

## REMINGTON COLLEGE POLICY AND PROCEDURE (RPOP)

Title:	Drug and Alcohol Program Policy and Procedure
Effective Date:	December 23, 2022
Prepared By:	Remington College Legal Department
Reviewed By:	Remington College Legal Department and Directors of Campus Administration

### **I. Background**

Remington College is required by the Drug Free Schools and Communities Act Amendments of 1989 (the “Act”) to adopt and implement a Drug and Alcohol Program (“DAP”) to prevent the use of illicit drugs and the abuse of alcohol by students and employees. In accordance with this requirement, all Remington College campuses, and locations (together “Remington College” or the “College”) are committed to providing a healthy and safe learning environment for all students, employees, and guests.

Illegal use of drugs and the abuse of drugs and alcohol disrupt this environment and interferes with the academic and personal development of the students and personal and professional development of employees. As such, Remington College enforces a strict policy against the use or possession of illegal drugs, as well as the unapproved use, misuse or abuse of prescription medication, and/or alcohol. Such anti-drug and alcohol policies can help minimize drug and alcohol abuse through awareness, support and, when warranted, disciplinary actions, but it is up to every employee and student at Remington College to make an individual effort to prevent the illegal and improper use of drugs and abuse of alcohol.

Remington College students and employees may be subject to civil liability resulting from violation of the laws regarding drug and/or alcohol abuse. Such liability may exist independently of any disciplinary action taken by Remington College for violation of its policies (which includes violation of pertinent laws).

Further, in addition to the above-referenced prohibition against the illegal and improper use of drugs and alcohol, Remington College prohibits the use of tobacco products inside any College building. This policy applies equally to all employees, students, and visitors.

The DAP, described herein, shall be distributed annually to every student and employee of Remington College. Additional copies of the DAP can be obtained from the Director of Campus Administration at each Remington College campus location nationally or from an HR Representative at the Administrative Offices in Knoxville, Tennessee.

### **II. Student and Employee Drug and Alcohol Abuse Policies**

#### **A. Student Drug and Alcohol Abuse Policy**

All Remington College properties are designated as drug-free and alcohol-free environments. For purposes of this policy, “Remington College activities” include those activities that are planned, promoted, or sponsored by Remington College and/or student externship sites, including student organization events, and “Remington College property” includes Remington College owned or leased land, facilities, vehicles, and/or equipment.

Students may not manufacture, possess, use, sell, distribute, dispense, receive, or transport any controlled substances, illicit drugs, or alcohol while on Remington College property and/or participating in Remington College activities. This includes all forms of narcotics, hallucinogens, depressants,

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stimulants, and other drugs whose use, possession, or transfer is restricted or prohibited by law. Additionally, students may not be under the influence of alcohol, illegal drugs, or un-prescribed and/or improperly used controlled substances in any manner while on Remington College property and/or participating in any Remington College activities, whether or not consumed on campus premises or outside of the campus' operating hours.

Students who engage in such behavior shall be in violation of the Student Conduct and Discipline Policy and will be subject to disciplinary action, up to and including expulsion, as well as possible, referral for prosecution. Sanctions may also include referrals for appropriate rehabilitation.

Remington College reserves the right to implement several kinds of drug/alcohol testing for students at all locations. The following is a list of drug and alcohol tests that Remington College reserves the right to conduct in accordance with state and federal laws:

1. Pre-Enrollment Testing
2. Pre-Externship Testing
3. Reasonable Suspicion Testing
4. Random Testing
5. Post-Rehabilitation Testing

### Legal Sanctions

Local, state, and federal laws prohibit the unlawful possession, use, distribution, and sale of illegal drugs and underage possession, use, distribution, and sale of alcohol.

The Federal Controlled Substances Act provides penalties of up to life imprisonment and a range of fines based on amount and type of narcotics for unlawful distribution or possession with intent to distribute narcotics. For the first offense of unlawful possession of a controlled substance, a person is subject to up to one year of imprisonment and fines not less than \$1,000. Any person who unlawfully distributes a controlled substance to a person under twenty-one (21) years of age may be punished by up to twice the terms of imprisonment and fined for the first offense; and up to three times the terms of imprisonment and fined for the second offense except as otherwise authorized by law.

Students who are under twenty-one (21) years of age and who utilize, sell, or who are in the possession of alcoholic beverages are subject to the penalties of that State's underage drinking laws.

### Health Risks

Specific serious health risks are associated with the use of illegal drugs and alcohol. Some of the major risks are:

*Alcohol and other depressants (barbiturates, sedatives, and tranquilizers):* Addiction, vehicle or other accidents because of impaired ability and judgment, overdose which can result in death, damage to a developing fetus, and heart and liver damage.

*Marijuana:* Addiction, panic reaction, impaired short-term memory, increased risk of lung cancer and emphysema, and impairment of driving ability.

*Cocaine:* Addiction, heart attack, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants such as speed and uppers.

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*Hallucinogens (Acid, LSD, PCP, Ecstasy, etc.):* Unpredictable behavior, emotional instability, violent behavior, organic brain damage in heavy users, convulsions, and coma.

