

DRUG AND ALCOHOL ABUSE PREVENTION

A DESCRIPTION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS

Valley Grande Institute for Academic Studies (VGI) is committed to providing its students and employees a drug and alcohol free workplace and learning environment. As such, VGI prohibits the unlawful possession, use, manufacture, or distribution of unauthorized drugs and alcohol in the workplace, on the campuses, or at any VGI activity. VGI shall provide a safe, responsive environment for all students and employees.

There are many people whose job and academic performance and productivity are adversely affected by their dependence on drugs and alcohol. To provide information about the potential effects of dependence on drugs and alcohol, VGI strives to:

- Educate students and employees about alcohol and drug abuse in an effort to encourage responsible decisions about their use,
- Intervene on behalf of students and employees who have experienced negative consequences with alcohol and drugs so as to reduce the harm and manage the risks associated with their use,
- Support students and employees who are in recovery from substance abuse and addiction,
- Promote constructive lifestyles and norms that discourage alcohol and drug abuse, and
- Develop social and physical environments that facilitate alcohol and drug abuse-free lifestyles.

As a commitment to the provision of high quality and effective service to our students, employees and the public, VGI has a drug and alcohol abuse prevention program in operation. The program is accessible to all members of the school community. VGI is committed to the dissemination of drug and alcohol awareness information to students, faculty, and all employees.

The school will fully cooperate with all law enforcement agencies.

Operation of the Program

The purpose of the VGI drug-free and alcohol abuse awareness program is to inform its faculty, staff, and students about the dangers of drug and alcohol abuse and the penalties that may be imposed for drug and alcohol abuse violations. The Drug and Alcohol Abuse Prevention Program is available to all faculty, staff, and students of VGI. VGI has implemented the following measures:

- Annually, employees and students are made aware of the VGI Drug and Alcohol Abuse Prevention Program and Policy by means of electronic mail.
 - Additionally, employees are provided a copy of the policy at the beginning of each academic year

- New staff and faculty members are informed of the policy at the entry procedures with Human Resources.
- Students are provided the policy upon entry into a program. This information is placed on the electronic storage device (DVD, jump drive, etc.) provided to each student on entry to ensure the content is conveyed to all students attending VGI.
- In addition to the program entry notification, students and employees are offered written material including pamphlets and literature on drug and alcohol abuse. Such material is available at the Administration Building and Human Resources.

At least once each year, VGI provides a risk management program for faculty and staff members. As part of the program, VGI addresses topics such as; possession and use of alcoholic beverages and illegal drugs, and penalties that may be imposed for the illegal possession or use.

- Several events are held annually discussing the dangers and impact of drug and alcohol abuse at VGI. Such events include, but are not limited to, wellness fairs, training sessions, and counseling workshops. These programs are open to VGI students and employees free of charge. These platforms develop the strengths and skills related to the effective management of drug and alcohol related problem areas.
- VGI offers alcohol and drug-free activities such as Arrive Alive. (<http://www.arrivealive.org/>)

In an effort to maintain a safe environment, students and faculty participating in the health occupations programs may be required to undergo drug testing if there is reason to believe they may be impaired by a chemical or alcohol.

Standards of Conduct

VGI policy prohibits the unlawful possession, use, distribution, or manufacture of illicit drugs and/or alcohol on the campus and at school sponsored events and fully enforces the State of Texas's underage drinking laws. The unlawful use of drugs or alcohol is inconsistent with the behavior expected of members of the VGI community. Violations of this policy may result in criminal action as well as disciplinary action including loss of Title IV aid and termination.

This policy is in place to protect and support the employees and students of VGI.

Students

VGI is dedicated to providing a quality comprehensive educational program designed to meet and balance the diverse and changing educational, social, economic, and cultural needs of the community while providing a safe and healthful environment. VGI is committed to providing a safe and healthful environment dedicated to learning and to the advancement of knowledge. VGI seeks to achieve these goals through a sound

educational program and through rules and regulations governing student life that encourage responsibility and respect for the rights and viewpoints of others.

