

**STATEMENT OF PURPOSE**

The purpose of the Drug-Free Schools and Campuses Regulations is to implement section 22 of the Drug-Free Schools and Communities Act Amendments of 1989, which adds section 1213 to the Higher Education Act and Section 5145 to the Drug-Free Schools and Communities Act. These amendments require that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education must certify that it has adopted and implemented a drug prevention program.

As a result, Tulsa Welding School & Technology Center has implemented the following drug prevention program, which applies to all students and employees.

**POLICY FOR PROVIDING A DRUG-FREE WORKPLACE**

- A. It is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the workplace or any area that is on school property or during school-sponsored activities. This also includes possession and use of alcohol.
  - 1) This act applies to employees and students.
  - 2) Alcohol or tobacco products are not considered controlled substances; however mild prescriptions to the worst street drugs are included.
  - 3) The school is not responsible for conduct of their employees or students outside the workplace/school.
  
- B. Employees or students who are found in violation of this policy will be given a letter of reprimand which will become a part of their records until such time as said employee or student seeks and successfully completes drug or alcohol counseling, rehabilitation, or an assistance program.
  - 1) Upon a second and subsequent violation of this policy occurring in or affecting the school, the employee may be placed on probation or terminated dependent on the individual circumstances of the case. A student in this circumstance will be dismissed.
  - 2) On the third violation of this act, the employee will be dismissed.
  
- C. Tulsa Welding School & Technology Center has established a drug-free awareness program with the local and state agencies to inform employees and students about:
  - 1) The dangers of drug abuse in the workplace or on school property.
  - 2) Tulsa Welding School & Technology Center's policy on maintaining a drug-free workplace.
  - 3) The School's agreement to assist any employee or student who is in need of drug counseling, rehabilitation, and assistance programs by direct or indirect referrals and providing brochures to employees and students seeking help from approved agencies.
  - 4) In addition, biannual meetings will be held lasting at least one (1) hour in duration for speakers to assess the success of our program.
  
- D. As a condition of employment and enrollment, employees and students must notify Tulsa Welding School & Technology Center of any criminal drug statute conviction no later than five (5) days of starting employment/program or conviction.
  - 1) Tulsa Welding School & Technology Center will give each employee or student a copy of the statement.
  - 2) Within thirty (30) days of learning of such a conviction, the employee or student will be required that he or she complete a drug rehabilitation program.
  - 3) Tulsa Welding School & Technology Center will communicate to employees and students our policy of maintaining a drug-free workplace, the dangers of workplace drug abuse, penalties the school will impose for drug violations, and information about any drug counseling, rehabilitation, or employees or students assistance programs.
  - 4) Applicants for full-time employment must pass a drug test prior to receiving an offer of employment from Tulsa Welding School & Technology Center.

- 5) Applicants will make a good faith effort to preserve a drug-free workplace by continuing to observe the preceding requirements.
  - 6) All employees and students will receive a copy of this statement and will be held liable for its contents and strict adherence to those guidelines.
- E. Tulsa Welding School & Technology Center issues this statement to notify its employees, because it is and wishes to remain a recipient of Federal funds; it is Tulsa Welding School & Technology Center's policy to maintain a drug-free workplace. All employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in Tulsa Welding School & Technology Center workplace. As a condition of employment or enrollment at Tulsa Welding School & Technology Center, every employee and student must:
- 1) Abide by the terms of this statement; and
  - 2) Applicants for full-time employment must pass a drug test prior to receiving an offer of employment from Tulsa Welding School & Technology Center; and
  - 3) Notify the Campus President of any criminal drug statute conviction no later than five (5) days of starting employment/program or conviction.
- F. Upon notification of such conviction, Tulsa Welding School & Technology Center must notify the U.S. Department of Education within ten (10) days and take one or more of the following actions with respect to any employee so convicted:
- 1) Take appropriate personnel action, up to and including termination; and/or
  - 2) Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or Local health, law enforcement, or other appropriate agency.
- G. For the purposes of assuring compliance with the above, you will be subject to substance screening under the circumstances described below. "Substance Screening" means testing of blood, urine, a drug/alcohol test, or otherwise as reasonably deemed necessary to determine possession or impairment. This screening will be done by an independent qualified laboratory, following testing methods and collection procedures designed to assure accuracy and reliance on the results.

