

# **IAIA DRUG-FREE CAMPUS**

## **ALCOHOL AND SUBSTANCE ABUSE POLICY**

### **POLICY STATEMENT**

**The Institute of American Indian Arts is a drug and alcohol free campus. The IAIA holds a two strike policy in respect to drug and alcohol abuse. Individuals in possession of or using drugs or alcohol on the IAIA campus will be in violation of the two strike policy. The IAIA will take disciplinary action against students, faculty or staff who use, distribute or possess illicit drugs or alcohol at the IAIA or during any IAIA student sponsored activities (on or off campus) or who violate state, federal, or IAIA alcohol and substance abuse laws and regulations.**

### **USE, POSSESSION OR DISTRIBUTION OF CONTROLLED SUBSTANCES**

Students and employees are not to use, possess, manufacture, dispense, sell, distribute or be under the influence of any State or Federally controlled substances on IAIA premises or property controlled by the IAIA, except as authorized by law.

“Controlled substances” shall mean those substances identified in Schedule I through V of Section 202 of the Controlled Substances Act. 21 USC S 812 (United States Code, Title XXI, Chapter 13) or its implementing regulations, 21 CFR Sections 1308.15 where the use is neither authorized by law nor a valid prescription, or the misuse of legal substance, including but not limited to, alcohol or prescription drugs, that may affect an individual’s ability to participate in IAIA programs in a safe, adequate and secure manner. Controlled substances include, but are not limited to, marijuana, barbiturates, anabolic steroids, cocaine (including crack), amphetamines, heroin, PCP, ketamine, ecstasy, hallucinogens, and certain prescription drugs.

The unauthorized use, manufacture, distribution, dispensation, sale, possession, or transfer of controlled substances (as prescribed by the Controlled Substances Act or identified in Schedules I through V of this Act as described above) on IAIA premises constitutes a violation of this policy; such violation may result in disciplinary action up to and including dismissal, reprimand, or expulsion from IAIA programs or employment, and referral for investigation and/or prosecution by law enforcement agencies for violation of the standards of conduct.

Substance abuse shall also include the unauthorized use or possession of or being under the influence of alcohol or alcoholic beverages on IAIA premises or property controlled by IAIA. Being under the influence means having consumed alcohol or drugs (on or off campus) to the degree that mental or motor skills are impaired and as demonstrated by: slurred speech; unsteady gait; loud voice; impaired motor control or clumsiness; flushed face; bloodshot eyes and/or smell of alcohol or drugs.

“On IAIA premises or property controlled by IAIA” means in any building owned, leased or used by IAIA; in any IAIA owned vehicle or in any other IAIA approved vehicle used to transport students to and from IAIA activities; off IAIA property at any IAIA-sponsored or approved activity, event or function, such as field trip or athletic event, where students are under the jurisdiction of the IAIA; or during any period of time IAIA employees are supervising students on behalf of IAIA or otherwise engaged in IAIA business.

Prescription drugs, so long as these drugs do not adversely affect the student’s or employee’s ability to perform in a safe and secure manner, may be used on the school site but only by the person for whom they were prescribed. When such legal drugs are to be used at the work or school site and will affect performance, students must inform faculty and employees must inform supervisors. This policy will apply to the misuse of legal drugs.

The IAIA will confiscate alcoholic beverages and/or illegal drugs found on campus. Such materials may be held by the IAIA for evidence, if necessary. A record will be made of the type of material(s) seized, including names of witnesses.

**Students in possession of, using, or in the presence of drugs or alcohol on the IAIA campus will be required to participate in community service and alcohol and substance abuse**

**assessment, and counseling recommended from the assessment, for the remainder of the semester upon the first offense. The second offense in the same academic year will result in the student being suspended from the IAIA residential housing and face possible suspension/expulsion from the IAIA program. The two strike policy will not apply to violations addressed in the Immediate Suspension clause found in the Student Handbook.**

The IAIA will contact the proper law enforcement agencies to investigate the distribution of alcohol to minors (under 21) and the distribution of illegal drugs to the community.

### **EDUCATION PROGRAM**

- A. The Center for Student Life shall provide (at least twice a year) training and education in the dangers and risks to physical and mental health, economic welfare and civil status from the use of illicit drugs and abuse of alcohol.
- B. The Center for Student Life will also post information concerning alcohol and drug abuse policy and programs in prominent areas.
- C. The IAIA catalog will include a statement announcing that substance abuse while on IAIA premises or conducting college business is prohibited.
- D. The Student Handbook will include IAIA's Alcohol and Drug Policy and disciplinary sanctions which may be imposed on students for violation of this policy, which include: disciplinary probation; community service; alcohol and substance abuse assessment; counseling recommended from the assessment, which may include referral to and satisfactory completion of rehabilitation programs; housing suspension; total program suspension or expulsion. IAIA also reserves the right to make referrals to law enforcement agencies for investigation and prosecution.

