

Drug and Alcohol Policies

Drug-Free Awareness Program

Georgia Career Institute is dedicated to providing quality education services to its students and a quality work environment for its employees. In keeping with this commitment, Georgia Career Institute will strive to maintain a workplace free from drug and alcohol abuse.

The manufacturing, possession, distribution, or use of illegal drugs or alcohol is prohibited in the workplace, including school grounds. Any violations of this policy will warrant disciplinary actions, up to and including termination, and may also result in local, state, and/or federal criminal charges.

Employees are to notify management of the school of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. The employer will notify the United States Department of Education, Office of Student Financial Assistance, 400 Maryland Ave., SW, (ROB-3), Washington, DC 20202, of such conviction with ten days after receiving notice.

The school will assist employees and students in the selection of appropriate counseling, substance abuse assistance or rehabilitation programs. In addition, this school will not discriminate in employment solely on the grounds of prior drug or alcohol abuse or against individuals who have satisfactorily completed a rehabilitation program.

To ensure safety, security, and productivity, employees are to conduct business with the highest ethical standard and treat all students, co-workers, and business associates with fairness and integrity.

Drug-Free Policy Statement

The purpose of this statement is to provide each member of the Georgia Career Institute community (Faculty, Staff and Students) with official notification of the policies and penalties relative to controlled substances (illicit drugs) and alcohol, as required by the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. As an employee and/or student at Georgia Career Institute, you are required to be knowledgeable of and comply with the Drug-Free Campus/Workplace Policy, the applicable provisions of which are summarized below.

Policy:

It is the policy of this institution that the unlawful manufacture, distribution, possession, use or abuse of alcohol and/or illicit drugs on any of Georgia Career Institute's campuses or on property owned or controlled by the Institute is strictly prohibited. All categories of employees and students are subject to this policy and to applicable federal, state, and local laws related to this matter. Additionally, any violation of this policy will result in disciplinary actions as set forth in the applicable sections of this policy.

Standards of Conduct:

Georgia Career Institute employees and students are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use or being under the influence of illegal drugs or alcohol on any Institute campus, and at off-campus facilities owned or controlled by the Institute. At off-campus events, to the extent

that off-campus activities are considered to be Institute activities, the standards of conduct (of the act) must apply, and alcohol shall not be abused by those of legal drinking age, nor used, possessed or distributed by those who have not attained legal drinking age.

Legal Sanctions under Local, State and Federal Law: Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute dispense, deliver or sell, controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substance involved; the number of prior offenses, if any; whether death or serious bodily injury resulting from the use of such substance; and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment; a fine of up to \$4,000,000; supervised release; any combination of the above or all three. These sanctions are doubled when the offense involves either: distribution or possession at or near a school or Institute campus, or distribution to persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute.

Further, a civil penalty of up to \$10,000 may be assessed for simple possession of "personal use amounts" of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor's senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in T.C.A. S39-17-417. It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his/her employment), or consume alcoholic beverages, wine, or beer, such offenses being classified Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than \$2,500, or both (T.C.A. SS1-3-113, 57-5-301). It is further an offense to provide alcoholic beverages to any person under the age of twenty-one (21), such offense being classified a Class A misdemeanor (T.C.A. S39-15 -404). The offense of public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than \$50, or both (T.C.A. S39-17-310).

Biennial Drug-Free Review Checklist

- Determine person responsible for coordinating a program.
- Review signed compliance records to assure that the required packet is being appropriately distributed to all students and employees and that an annual distribution is occurring.
- Review confidential survey responses to measure the program's effectiveness and determine specific needs.
- Review confidential student and employee records, which contain documentation/treatment referrals, disciplinary actions including expulsions and terminations, and related notifications to law enforcement authorities.
- Determine annual date on which distribution of packet to students and employees will be repeated.
- Determine student and employee files to ensure that copies of acknowledgment have been included.
- Determine that applicable local (city, county, township, etc.) and local, state, and federal legal sanctions for drug and alcohol statute violations are readily accessible.
- Determine that names and home numbers of any substance abuse treatment, counseling, rehabilitation, or re-entry programs in the local area are readily accessible.

- Determine that informative pamphlets are displayed, including "Common Drug Abuse" document. (Attached)
- Determine the "Drug-Free Awareness Programs" statement (attached) is posted on employee bulletin boards.
- Determine that a procedure for addressing this matter with each new student and employee at the time of orientation has been established.

Drug Prevention Memorandum

ATTACHMENT A FEDERAL POSSESSION PENALTIES 21 U.S.C. 844 (a) 1st conviction: Up to one (1) year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both. Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

1st conviction and the amount of crack possessed exceeds five (5) grams.

2nd crack conviction and the amount of crack possessed exceeds one (1) gram.

3rd or subsequent convictions and the amount of crack possessed exceeds one (1) gram.

21 U.S.C. 853 (a) (2) and 881 (a) (7) Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one (1) year imprisonment. (See special sentencing provisions re: crack) 21 U.S.C. 881 (A) (4) Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. 21 U.S.C. 884A Civil fine of up to \$10,000 (pending adoption of final regulations). 21 U.S.C. 853A Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one (1) year for first offense, up to five (5) years for second and subsequent offenses. 18 U.S.C. 922 (g) Ineligible to receive or purchase a firearm. MISCELLANEOUS Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. NOTE: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

Attachment A (continued) GEORGIA POSSESSION PENALTIES Georgia State Code 79-A801 (Control Substance Act) Marijuana:

- Less Than an Ounce Misdemeanor
- More Than an Ounce Felony
- Many Amounts Package
- For Street Sale Felony

Felony Marijuana use and other controlled substance (crack cocaine, etc.) as defined in Georgia State Code 70-A-101 is punishable under Georgia State Code 79-A 801 as follows:

- 1st offense 2 to 10 years and/or up to \$10,000.
- Mandatory 5 years up to 30 years and/or \$500,000.

Vehicles:

When controlled substance is found in any vehicle, regardless of type of vehicle or owner, vehicle will be confiscated and summarily sold.

Georgia State Code 68-B 902 (DUI Statute) 1st Offense \$300 to \$1,000 -- 10 days to one (1) year 2nd Offense \$600 to \$1,000 -- 90 days to one (1) year. Judge can suspend or revoke driver's license. 3rd Offense (within 5-year period) Mandatory \$1,000 Mandatory 120 days up to one (1) year. Judge can suspend or revoke driver's license