Therefore, the use, sale, distribution, possession of alcohol, or any drug, including prescription medication used in an unauthorized manner is strictly prohibited and may result in disciplinary action up to, and including, expulsion and loss of the Title IV HEA Financial Aid. The Financial Aid Office will provide written notice to students of their loss of Title IV Financial Aid and be given written instructions on how to regain Title IV Financial Aid eligibility.

VGI believes that students are adults who are responsible for their own actions, and who should be free to pursue their educational objectives in an environment that promotes learning, protects the integrity of the academic process, and protects the learning community.

Each student shall have access to VGI's rules and regulations concerning student conduct. These rules and regulations are in effect when attending or participating in any class or activity sponsored by VGI.

Employees

While at work, each employee has a responsibility to deliver service in a safe, efficient, and conscientious manner. Therefore, the use, sale, distribution, possession of alcohol, or any drug, including prescription medication used in an unauthorized manner is strictly prohibited and may result in disciplinary action up to, and including, termination.

An employee who is believed to be under the influence of alcohol or drugs while at work may be required to report immediately to a school selected vendor to be tested to determine if he or she is under the influence of alcohol or drugs.

As a condition of employment, an employee shall notify his or her supervisor of any arrest or conviction for an alcohol or drug related offense no later than five (5) days after such arrest/conviction. Failure to give this notification may result in disciplinary action, up to and including termination.

Each employee has access to VGI employee rules and regulations governing employee conduct in the VGI Employee Handbook. These rules and regulations are in effect when on campus in any capacity and participating in any VGI sponsored activity.

For further guidance, employees are instructed to see the VGI Employee Handbook and to seek assistance from the VGI EAP.

Off Campus

VGI may take disciplinary action against those students and employees whose behavior off-campus, or in matters unrelated to VGI activities or business, indicates that they pose a serious and substantial danger to themselves or others.

Health Risks

Below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration website. A more detailed listing can be found in the DEA Factsheets at <http://www.dea.gov/druginfo/factsheets.shtml>..

Alcohol

Alcohol (beer, wine, or liquor) has a high potential for physical and psychological dependence as well as resulting in increased tolerance. Possible effects include impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in vomiting, respiratory depression, loss of consciousness,

and possible death. Withdrawal may include trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics. Alcohol use is often related to acquaintance

rape and failure to protect oneself from sexually transmitted diseases (STDs).

Additionally, alcohol-related accidents are the number one cause of death in the 16- to 24-year-old age group.

Narcotics

Narcotics (including heroin, morphine, hydrocodone, oxycodone, codeine, and others) have a high potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible effects of using narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Overdose may result in shallow breathing, clammy skin, convulsions, coma, and death.

Withdrawal may include irritability, tremors, panic, nausea, chills, and sweating.

Other Depressants

Other depressants (including GHB or liquid ecstasy, valium, Xanax, Ambien, and barbiturates) have a potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible side effects include slurred speech, disorientation, appearance of intoxication, and impaired memory. Overdose may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal may include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants

Stimulants (including cocaine, methamphetamine, and methylphenidate) have a possible risk of physical dependence and high risk for psychological dependence. Tolerance can develop in all stimulants. The possible side effects include increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and decreased appetite. Overdose may result in agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal may result in apathy, long periods of sleep, irritability, depression, and disorientation.

Hallucinogens

Hallucinogens (including MDMA, LSD, Phencyclidine, and others) are less likely to result in physical dependence, with the exception of phencyclidines and analogs, and vary in terms of psychological dependence, ranging from none to moderate (MDMA) to high (phencyclidine and analogs). Tolerance can develop. Possible effects include heightened senses, teeth grinding, and dehydration (MDMA and analogs) and hallucinations, altered perception of time and distance in other types of hallucinogens. Overdose may result in increased body temperature and cardiac arrest for MDMA and more intense episodes for LSD. Some hallucinogens may result in muscle aches and depression when in withdrawal (MDMA) or may result in drug seeking behavior.

