

DUNWOODY
COLLEGE OF TECHNOLOGY



Alcohol and Drug Prevention Program

For Employees and Students

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Standards of Conduct Policy

It is Dunwoody's desire to provide a healthful and safe environment, free from drug and alcohol abuse. As such, Dunwoody prohibits the unlawful possession, use, or distribution of illicit drugs, narcotics and alcohol by students and employees on its property or as part of any of its activities.

Employees -

- Employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.
- While on Dunwoody premises and while conducting business-related activities off Dunwoody premises, no employee may use, possess, manufacture, transfer, distribute, sell, or be under the influence of alcohol or illegal drugs.
- The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.
- Under the Drug – Free Workplace Act, an employee who performs work for a government contract or grant must notify Dunwoody of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.
- Pre-Employment Drug Testing – After a job offer is made and accepted, all applicants for employment will be required to submit to a drug test. This does not apply to applicants for student worker positions. Drug testing is the final step in the hiring process, and no applicants will be tested prior to:
 - Receiving and accepting a conditional job offer;
 - Receiving a copy of the drug and alcohol testing policy; and
 - Filling out and signing the required consent form.

A conditional job offer may be revoked based on the outcome of the applicant's drug test.

- **Notice: Dunwoody has adopted a Drug and Alcohol Testing Policy, which includes both pre-employment and reasonable suspicion drug testing. Copies of the policy are available for inspection by applicants for regular employment, independent contractors, and employees during regular hours at the Human Resources Department. Policy also Attached 1 to this document.**

Please refer to pages 55 & 56 of the Employee Handbook July 2013

Students –

- The College prohibits the possession, use, or distribution of illegal drugs, narcotics, and alcohol on school property or as part of any school activity.
- If a student comes to school while under the influence of a prohibited substance, that student will not be admitted to class and his or her enrollment may be terminated.

- In any other school related activity, the student is required to adhere to the Student Code of Conduct as well as all other policies and procedures of Dunwoody College of Technology as outlined in the Student Handbook.
- When traveling to activities outside of the Dunwoody campus, the student is to adhere to the Student Travel Agreement which includes conducting themselves consistent with the Student Code of Conduct as well as all other policies and procedures of Dunwoody College of Technology.
- If a student has or knows of a fellow student who has, a drug or alcohol problem, consultation should be obtained from Student Services who can provide information and referral resources.

Please refer to page 48 of the Catalog and Student Handbook 13-14

Violation of Policy

Employees –

Violation of the Drug and Alcohol Use Policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Please refer to page 56 of the Employee Handbook July 2013

Students –

Students who violate Dunwoody's policy against illegal drugs, narcotics, and alcohol are subject to discipline. Students may be also subject to criminal penalties under state and federal law for the unlawful possession or distribution of drugs and alcohol.

Sanctions for violation of Dunwoody's Drug and Alcohol Policy include: (1) removal from class; (2) warning (verbal or written) and admonition; (3) confiscation of the illegal substance; (4) academic probation, suspension or expulsion. Sanctions will reflect the severity of a particular violation. Referral for criminal prosecution may also occur.

Please refer to page 48 of the Catalog and Student Handbook 13-14

Legal Sanctions

This is only a summary taken from Minnesota Statutes 2013 – Chapter 152 - Drugs; Controlled Substances. Please refer to the full text to obtain full information. Full text can be found at: <http://mn.gov/health-licensing-boards/images/Chapter%2520152.pdf>

First Degree Section 152.021

- Sale: Sells 10+ gm of cocaine, heroin, or methamphetamine; 50+ gm of other narcotic; 50+gm of amphetamine, phencyclidine, or hallucinogen or if packaged in 200 or more dosages of hallucinogens; 50+ kilos of marijuana or 25 kilos, in school, park, public housing zone.
- Possession: 25+ gm of cocaine, heroin, or methamphetamine; 500+ gm other narcotic, 500+ gm of amphetamine, phencyclidine, or hallucinogen or if packaged in 200 or more dosages of hallucinogens; 100+ kilos of marijuana.
- Penalty: Imprisonment for not more than 30 years or payment of a fine of not more than \$1,000,000, or both. (other qualifiers apply – see citation above)