*Narcotics (Heroin, Demerol, Morphine, Codeine, etc.):* Addiction, accidental overdose, and risk of hepatitis and AIDS from contaminated needles.

*Inhalants (harmful gases and aerosols, glue, nitrous oxide, etc.):* Loss of consciousness, suffocation, damage to the brain and central nervous system, sudden death, nausea and vomiting, nosebleeds, impaired judgment.

### Available Drug and/or Alcohol Counseling/Treatment

Students are encouraged to seek professional help should they need assistance with drug and/or alcohol problems. Groups available for contacting are:

*1-800-662-HELP – Substance Abuse and Mental Health Services Administration*  
(TTY: 800-487-4357)

<https://www.samhsa.gov/>

The SAMHSA Helpline is a confidential, free, 24-hour-a-day, 365-day-a-year information service, provided in English and Spanish, for individuals and family members facing substance abuse issues. This service provides referrals to local treatment facilities, support groups, and community-based organizations. Callers can also order free publications and other information in print on substance abuse and mental health issues.

*1-800- 273 – TALK – National Suicide Prevention Lifeline*  
(TTY: 800-273-8255)

### **B. Smoke and Tobacco Free Campus Policy**

In keeping with the Campus' intent to provide a safe and healthy educational environment, smoking, the use of tobacco products, and use of e-cigarettes/vaping devices is prohibited inside any Campus building. This policy applies equally to all employees, students and visitors.

### **C. Employee Drug and Alcohol Abuse Policy**

All College properties are designated as drug-free and alcohol-free environments. As such, the following activities are prohibited while employees are on any College property, are participating in any College activity, and/or are participating in any student organization event. "College activities" include activities that are planned, promoted, and/or sponsored by the College. "College property" includes College-owned or leased land, facilities, vehicles, and/or equipment. In very limited circumstances, the college may permit alcohol on College properties. In these rare circumstances, the College President must grant prior approval.

Employees may not manufacture, possess, use, sell, distribute, dispense, receive, or transport any controlled substances or illicit and/or illegal drugs or alcohol. This includes all forms of narcotics, hallucinogens, depressants, stimulants, and other drugs whose use, possession, or transfer is restricted or prohibited by law. As a condition of employment under federal grants received by the College, all employees must abide by the terms of this policy and must notify the College in writing of the

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employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.

Employees may not be under the influence of alcohol, illegal drugs, or unprescribed and/or improperly used controlled substances in any manner on any College property, while at work, participating in any College activity, and/or participating in any student organization event, whether or not consumed on College premises and whether or not consumed outside of the College's operating hours.

Employees who engage in any of the aforementioned behavior(s) will be subject to disciplinary action, up to and including termination, as well as possible referral for prosecution.

The following is a list of drug and alcohol tests that the College reserves the right to conduct in accordance with state and federal laws:

1. Pre-employment drug/alcohol testing
2. Reasonable suspicion testing
3. Post-accident testing
4. Random testing
5. Post-rehabilitation testing

### Legal Sanctions

Local, state, and federal laws prohibit the unlawful possession, use, distribution, and sale of illegal drugs and the underage possession, use, distribution, and sale of alcohol.

The Federal Controlled Substances Act provides penalties of up to life imprisonment and a range of fines based on amount and type of narcotics for unlawful distribution or possession with intent to distribute narcotics. For the first offense of unlawful possession of a controlled substance, a person is subject to up to one (1) year of imprisonment and fines of not less than one thousand dollars (\$1,000). Any person who unlawfully distributes a controlled substance to a person under twenty-one (21) years of age may be punished by up to twice the terms of imprisonment and fined for the first offense; and up to three times the terms of imprisonment and fined for the second offense except as otherwise authorized by law.

Employees or visitors who are under twenty-one (21) years of age and who use, sell, or are in possession of alcoholic beverages are subject to the penalties of that state's underage drinking laws.

### Health Risks

Specific serious health risks are associated with the use of illegal drugs and alcohol. Some of the major risks are:

*Alcohol and other depressants (barbiturates, sedatives, and tranquilizers):* Addiction, vehicle or other accidents because of impaired ability and judgment, overdose that can result in death, damage to a developing fetus, and heart and liver damage.

*Marijuana:* Addiction, panic reaction, impaired short-term memory, increased risk of lung cancer and emphysema, and impairment of driving ability.

*Cocaine:* Addiction, heart attack, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants such as speed and uppers.

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*Narcotics (heroin, Demerol, morphine, codeine, etc.):* Addiction, accidental overdose, and risk of hepatitis and AIDS from contaminated needles.

*Inhalants (harmful gases and aerosols, glue, nitrous oxide, etc.):* Loss of consciousness, suffocation, damage to the brain and central nervous system, sudden death, nausea and vomiting, nosebleeds, impaired judgment.