Cannabis

Cannabis includes marijuana, tetrahydrocannabinol (THC), and hashish or hashish oil. All may result in moderate psychological dependence with THC resulting in physical dependence. Tolerance can develop in all forms. Possible effects include euphoria, relaxed inhibitions, increased appetite, and disorientation. Overdose may result in fatigue, paranoia, and possible psychosis. Withdrawal may occasionally result in insomnia, hyperactivity, and decreased appetite.

Anabolic Steroids

Anabolic Steroids (including testosterone and others) may result in psychological dependence. Less is known as to their potential for physical dependence and increased tolerance levels. Possible effects may include virilization, edema, testicular atrophy, gynecomastia, acne, and aggressive behavior. Effects of overdose are unknown. Withdrawal may possibly include depression.

Inhalants

Inhalants (including amyl and butyl nitrite, nitrous oxide, and others) vary in their level of psychological dependence, with less known about their potential for physical dependence and tolerance. Possible effects may include flushing, hypotension, and headache, impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in methemoglobinemia, vomiting,

respiratory depression, loss of consciousness, and possible death. Withdrawal may result in agitation, trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

Employee and Student Assistance Programs

Through the resources of the school and local and national resources, assistance is available for those individuals with alcohol and drug abuse problems. VGI offers the following drug and alcohol abuse information, counseling, assistance, and services:

Locally Offered Programs

- In an emergency: call 9-1-1.
- Local Mental Health and Mental Retardation Centers: 1 888 249 7292
- Narcotics Anonymous 1220 South Bridge Avenue Weslaco, TX 78596
- Alcoholic Rehab **1-800-607-0730**

National Resources

- National Alcohol and Drug Abuse Help Line 1-800-821-4357
- Alcohol Abuse 24 Hour Hotline 1-800-950-7226
- Department of Drug Enforcement: Drug Fact Sheets

Additional Assistance for Students

Any student seeking assistance and/or resources for drug and alcohol use may contact the School Director for referral to the VGI counselor. The VGI counselor is a master's level counselor educated to assist students in meeting their personal goals.

Additional Assistance for Employees

VGI offers an Employee Assistance Program (EAP) in conjunction with EAP Alliance Work Partners. The EAP is a confidential counseling service provided to employees and benefits-eligible dependents for personal and work concerns which may be interfering with work performance and/or quality of life. The EAP serves as an excellent resource for addressing difficult employee relations issues such as substance and alcohol abuse and workplace conflicts. Additionally, the EAP provides training opportunities for employees and supervisors.

- For further information on the EAP, please reference the Employee Handbook.

Health insurance coverage is available for treatment of alcohol and drug abuse. Employees should contact their individual health plan representative for information about insurance coverage.

Employees who voluntarily seek treatment or counseling for drug or alcohol related problems are accommodated as much as possible to allow them to address the problem. Employees are encouraged to use available resources such as EAP, sick leave, compensation time, and vacation leave in order to participate in a drug rehabilitation program

Disciplinary Sanctions

The VGI policy prohibiting the unlawful possession, use, distribution, or manufacture of illicit drugs and/or alcohol on the campus at school sponsored events protects and supports the employees and students of VGIS.

Sanctions Under Law

All VGI students and employees are expected to comply with federal, state, and local drug and alcohol laws as well as VGI policies and procedures. Any student or employee who violates any of these drug or alcohol laws will be reported to the appropriate law enforcement agency and will be subject to prosecution in accordance with the law. Legal sanctions for violation of local, state, and/or federal laws may include, but are not limited to fines, jail, or prison sentences up to ninety-nine (99) years or life. Students who violate both the Code of Conduct and federal, state, local, or other applicable law may be accountable to both VGI and the civil or criminal authorities.