Second Degree Section 152.022

- Sale: Sells 3+ gm of cocaine, heroin, or methamphetamine; 10+ gm of other narcotic; 10+gms of amphetamine, phencyclidine, or hallucinogen or if packaged in 50 or more dosages of hallucinogens; 25+ kilos of marijuana or sale of Schedule I or II narcotic.
- Possession: 6+ gm of cocaine, heroin, or methamphetamine; 50+ gm other narcotic, 50+ gm of amphetamine, phencyclidine, or hallucinogen or if packaged in 100 or more dosages of hallucinogens; 50+ kilos of marijuana.
- Penalty: Imprisonment for not more than 25 years or payment of a fine of not more than \$500,000, or both (other qualifiers apply – see citation above)

Third Degree Section 152.023

- Sale: Sells one or more mixtures of a narcotic drug; mixtures containing phencyclidine or hallucinogen packaged equaling 10+ dosage units; mixtures containing Schedule I, II or III (except Schedule I or II narcotic drug to person under 18); conspires or employs a person under 18 (except Schedule I or II narcotic drug); 5+ kilos containing marijuana.
- Possession: 3+ gm of cocaine, heroin, or methamphetamine; 10+ gm other narcotic, 50+ gm of amphetamine, phencyclidine, or hallucinogen or if packaged in 50 or more dosages of hallucinogens; 10+ kilos of marijuana; any amount of Schedule I or II narcotic in a school zone, park zone, or public housing zone.
- Penalty: Imprisonment for not more than 20 years or payment of a fine of not more than \$250,000, or both (other qualifiers apply – see citation above)

Fourth Degree Section 152.024

- Sale: Sells one or more mixtures containing Schedule I, II or III (except marijuana); mixture containing a controlled substance classified in Schedule IV or V to a person under the age of 18; any amount of marijuana in a school zone, a park zone, a public housing zone, or a drug treatment facility (except a small amount for no remuneration).

- Possession: One or more mixtures of amphetamine, phencyclidine, or hallucinogen or if packaged in 10 or more dosages; mixtures of Schedule I, II, III (except marijuana) with the intent to sell it.
- Penalty: Imprisonment for not more than 15 years or payment of a fine of not more than \$100,000, or both (other qualifiers apply – see citation above)

Fifth Degree Section 152.025

- Sale: Sells one or more mixtures containing Schedule IV; a small amount of marijuana (except a small amount for no remuneration).
- Possession: One or more mixtures of amphetamine, phencyclidine, or hallucinogen or if packaged in 10 or more dosages; mixtures of Schedule I, II, III (except marijuana) with the intent to sell it.
- Penalty: Imprisonment for not more than 5 years or payment of a fine of not more than \$10,000, or both (other qualifiers apply – see citation above)

For Minnesota Statutes regarding alcohol, please refer to the Minnesota Statutes 2013 – Chapter/Section 340A.503. Full text can be found at: <http://mn.gov/health-licensing-boards/images/Chapter%2520152.pdf>

Health Risks

Alcohol Summarized from the Center for Disease Control (CDC) website:
<http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

- Injuries
- Violence
- Risky sexual behaviors
- Miscarriage, stillbirth
- Alcohol poisoning
- Depression
- Lower resistance to disease

Marijuana Summarized from the National Institute of Drug Abuse website:
<http://www.drugabuse.gov/publications/drugfacts/marijuana>

- Impaired thinking, memory, concentration, sensory and time perception, and coordinated movements
- Lung infections and other respiratory disorders
- Increased risk of heart attack
- Depression, anxiety, suicide ideations

Cocaine Summarized from the National Institute of Drug Abuse website:
<http://www.drugabuse.gov/publications/drugfacts/cocaine>

- Headaches
- Gastrointestinal complications such as nausea
- Malnourishment
- Heart attacks
- Strokes
- Higher risk of HIV due to needle sharing

Heroin Summarized from the National Institute of Drug Abuse website:
<http://www.drugabuse.gov/publications/drugfacts/heroin>

- Fatal overdose
- Spontaneous abortion
- Hepatitis
- HIV
- Collapsed veins
- Infection of heart lining and valves
- Gastrointestinal cramping
- Liver disease
- Kidney disease
- Pneumonia

Community Resources

Employees are encouraged to see information and referral from the Human Resources Department. Students can receive information and referral from Student Services located in the Moore Multicultural Center.