This policy is adopted in accordance with Public Law 1-1-226, Drug Free Schools and Communities Act Amendments of 1989, for receipt of federal program funds. Approved at IAIANCAD Board of Trustees Meeting: May 2005.

### **EMPLOYMENT**

As a condition of employment with IAIA, including, but not limited to, employment funded by a federal grant, each employee shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above, no later than five days after such conviction.

Violation of this policy will be considered a breach of the standard of conduct expected of IAIA employees and shall be considered insubordination and a basis for disciplinary action, up to and including discharge. Disciplinary actions taken will be in accordance with existing IAIA policies, rules, regulations, employee contracts, and state and federal law. Such disciplinary actions may include, but are not limited to a reprimand, suspension with or without pay, discharge, or a requirement that employees participate satisfactorily in a substance abuse treatment or rehabilitation program. Investigation of suspected violations of this policy may involve law enforcement and other external authorities, and may result in referral for prosecution by law enforcement authorities.

### **POLICY REVIEW**

A biennial review of this IAIA Alcohol and Drug Policy will be conducted to determine its effectiveness, to implement changes as needed, and to ensure that disciplinary sanctions are consistently enforced.

### **LEGAL SANCTIONS**

#### **For the Unlawful Possession or Distribution of Illicit Drugs and Alcohol**

The penalties for even the most minor violations of the Liquor Control Act can include fines of up to \$300, confiscation of property and imprisonment for up to seven months. More serious violations carry greater penalties, with larger fines and longer imprisonment.

Driving or using machinery after drinking or using drugs creates the risk that the user may injure or kill someone else. This can result in homicide charges. License revocation and vehicle impoundment are also results of driving while under the influence of liquor or drugs.

In drug-related cases a court can permanently suspend eligibility for federal benefits, including financial aid. A criminal record can seriously hurt educational and career opportunities.

Penalties for illegal drug use can include significant fines and imprisonment. Penalties for the illegal sale of drugs are greater, and may include property confiscation. Alternative penalties for illegal drugs or alcohol use may also include mandatory community service. Violation of laws by a foreign national may result in deportation.

As required by federal regulations, Figures 1 and 2 detail federal and state sanctions for the unlawful possession or distribution of illicit drugs.

## **HEALTH RISKS**

### **Associated with Use of Illicit Drugs and the Abuse of Alcohol**

Excessive alcohol consumption and abuse of illicit drugs can lead to certain types of cancer, addiction, birth defects, shortened life span, stomach ulcers, phlebitis, varicose veins, pathological changes in the liver, brain, heart and muscle that can lead to disability and death, and other health problems. Alcohol and drugs are also a major factor in homicides, assaults, rapes, suicide, family and date violence. Alcohol is significantly involved in all types of accidents-motor vehicle, home, industrial and recreational. Unintended pregnancies and sexually transmitted diseases are often associated with alcohol or other drug abuse, as well as relationship, academic or work problems. Figure 3 lists the possible effects and health risks associated with the use of illicit drugs and controlled substances.

## **CAMPUS ASSISTANCE**

**Dean of Students** Carmen Henan 424-2336  
**Housing Director** Carol Reed 424-2380  
**Counselor** Lydia Zepeda Jennings 424-2344  
**Residential Manager** Peggy Lomay 428-5807  
**Housing Staff** 428-5802

**Native Circle/Learning Support Ctr.**  
Diane Reyna 424-2352

The primary goal of the Native Circle is the reduction of substance abuse, re-direction of attitudes about alcohol and drug use through education, modification of behavior through traditional/cultural perspectives, raising the awareness level about alcohol and drugs and maintaining the health of healthy individuals.

## **COMMUNITY ASSISTANCE**

**Indian Health Services (IHS)**  
Out-patient program - 988-9821 ext. 263  
Crisis Response Team - Emergency rooms at IHS & St. Vincent's Hospital;

**Alcoholics Anonymous (AA)** For meeting times and places of AA, NA, Al-Anon and ACOA programs: 982-8932

**AA Friendship Club** 12 step - 982-4090

**Life Link Treatment Services** – 438-7705  
La Luz Shelter: 438-0010

**St. Vincent Hospital Chemical Dependency/Detox Program: 24 hr. Phone line** 820-5276.

**Ayudantes, Inc.**  
Out-patient (group, individual, family) - 438-0035  
[www.ayudantes.org](http://www.ayudantes.org)

**Millenium Treatment Services, Inc.**  
(Out-patient, all drugs) Call 473-0571

**Santa Fe Recovery Center**  
For out-patient treatment - 471-4985  
For detox - 471-4475  
[www.sfrecovery.org](http://www.sfrecovery.org)

**Smokers Anonymous:**  
For meeting times and locations: 982-8932