School Sanctions

The school shall, within the scope of applicable federal and state due process requirements, take such administrative or disciplinary action as is appropriate for violations of the Drug and Alcohol Abuse Prevention Policy, VGI Policy and applicable law. In the event that such violation is also a violation of federal, state, or local law, VGI may decide to proceed or delay its own disciplinary processes.

Students

- Any student demonstrating violation of school policy, including, but not limited to, the prohibition of possession, use, or distribution of illicit drugs and alcohol, shall be subject to discipline, up to and including expulsion and loss of Title IV aid, in accordance with Board policy and applicable law. (For further discussion of the disciplinary procedures, please reference the Policy on Discipline in the School Catalog.)
- Students may be asked to participate in a drug and alcohol assistance or rehabilitation program.
- VGI shall vigorously pursue enforcement against students who fail to abide by its standards of conduct.

Employees

- Upon the receipt of information indicating a drug or alcohol related problem, employees may be required to submit to a medical examination or drug testing, enroll in the Employee Assistance Program, take leave without pay, and potentially, suffer immediate termination.
- In the event of confirmation of prohibited possession, use, or distribution by an employee administrative or disciplinary action may include, but is not limited to, reprimand, suspension, or termination of employment or requirement that the employee participate in and/or successfully complete an appropriate rehabilitation program and/or arrest or referral to the appropriate law enforcement agency.
- Other sanctions may include, but are not limited to, employee counseling sessions, written reprimands, formal discussions with supervisors, decision-making leave, and leave without pay.
- If the employee engages in driving as part of his/her job related duties, such privilege may be revoked.
 - Any action taken by VGI may be taken immediately.

Visitors

- Any visitor engaging in any act prohibited by this Policy shall be called on to immediately cease such behavior and shall be subject to other sanctions including referral to law enforcement officials for arrest and prosecution.

Tips for Preventing Abuse

The use of tobacco, alcohol, and other drugs is a problem facing people today. There are no guarantees that someone you love will not choose to use drugs, but you can influence that decision by:

- Not using drugs yourself
- Providing guidance and clear rules about not using drugs
- Spending time with your loved one sharing the good and the bad times

Use the following tips to help guide thoughts and behaviors about drugs:

1. Talk honestly. Don't wait to have "the drug talk" with someone. Make discussions about tobacco, alcohol, and other drugs part of your daily conversation. Know the facts about how drugs can harm. Clear up any wrong information, such as "everybody drinks" or "marijuana won't hurt you." Be clear about personal rules for and legal implications of the use of tobacco, alcohol, and other drugs.
2. Really listen. Encourage questions and concerns about tobacco, alcohol, and other drugs. Do not do all the talking or give long lectures.
3. Help develop self-confidence. Look for all the good things in yourself or someone you care about-- and then tell them (or yourself) how proud you are. If you need to correct, criticize the action, not the person. Praise efforts as well as successes.
4. Help develop strong values. Talk about your personal values.

5. Be a good example. Your own habits and thoughts about tobacco, alcohol, and other drugs make an impression. Your actions speak louder than words.
6. Help deal with peer pressure and acceptance. Discuss the importance of being an individual and the meaning of real friendships. You do not have to do something wrong just to feel accepted. Remind yourself that a real friend won't care if he does not use tobacco, alcohol, and other drugs.
7. Encourage healthy, creative activities. Look for ways to get involved in athletics, hobbies, school clubs, and other activities that reduce boredom and excess free time. Develop positive friendships and interests. Look for activities that you can do together.
8. Know what to do if someone you love has a drug problem. Realize that no one is immune to drugs. Learn the signs of drug use. Take seriously any concerns you hear from friends, family, or other students about possible drug use. Trust your instincts. If you truly feel that something is wrong, it probably is. If there's a problem, seek professional help.

Information adapted from the American Academy of Pediatrics.