1. Neighborhood Involvement Program
2431 Hennepin Ave S
Minneapolis, MN 55405
612-374-3125
www.neighborhoodinvolve.org
Counseling Center number is 612-374-4601, same location as above
2. Walk In Counseling Center
2421 Chicago Ave S
Minneapolis, MN 55404
612-870-0565
www.walkin.org

3. Alcoholics Anonymous (Minneapolis)
7204 West 27th Street, Suite 113
St. Louis Park, MN 55426-3112
952-922-0880
<http://www.aaminneapolis.org>

4. Alcoholics Anonymous (St. Paul)
1600 University Avenue West
Saint Paul, MN 55104-3898
651-227-5502
<http://www.aastpaul.org>

5. Narcotics Anonymous – St. Paul/Minneapolis
3737 3rd Avenue South
Minneapolis, MN 55409
952-939-3939
<http://www.naminnesota.org>

6. The Crisis Connection
1550 E. 78th Street
Minneapolis, MN 55423
612-379-6363
<http://www.crisis.org>
Anyone can call The Crisis Connection...anytime, for anything!
 - Staffed with volunteer counselors 24 hours per day, 7 days a week
 - Counselors can help a person talk through an issue or crisis on the spot
 - Counselors can give all up-to-date resources for the metro area
 - It's FREE of charge and only a phone call away!

7. Salvation Army Adult Rehabilitation Center
900 North 4th Street
Minneapolis, MN 55401
612-332-5855
<http://www.twincitiesarc.com>
The Salvation Army Adult Rehabilitation Center (A.R.C.) in Minneapolis offers a long term residential rehabilitation program for men with alcohol and drug addiction and for those who have lost the ability to cope with their problems and provide for themselves. Notes: There is no cost for this program. Those interested may call the phone number above or simply walk-in. The only requirements to be admitted are 1. must be sober and 2. Must have a picture ID.

8. Turning Point Inc.
Turning Point's mission is to provide social services, public health programs and culturally-specific solutions in harmony with the needs of its community.
1500 Golden Valley Road
Minneapolis, MN 55411
612-520-4004
<http://www.ourturningpoint.org/index2.php>

9. Teen Challenge
1619 Portland Avenue South
Minneapolis, MN 55404-1598
612-373-3366
<http://www.mntc.org>

Attachment 1

DUNWOODY COLLEGE OF TECHNOLOGY

DRUG AND ALCOHOL TESTING POLICY

I. INTRODUCTION AND SCOPE

This policy applies to employees of Dunwoody College of Technology (“Dunwoody” or “the College”). Dunwoody is committed to maintaining a work environment free from the influence of alcohol and illegal drugs to protect the safety and well-being of our employees and students, and the quality of our services. This Drug and Alcohol Testing Policy is not a contract between the College and any Employee, and does not change the at-will nature of employment at Dunwoody. The College may change, alter, or eliminate all or part of the policy at any time.

II. DEFINITIONS

- A. “Legal drug” means any prescription or over-the-counter drug that is legally obtained by the employee and used for the purpose for which it is prescribed.
- B. “Drug” means a controlled substance as defined in Minn. Stat. § 152.01, subd. 4. A copy of the applicable statutory schedules of controlled substances may be obtained from the Human Resources Department.
- C. “Drug and alcohol testing,” “drug or alcohol testing,” “drug and alcohol test,” and “drug or alcohol test” means an analysis of a body component sample according to the established standards of a licensed, accredited or certified laboratory, for the purpose of measuring the presence or absence of drugs, alcohol or their metabolites in the sample tested.
- D. “Employee” means any person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for Dunwoody except student workers.

- E. “Initial Screening Test” means a drug or alcohol test that uses an approved method of analysis that is capable of providing data as to the general classes of drugs, alcohol or their metabolites in the sample tested.
- F. “Confirmatory Test” means a drug or alcohol test that uses an approved method of analysis for providing specific data as to the drugs, alcohol or their metabolites detected in the Initial Screening Test.
- G. “Confirmatory Retest” means a second Confirmatory Test, requested and paid for by the applicant or Employee.

III. DRUG AND ALCOHOL PROHIBITION

Dunwoody prohibits using, possessing, manufacturing, transferring, distributing, selling and being under the influence of alcohol or illegal drugs while working, while on College campus, and while operating any College vehicle or equipment.

The proper, authorized use of legal drugs is not prohibited. Any Employee taking legal drugs is, however, responsible for consulting with the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her work. If the use of a medication could compromise the safety of the Employee or others, the Employee must notify and consult with his/her supervisor and/or Dunwoody Human Resources Department regarding possible accommodations (which may include, but are not limited to, a leave of absence, vacation, or temporary reassignment) to avoid unsafe workplace practices.