**SUBSTANCE SCREENING** will be conducted under the circumstances described below:

- A. **RANDOM TESTING**
- B. **SUSPECTED IMPAIRMENT.** When there is reasonable evidence to suspect that because of your actions you could cause harm to yourself or to others.
- C. **POST ACCIDENT/INCIDENT.** If involved in an accident involving the apparent violation of a safety rule or standard, which did or could have resulted in serious injury or property damage, concern as to reasonable cause may require the individual to be subject to substance screening.
- D. **PRIVACY.** The results of any program screening will be considered a medical report disseminated only in strict compliance under "The Right to Privacy Act."
- E. **HANDICAPS.** The program will be administered so as not to interfere with the rights of handicapped persons, except to the extent any substance abuse handicap would directly interfere with performance.

## **CONSENT**

- A. As stated above a urine drug test procedures may be conducted without prior notice at any time as deemed appropriate by the School's administrative personnel.
- B. However, no student or employee will be subjected to testing without prior written and signed consent (copies or both student and employee consents are attached). Employees, as well as prospective employees, who refuse to sign a consent form to a drug screen test, will be considered to have voluntarily resigned by choosing not to comply with a School Policy.
- C. In all instances, testing will be performed with concern and respect for each person's privacy. Results will be kept confidential, and only released on a need to know basis.

## **POLICY EXCLUSIONS**

Excluded from this Policy is the legitimate possession and proper use of drugs prescribed for the student or employee by a medical doctor, and over the counter medical drugs, provided such drugs are being used in strict compliance with the prescription or manufacturer's recommendations and do not affect the person's performance or create a risk to the safety of the person or to others. The persons so using are responsible for knowing of the possible side effects of prescription and non-prescription drugs they intend to use while working and must notify their instructor or supervisor if such use could affect their job performance, judgment, and physical reaction time. All prescriptions must be in the person's name and must be carried in their original containers. The school reserves the right to consult with and rely on its own medical sources as to any issues or safety or reliability of any person on the campus while taking certain medications.

## **DISCIPLINARY ACTION**

All persons subject to testing have the right to explain, in confidence, their test results. All persons may explain to either their managers and/or the Campus President. All students may explain to the Director of Education or the Student Advisor. Each person tested has the right to obtain copies of all information and records related to their testing. . Those individuals who are disciplined in accordance with this policy and its procedures have the right to appeal, the appeal procedures are outlined in the School Catalog or in the StrataTech Employee Handbook.

## **DRUG AND ALCOHOL PREVENTION AND TREATMENT FACILITIES**

Prevention and treatment start with acknowledgement of an existing problem, addressing the consequences of your choices, improving resistance skills and addressing problematic use or addiction by getting help. To obtain information on drug and alcohol prevention and treatment facilities, you may contact the Student Advisor at (281) 975-0500.

You may also contact any of the following counseling facilities for assessment, treatment, and referrals:

Houston Drug Treatment Centers (713) 493-7860

The Council on Alcohol and Drugs (713) 942-4100

Cheyenne Center (713) 691-4898

Right Step Houston Central (866) 954-3605

Drug and Alcohol Treatment Hotline: (832) 667-9799

## **LEGAL SANCTIONS**

Federal laws enforce grave penalties on those who illegally possess, use, or distribute drugs. These sanctions include, but are not limited to, incarceration and monetary fines. The major penalties are summarized as follows:

[www.dea.gov/agency/penalties.htm](http://www.dea.gov/agency/penalties.htm)

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		

DRUG/SCHEDULE	QUANTITY	PENALTIES
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual
Flunitrazepam (Schedule IV)	1 gm or more	
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual
Flunitrazepam (Schedule IV)	30 to 999 mgs	
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
Flunitrazepam (Schedule IV)	Less than 30 mgs	
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

**FEDERAL TRAFFICKING PENALTIES - MARIJUANA**

<b>DRUG</b>	<b>QUANTITY</b>	<b>1<sup>st</sup> OFFENSE</b>	<b>2<sup>nd</sup> OFFENSE</b>
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 20 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$8 million if an individual, \$20 million if other than an individual</li> </ul>
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>Not less than 5 years, not more than 40 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine not more than \$2 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not less than 10 years, not more than life</li> <li>If death or serious injury, mandatory life</li> <li>Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>
<b>DRUG</b>	<b>QUANTITY</b>	<b>1<sup>st</sup> OFFENSE</b>	<b>2<sup>nd</sup> OFFENSE</b>
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>Not more than 20 years</li> <li>If death or serious injury, not less than 20 years, not more than life</li> <li>Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 30 years</li> <li>If death or serious injury, mandatory life</li> <li>Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>Not more than 5 years</li> <li>Fine not more than \$250,000, \$1 million other than individual</li> </ul>	<ul style="list-style-type: none"> <li>Not more than 10 years</li> <li>Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

