safe driving. A police officer is empowered to arrest without a warrant any person whom he or she has probable cause to believe has committed a violation, even though the officer may not have been present when the violation was committed. A person so arrested is deemed to have consented to a test of breath or blood for the purpose of determining alcoholic content, and if a violation is found it carries the penalties of a misdemeanor of the second degree, which includes imprisonment for a maximum of thirty days.
4. The Federal drug laws, The Controlled Substances Act, 21 U.S.C. 801 et seq., are similar to the Pennsylvania Controlled Substance, Drug, Device, and Cosmetic Act, but contain, for the most part, more severe penalties. Schedules of controlled substance are established, and it is made unlawful knowingly or intentionally to manufacture, distribute, dispense, or possess with intent to distribute or dispense a controlled substance. If the quantity of controlled substance is large (e.g. 1,000 kg

Greater Altoona Career & Technology Center

ADULT EDUCATION

DRUG & ALCOHOL POLICY

of a mixture or substance containing marijuana), the maximum penalties are life imprisonment, a \$4,000,000 fine, or both. Lesser quantities of controlled substance (e.g. 100 kg of a mixture or substance containing marijuana) result in maximum penalties of life imprisonment, a \$2,000,000 fine, or both. The distribution of small amounts of marijuana for no remuneration or simple possession of a controlled substance carries a maximum of

As a condition of school enrollment, every student shall abide by the terms of this policy and notify the Coordinator of any criminal drug statute conviction.

This Policy Statement is adopted in accordance with the requirements of federal law, the Drug-Free Workplace Act of 1988.

The following acts by a student while in school buildings, on school property, at school-sponsored functions off school property, or in route to any of the foregoing shall be regarded as misconduct by such student provisions of Article XIII, Section 1318 of the Public School Code of 1949 as amended, also Act 26 of 1995 – Safe and Drug Free Schools:

1. The possession, use or being under the influence of narcotics or dangerous drugs, as defined in The Drug, Device, and Cosmetic Act (Act of September 25, 1961, P.L. 1664), and not prescribed by a physician or the possession or use of alcoholic beverages; or
2. Students should be aware that from time law enforcement agencies or school security will bring trained drug-sniffing dogs to sniff lockers for illegal drugs.
3. Possession of drug paraphernalia and or alcoholic products is forbidden.
4. School policy provides for drug testing of students in safety sensitive areas.
5. Every adult student must consent to drug testing at any time during the school year for one or more of the following reasons: cooperative education, reasonable suspicion, and/or random testing.
6. Students must agree to cooperate in the drug testing procedures in order to remain enrolled at the GACTC.

Definition:

For purposes of this policy, **controlled substances** shall mean all dangerous controlled substances prohibited by law, look-alike drugs, alcoholic beverages, anabolic steroids, drug paraphernalia, and prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Joint Operating Committee policy.

Dangers in the Workplace and on School Property

Federal sources indicate that there are millions of employees whose performance and productivity are affected by the use and dependence on drugs or alcohol. Ninety-five percent of the companies in the United States report direct experience with substance abuse according to a 1986 Marquette University survey. This is up from 50% in 1976

Greater Altoona Career & Technology Center

ADULT EDUCATION

DRUG & ALCOHOL POLICY

and 82% in 1981. Estimates indicate that 70% of the working population and some 90% of college students have consumed mood altering chemicals of some type. The estimated cost to the United States economy ranges between 26 billion to a high of 60 billion dollars annually. Alcohol abuse ranks first in hospitalization losses with cocaine abuse ranking second. The highest drug using segment of the American workforce is the young adult, those in the 20-40 year old population.

Health Risks

The abuse of drugs and alcohol can lead to a variety of serious consequences including poor academic and work performance, poor decision making, poor morale, work errors, wasted time and materials, damage to equipment, theft, tardiness, absenteeism, accidents which injure the drug abuser, accidents which put all employees and students at risk of injury, and may lead to disciplinary action, prosecution, illness and even death. Abusers of these substances experience depression, isolation, loss of memory, loss of coordination, impaired judgment, reduced morale, anxiety, paranoia and loss of self respect.

Alcohol Testing Policy

The school reserves the right to perform testing upon reasonable suspicion that a student is under the influence of alcohol. This testing may occur at any time during school hours, in school during school sponsored function, on or away from campus.

Practical Nursing- General Guidelines:

Students in the Practical Nursing Program are subject to the rules and regulations of the Nursing Service Departments of the agencies with which it holds affiliating agreements.

Furthermore, the Practical Nursing Program upholds the Standards of Nursing Conduct as outlined by the Pennsylvania State Board of Nursing and implements this policy in order to safeguard the patient from potential incompetent practice by an individual under the influence or suspected to be under the influence of a controlled substance.

Individuals who have been accepted to the Practical Nursing program shall submit to a pre-entrance drug screening. Urine samples shall be processed and evaluated as stated in the General Guidelines of this policy. Individuals who test positive or have a pending review on a positive drug test shall be denied entrance into the program for failure to meet program entrance requirements.

All students shall submit a signed consent form at the time of enrollment authorizing the program to request that, at any time and without prior warning, the student must submit a urine sample for drug testing or submit to breathalyzer testing. No student shall be permitted to enroll unless the consent form has been signed.

Greater Altoona Career & Technology Center

ADULT EDUCATION

DRUG & ALCOHOL POLICY

Urine samples shall be evaluated at an independent laboratory of the center's choosing, and the laboratory shall follow a strict chain of custody procedures. The costs of the testing will be paid by the center. The student shall indicate any prescription drugs which have been ingested within the previous thirty (30) days prior to submitting to any test. The center shall not consider any prescription to be lawful or proper unless the student produces a written prescription or authorization from a medical professional licensed to prescribe such medications.

Students may be selected for testing in a random and impartial manner. The Program also reserves the right to perform testing upon reasonable suspicion that any student is under the influence of alcohol and/or drugs. The program further reserves the right to perform testing on any student prior to entering a facility with which a cooperating agreement is in effect. The program shall test for use of marijuana, cocaine, barbiturates, amphetamines, methamphetamine, LSD, heroin alcohol, steroids, and any other controlled substance named and designated by the Executive Director. All test results will be provided to the student as soon as possible following the test administration.

If a sample tests positive, the testing agency shall issue a confidential report to the coordinator of the Practical Nursing Program or other designated school official. Upon notification of the positive sample, a physician in the testing agency follows through for confirmation of all positive results. The physician shall investigate any medication taken by the student who has tested positive. This testing agency-designated physician shall determine the effect the student's medication, if any, has on the student's test results.

No student who has a pending review on a positive drug test will be eligible to attend any clinical facility. Students will report to the school and receive an alternate assignment. Students may be required to make up the clinical time they miss during this process

For example, Health South Rehabilitation Hospital of Altoona may require all students to complete drug testing prior to being assigned to their facility. The drug testing is done by Health South on their premises. The program is notified if a student is "cleared" or "not cleared." NO student who is "not cleared" will be eligible to attend clinical rotations at any facility. Students not cleared will be given assignments at the school until they are cleared. Students shall be required to make up the clinical time they miss during this process.

Corrective Action:

Students who test positive to a breathalyzer test shall be dismissed from the program.

Students who test positive for a controlled substance shall be dismissed from the program.

Greater Altoona Career & Technology Center
ADULT EDUCATION
DRUG & ALCOHOL POLICY

Students who refuse to undergo testing shall be considered to have tested positive.

Other actions may include a **referral to criminal authorities for charges**, and/or a recommendation to seek counseling, and/or referral to the Pennsylvania Peer Assistance Program for Impaired Nurses.