Warning signs

Some common behavior changes you may notice if someone you know is abusing drugs and alcohol are:

- Sudden or extreme change in friends, eating habits, sleeping patterns, physical appearance, coordination or school performance
- Loss of interest in hobbies or family activities
- Hostile or uncooperative attitude
- Secrecy about actions or possessions
- Stealing money or an unexplained need for money
- Medicine containers, despite a lack of illness, or drug paraphernalia in the individual's room
- An unusual chemical or medicine smell on the individual or in the individual's room

Mayo Clinic at

<http://www.mayoclinic.org/healthy-living/tween-and-teen-health/in-depth/teen-drug-abuse/art-20045921?pg=2>

Federal Financial Aid Penalties for Drug Violations/Convictions

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Opportunity Act states students convicted of an illicit drug violation while on federal financial aid can be denied federal financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks

students if they have been convicted of a drug-related offense: “Have you ever been convicted of possessing or selling illegal drugs while on federal financial aid?” If you answer “yes,” the School will send a worksheet in the mail to determine if your conviction affects your eligibility for aid. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.

Any student involved in any way with drugs and their abuse, shall be terminated or required to participate satisfactorily (at the student’s expense) in an abuse assistance or rehabilitation program approved for such purposes by Federal, state, local health law, or other appropriate agency.

Legal Sanctions

Penalties for Drug Convictions

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

Possession of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction.

Sale of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.

Some other potential federal penalties and sanctions applicable to drug-related offenses include:

21 U.S.C. 844

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

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5000, or both.

Provisions relating to increased penalties in cases of certain serious crack possession offenses, making offenders subject to fines under Title 18 or imprisonment to terms not less than 5 years and no more than 20 years, or both.

Possession of flunitrazepam (Rohypnol) shall be imprisoned for not more than 3 years, shall be fined as otherwise provided in this section, or both after mixture or substance exceeds 1 gram.

21 U. S. C. 844a

Civil fine up to \$10,000

21 U. S. C. 847 Additional Penalties

Any penalty imposed for violation of this subchapter shall be in addition to, and not in lieu of, any civil or administrative penalty or sanction authorized by law.

21 U. S. C. 854 Investment of illicit drug profits

Whoever violates this section shall be fined no more than \$50,000 or imprisoned not more than 10 years, or both.

21 U. S. C. 862

- a. Drug Traffickers - 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 second and permanently ineligible for subsequent offenses.
- b. Drug Possessors – 1st offense is up to 1 year and 2nd and subsequent offenses are up to 5 years.
- c. Suspension of period of ineligibility (A) (B) (C)

21 U. S. C. 862a

Denial of assistance and benefits for certain drug related convictions, i.e., state program funded under the Social Security Act or food stamp program or state program under the Food Stamp Act.

More information about federal penalties and sanctions for unlawful possession, use, sale, and/or distribution of controlled substances is located at

<http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

and at:

http://www.dea.gov/druginfo/ftp_chart1.pdf

Local

It is unlawful for any person to be in possession of an open container in the business district. Additionally, it is unlawful for any person to engage in the public consumption of any alcoholic beverage in the business district.

State

- A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another. (Texas Penal Code 49.02)
- A person commits an offense if the person knowingly possesses an open container in a passenger area of a motor vehicle that is located on a public highway, regardless of whether the vehicle is being operated or is stopped or parked. Possession by a person of one or more open containers in a single criminal episode is a single offense. (Texas Penal Code 49.031)
- A person commits an offense if the person is intoxicated while operating a motor vehicle in a public place. (Texas Penal code 49.04)
 - Note that a person may also be convicted of offenses if intoxicated while operating a plane, driving with a minor in the vehicle, or boating. (Texas Penal code 49.045-.06)
 - Punishable with a minimum term of confinement of 30 days.
- A person commits an offense if the person, by accident or mistake while operating an aircraft, watercraft, or amusement ride while intoxicated, or while operating a motor vehicle in a public place while intoxicated, by reason of that intoxication causes serious bodily injury to another. (Texas Penal Code 49.07)
- A person commits an offense if the person: (1) operates a motor vehicle in a public place, operates an aircraft, a watercraft, or an amusement ride, or assembles a mobile amusement ride; and (2) is intoxicated and by reason of that intoxication causes the death of another by accident or mistake. (Texas Penal Code 49.08)
- A minor commits an offense if the minor purchases or attempts to purchase an alcoholic beverage. (Texas Alcoholic Beverage Code 106.02-.025)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if he consumes an alcoholic beverage. (Texas Alcoholic Beverage Code 106.04)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if the minor operates a motor vehicle in a public place, or a watercraft, while having any detectable amount of alcohol in the minor's system. (Texas Alcoholic Beverage Code 106.041)