State laws also provide similar penalties with regard to the simple possession, distribution, or possession with the intent to distribute a controlled dangerous substance. Simple possession of marijuana is a misdemeanor and carries a punishment of up to 1 year in the county jail. A second or subsequent conviction for simple possession of marijuana carries 2-10 years in the state penitentiary. Possession of marijuana with the intent to distribute is a felony and carries a punishment of 2 years to life in the penitentiary and a fine of up to \$20,000 for the first conviction. A second or subsequent conviction carries a punishment of 4 years to life in prison and a fine of up to \$40,000. Depending upon the quantity involved, a convicted individual could be sentenced under the Texas "Controlled Substances Act" which provides for much harsher penalties. (<http://www.statutes.legis.state.tx.us/docs/HS/htm/HS.481.htm>)

Employees who are determined by the School to be in violation of any of the provisions of this Policy are subject to disciplinary action up to and including discharge from employment and will not be eligible for rehire with the School.

Students who are determined to be in violation of any of the provisions of this Policy are subject to the disciplinary actions described in the memorandum and consent form signed by student.

Furthermore according to state laws of Texas any person under the age of 21 years old found in possession of low-point alcohol can be convicted of a misdemeanor and punished by fines not exceeding \$300 or is expected to perform community service for the first offense. Person convicted for a second offense will be convicted of a misdemeanor and fined \$600. A person who furnishes low-point alcohol to anyone under 21 years of age will be convicted of a misdemeanor, fined up to \$500, or imprisoned in jail for one year. A person with an incurring second conviction will be fined \$2,500 and or a year in jail. ([law.onecle.com/texas/penal/index.html](http://law.onecle.com/texas/penal/index.html))

### **DANGERS OF DRUG ABUSE**

Your personal expense for having a drug habit can be from \$200 to \$3,000 per week. This is just the beginning, and only the dollar value. The costs are to your future, family, lifestyle, and your career as well as to your physical well-being and self-respect. The use of illicit drugs and/or alcohol would diminish your ability to perform your job.

More than 25, 000 U. S. citizens die each year from drug-related accidents or health problems ([www.whitehousedrugpolicy.gov](http://www.whitehousedrugpolicy.gov)). With most drugs, it is possible that users will develop psychological and physical dependency. The general categories of drugs and their effects are as follows:

**ALCOHOL** Produces short-term and long-term effects that include behavioral changes, impairment of judgment and coordination, and irreversible physical and mental abnormalities in newborn babies (Fetal Alcohol Syndrome). Alcohol abuse can result in damage to the liver, heart and brain. Long-term abuse causes ulcers, gastritis, malnutrition, delirium tremens, and cancer. (<http://www.niaaa.nih.gov>)

**DEPRESSANTS (e.g., Barbiturates, Opiates, Quaaludes)** Slows down the central nervous system and can cause slow heart and breathing rates, can lower blood pressure, as well as slow down one's reaction time. They also cause a person to be confused, have a sense of false of reality, convulsions, coma and death. (<http://www.drugabuse.gov>)

**HALLUCINOGENS (e.g., PCP, Mushrooms, Angel Dust, and LSD)** Physical effects include: dilated pupils, increased heart rate and blood pressure, nausea, blurred vision, dizziness, and decreased awareness can also occur. Certain sensations may occur giving the feeling of hearing sounds and seeing objects that do not really appear to be there. Furthermore use of hallucinogens may result in self-inflicted injuries, impaired coordination, incoherent speech, depression, anxiety, and violent behavior. (<http://www.whitehousedrugpolicy.gov/drugfact/hallucinogens/index.html>)

**MARIJUANA (e.g., Chronic, Mary Jane, and Dope)** Destroys short-term memory, comprehension, concentration, coordination and motivation. It also increases heart rate and blood pressure. It may also cause paranoia and psychosis. The way in which marijuana is smoked also enhances the risk of lung cancer. (<http://www.drugabuse.gov/ResearchReports/Marijuana/Marijuana3.html#physicalhealth>)

**NICOTINE and other Stimulants (e.g., Cocaine, Crank, Caffeine, Amphetamines, and Methamphetamines)** Speeds up the central nervous system and can cause increased heart, breathing rates, and blood pressure. It also causes a decrease in appetite, headaches, blurred vision, dizziness, insomnia, anxiety, hallucinations, paranoia, depression, seizures and death due to heart attack or respiratory failure. Additionally it can cause cancer of the lungs, larynx, esophagus, bladder, pancreas and kidney for those who are smokers at increased rates. Stimulants are addictive, both physically and psychologically. (<http://www.drugabuse.gov>, <http://www.whitehousedrugpolicy.gov/drugfact/index.html>)