### Available Drug and/or Alcohol Program Hotlines

Employees are encouraged to seek professional help should they need assistance with drug and/or alcohol problems. Groups available for contacting are:

*1-800-662-HELP – Substance Abuse and Mental Health Services Administration*

*(TTY: 800-487-4357)*

*<https://www.samhsa.gov/>*

*1-800- 273 – TALK – National Suicide Prevention Lifeline*

*(TTY: 800-273-8255)*

The SAMHSA Helpline is a confidential, free, 24-hour-a-day, 365-day-a-year information service, provided in English and Spanish, for individuals and family members facing substance abuse issues. This service provides referrals to local treatment facilities, support groups, and community-based organizations. Callers can also order free publications and other information in print on substance abuse and mental health issues.

### **D. Smoke and Tobacco Free Workplace Policy**

In keeping with the College's intent to provide a safe and healthy work environment, smoking, the use of tobacco products, and use of e-cigarettes/vaping devices are prohibited inside any College building. This policy applies equally to all employees, students, and visitors.

## **III. Procedures for Compliance with the DFSCA**

### **A. DFSCA Coordinator**

- All Remington College campuses will have the Director of Campus Administration, or their designee, serve as the Drug Free Schools and Communities Act Coordinator ("DFSCAC") for that campus. Any change in the name and/or contact information of the DFSCAC for each campus is to be communicated to the Remington College Legal Department immediately via email at [legal@remingtoncollege.edu](mailto:legal@remingtoncollege.edu).
- The DFSCAC must follow the requirements of this policy as it pertains to completing the biennial report and the annual compliance checklist and maintaining the various means of distributing the DAP policy for which the campus is responsible.
- The DFSCAC must review the Biennial Report and, as applicable, provide input to address campus specific issues to the Remington College Legal Department.

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- No later than November 15 of each year, the DFSCAC must complete the Annual Compliance Checklist, attached hereto as Attachment A, and submit it to the Remington College Legal Department.

### **B. Annual Completion of the Compliance Checklist**

- Completion of the compliance checklist on an annual basis is required. The checklist will measure ongoing compliance with the Act, along with continuous collection of information for preparation of the biennial report.
- For purposes of completing the annual compliance checklist, the DFSCAC is to document any and all efforts by the campus to promote an alcohol and drug free lifestyle to its students and employees (*e.g.* speakers, volunteer opportunities, posting of informational materials around campus, employee benefit programs, etc.).
- The DFSCAC must provide the completed checklist annually to the Remington College Legal Department, via email by the deadline established. Upon receipt, the Remington College Legal Department will review the contents of the checklist in conjunction with the DFSCAC, as necessary, to ensure proper completion. The Remington College Legal Department and the DFSCAC shall maintain the completed checklists.
- Upon finalization and submission of each checklist to the Remington College Legal Department, the Legal Department will review each received checklist, and an assessment will be made as to whether any changes to the policy and/or additional training is/are required.

### **C. Biennial Report**

- Completion of the biennial report is required on or before December 31 of every even-numbered year.
- For purposes of completing the biennial report, the DFSCAC is to document any and all efforts by the campus to promote an alcohol and drug free lifestyle to its students and employees (*e.g.* speakers, volunteer opportunities, posting of informational materials around campus, etc.).
- Upon receipt of the completed Annual Compliance Checklists and the DFSCAC input on the report, the Remington College Legal Department will review and finalize the contents of the report in conjunction with each campus' DFSCAC to ensure accuracy.
- The DFSCAC and the Remington College Legal Department will finalize the content of the biennial report, and the College President will sign and certify the biennial report.
- After the College President's execution of the report the Remington College Legal Department shall maintain the report with a copy maintained by the DFSCAC at the campus.

### **D. Annual Distribution of the Drug and Alcohol Program Policy**

- Each current student<sup>1/</sup> and current employee<sup>2/</sup> is required to annually receive a copy of the DAP policy. The Remington College Legal Department will

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<sup>1</sup> "Current" student means the student is enrolled at the time the DAP policy is distributed.

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distribute individual copies of the DAP policy to all current students and current employees no later than December 31 of each year to all then current students and employees. Note: the DFSCAC at the campus is not responsible for sending out the DAP Policy to current students and employees.

- To ensure that all students and employees receive the DAP policy annually, the student DAP policy will also be contained within the student catalog, which must be distributed to all incoming students upon enrollment, and the employee DAP policy will be contained within the employee handbook, which must be distributed to all newly hired employees.
- In addition to the annual notice, which is handled by the Remington College Legal Department, the DFSCAC is required to post the student DAP policy in the student lounge and the employee DAP policy in the same location as other employee posters and informational materials are posted.
- The DFSCAC is also required to review the DAP policy with all incoming students at orientation.

### **E. Compliance with this Policy**

- Failure of the DFSCAC to properly abide by the requirements of this policy may have substantial negative consequences for Remington College, including large fines and the loss of Title IV funding.
- Failure of the DFSCAC to properly follow the requirements as outlined within this policy may lead to disciplinary action, up to and including termination.
- For further clarification, please contact the Remington College Legal Department at [legal@remingtoncollege.edu](mailto:legal@remingtoncollege.edu).

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<sup>2</sup> “Current” employee means the employee is employed at the time the DAP policy is distributed.