- The offense is punishable by a fine of not less than \$500 or more than \$2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. In addition, the court shall order community service to be performed.
- A minor commits an offense if he possesses an alcoholic beverage. (Texas Alcoholic Beverage Code 106.05)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A person commits an offense if he purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence. (Texas Alcoholic Beverage Code 106.06)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- A minor commits an offense if he falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic beverages. (Texas Alcoholic Beverage Code 106.07)
 - The offense is punishable by a fine of not less than \$250; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.
- The manufacture, delivery, or possession of a controlled substance (as defined by the Texas Controlled Substances Act) in the State of Texas is a crime and punishable by a fine up to \$250,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.112-.119)
- A person commits an offense if the person knowingly or intentionally delivers marijuana.
 - Such offense is punishable by a fine up to \$100,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.120)
- A person commits an offense if the person knowingly or intentionally possesses a usable quantity of marijuana.
 - This offense is punishable by imprisonment for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed \$50,000. (Tex. Health & Safety Code 481.121)
- A person commits an offense if the person knowingly delivers a controlled substance listed in Penalty Group 1, 1-A, 2, or 3 (of the Texas Controlled Substances Act) or knowingly delivers marijuana and the person delivers the controlled substance or marijuana to a person who is a child or who is enrolled in a public or private primary or secondary school.

- This offense is punishable as a felony in the second degree. (Tex. Health & Safety Code 481.122)
- Drug related offenses have increased penalties if the offense occurs in a “drug free zone.” Drug free zones include institutions of higher education, youth centers, schools (and other facilities) and the areas surrounding such locations.
 - Penalties include fines that may be doubled and minimum jail terms that may be raised. (Tex. Health & Safety Code 481.134)

Federal

- 21 U. S. C. 841 makes it a crime (a) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or (b) to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance.
- The Controlled Substances Act places all substances which are in some manner regulated into one of five schedules. The CSA provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances.
- The U. S. Code establishes and authorizes the U. S. Attorney General to revise as needed, classifications of controlled substances. Schedule I is comprised essentially of “street drugs” and Schedule V is comprised of drugs with a “low potential for abuse” when compared with drugs in schedules I-IV. Examples of Schedule I drugs are heroin and marijuana. PCP, for example, is a Schedule II drug. Amphetamine is a Schedule III drug, while Barbitol is a Schedule IV drug. An example of a Schedule V drug would be a prescription medication with not more than 200 mg. of codeine per 100 grams.
 - The penalties are determined by the schedule of the drug or other substance, and sometimes are specified by drug name, as in the case of marijuana.
 - Penalties for first offenses include a fine up to \$10 million and/or a prison term up to life, but no less than 1 year.
 - For the Drug Enforcement Agency’s complete list of Federal Trafficking Penalties for Schedules I-V and Marijuana, please see: https://www.iecc.edu/files_user/CONS/Files/Federal_Trafficking_Penalties.pdf

**Penalties for subsequent violations of the above-described provisions are progressively more severe than the initial convictions. Penalties, laws, and statutes may change without notice. This list is not intended to be comprehensive. For a complete list of drug and alcohol related offenses, please contact the appropriate law enforcement agency.*

Biennial Review

This program is the joint responsibility of the School Director and Human Resources, and the Police Department. Notification of the program, including information about health risks and sanctions for violation of the policy, will be provided annually to the

employees of VGI by these departments. Students will be notified upon entry to any program. The Review is also available to the general public upon request.