Violation of this policy may result in discipline, up to and including immediate termination of employment.

IV. WHO IS COVERED

This policy covers all employee and all independent contractors or other workers performing services for the College for compensation.

V. CIRCUMSTANCES UNDER WHICH DRUG AND/OR ALCOHOL TESTING MAY BE REQUIRED

Reasonable Suspicion Testing

The College may require an Employee to undergo drug and/or alcohol testing if the College has a reasonable suspicion that the Employee:

- (1) is under the influence of drugs or alcohol;
- (2) has violated the Policy statement above;
- (3) has sustained a personal injury arising out of and in the course of his or her employment or has caused another Employee to sustain such a personal injury;
- (4) has caused a work-related accident; or
- (5) was operating or helping to operate machinery, equipment or vehicles involved in a work-related accident.

C. Random Drug Testing

The College may require Employees in safety-sensitive positions to undergo drug and alcohol testing on a random selection basis. Random testing will take place without prior notice. The random selection process will be objective and anonymous. The tests will be unannounced and the dates for testing will be reasonably spread throughout the course of the year. Once an Employee is notified that he or she has been selected for testing, he or she must proceed immediately to the test site.

D. Follow-up/Treatment Program Testing

The College may require an Employee to undergo drug and/or alcohol testing if he or she has been referred by the College for chemical dependency treatment or evaluation, or if he or she is participating in a chemical dependency treatment program under an Employee benefit plan. The Employee may be required to undergo drug and/or alcohol testing without prior notice during the evaluation or treatment period, and for a period of up to two (2) years following the completion of any prescribed treatment program.

VI. RIGHT TO REFUSE TESTING

Any Employee requested to undergo drug and/or alcohol testing may refuse to undergo testing. An Employee's refusal to undergo testing will result in termination of employment or contract.

VII. CONSEQUENCES OF POSITIVE TEST RESULT

The first time that an Employee receives a positive test result on a Confirmatory Test (where no retest is requested) or on a Confirmatory Retest requested and paid for by the Employee, the Employee will be given the opportunity to participate in a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the College after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency. Such counseling or program will be paid by applicable insurance, if any, or at the Employee's own expense.

If the Employee refuses to participate in the appropriate program or fails to successfully complete the program (as evidenced by withdrawal from the program before completion or by a positive test result on a Confirmatory Test after completion of the program), he or she will be discharged from employment with the College.

The second time that an Employee receives a positive test result on a Confirmatory Test (where no retest is requested) or on a Confirmatory Retest requested and paid for by the Employee, the Employee will be terminated.

VIII. RIGHT OF AN EMPLOYEE TO EXPLAIN POSITIVE TEST RESULTS OR REQUEST AND PAY FOR CONFIRMATORY RETEST

Within three (3) working days after receiving notice of a confirmed positive test, the person tested may submit information to the designated Medical Review Officer regarding any over-the-counter or prescription medications that such person is taking or has recently taken that may have affected the test result and/or any other information relevant to the reliability of, or explanation of, the positive test result.

In addition, within five (5) working days after receiving notice of the confirmed positive test result, the person tested may request a Confirmatory Retest of the original sample at the person's own expense. Such request must be in writing and must be delivered to the designated Medical Review Officer within the five (5) day period.

IX. NO OTHER APPEAL PROCEDURES

There are no other appeals procedures available within the College to the Employee adversely affected by this policy, except as otherwise noted.

X. TESTING PROCEDURES

A. Acknowledgment Form

After the covered individual has received a copy of this policy and reviewed it, he or she will be required to sign an acknowledgment form stating that he or she has received and read the policy. Individuals who refuse to sign the acknowledgment form will be discharged.

B. Substances Tested

When drug and alcohol tests are performed, the testing will be for drugs and/or alcohol and their metabolites only. No other substances or medical conditions will be tested for.

C. State Regulated Labs and Procedures

The drug and alcohol tests will be performed by a qualified laboratory licensed to perform drug and alcohol testing in the workplace. The blood and urine samples will be obtained in accordance with the procedures required by state statutes and regulations.

D. Cooperation Required

Employees must fully cooperate with the collection procedures. Any attempt to alter the sample or any refusal to cooperate with sample collection procedures will result in termination for Employees.

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