The VGI Drug and Alcohol Abuse Prevention Program will be reviewed biennially. VGI is committed to monitoring and assessing the effectiveness of the policy and program and what changes need to be made. VGI ensures the uniform application of sanctions to employees and students. To perform this review, VGI uses both formal and informal assessments.

- Formally, VGI maintains a Drug and Alcohol Prevention Committee consisting of a contracted counselor, the School Director and a representative from Student Services. The Committee determines the effectiveness of this program and ensures the standards of conduct are fair and consistently enforced. The formal program review is conducted every two years by the Committee.
- Collection of Data
 - All logs from security service, police department and student counseling (related to drug and alcohol use/abuse) will be reviewed.
- Evaluation of Data
 - The committee will perform an informal assessment of the data. Methods used in the review include administrative overview, and informal student surveys.
- Items to evaluate
 - Number of reports/complaints/ counseling
 - Programs of study students are enrolled
 - Methods used to guide, counsel and assist students
 - Increase/decrease in incidents
 - Institutional resources (number, kind, effectiveness)
 - Outreach efforts to students and staff
 - EAP referrals
- The Committee will meet in January of each odd year.

How to Regain Federal Student Aid Eligibility

1. A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends or upon having a conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale of illegal drugs or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.
2. A student may also regain eligibility upon successful completion of a qualified drug rehabilitation program that must:
 - Include the student passing at least two unannounced drug tests;**AND**
 - Have received or is qualified to receive funds directly or indirectly under a federal, state or local government program, or
 - Be administered by a federal, state, or local government agency or court, or

- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company, or
 - Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.
3. A student may further regain eligibility upon successful completion of two unannounced drug tests which are part of an approved rehab program (the student does not need to complete the rest of the program).

The student is responsible to certify that a rehabilitation program was successfully completed. As with the conviction question on the FAFSA, the School is not required to confirm the reported information unless conflicting information is determined.

Convictions during Enrollment

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify Valley Grande Institute immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

Drug and Alcohol Counseling

Available to all students is the Caring addiction helpline tel: +1-888-253-4664. Students can call the helpline to receive referrals to local resources and support for individuals who need drug and alcohol counseling.

Institutional Sanctions for Alcohol and Drug Violations

Any member of the School community found consuming or selling drugs on School property shall be subject to discipline on a case-by-case basis.

- Discipline will be based on the seriousness of the situation.
- A case may result in dismissal from the School.
- In all cases, Valley Grande Institute will abide by local, state and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol.
- Additional state penalties and sanctions may also apply.
- Valley Grande Institute has adopted a zero-tolerance policy regarding underage drinking.

Biennial Review of the Drug and Alcohol Abuse Prevention Program

Schools are required to conduct a biennial review of their drug and alcohol abuse prevention program. This review must include a determination of the number of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities and the number and type of sanctions imposed by the institution as a result of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities.

The term "campus" is defined in the same manner as it is defined for campus safety reporting purposes. That is, the term campus encompasses any building or property owned or controlled by the school within a reasonably contiguous geographic area used

in direct support of the school's educational purposes or used by students and supporting institutional purposes.

The effectiveness of Valley Grande Institute prevention program is, in part, also measured by tracking the number of drug and alcohol-related

- disciplinary actions,
- treatment referrals, and
- incidents recorded by campus officials.

Additionally, to assist in the determination of the effectiveness of Valley Grande Institute's prevention program, the school considers, if and when the school is made aware, the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse. The school also conducts a survey to ascertain student, faculty, and employee attitudes and perceptions about whether there is a drug and alcohol problem on campus.

With the results gathered from the various points of information described above, the school writes its report giving the results of the biennial review and its determination of whether the program is being effective or must be modified. The school keeps the biennial review on file in case of a possible audit. Schools are not required to send their review to the U.S. Department of Education unless requested to do so. Valley Grande Institute conducts its biennial review every other year (odd). The report from the review and documents related to it are retained for three years after the fiscal year in which the report was created.