

## **SECTION 11: DRUG-FREE CAMPUS POLICY**

### **11.1 Drug-Free Schools and Communities Act, Drug-Free Workplace Act, and Oregon Health Authority**

NUNM is committed to providing a drug-free environment. Alcohol and/or drug abuse compromises the student's ability to learn and to practice as a health provider and thus is considered unprofessional conduct. In compliance with the Drug-Free Schools and Communities Act, as amended by Public Law 100-297, and the Improving America's Schools Act of 1994, Public Law 103-382, the federal Drug Free Workplace Act of 1988 and the Oregon Health Authority and Oregon Administrative Rules 409-030-0100, NUNM is legally required and professionally committed to prevent illicit or recreational drug use and the abuse of alcohol by both students and employees.

### **11.2 Illicit Drug and Alcohol Policy**

Students are prohibited from unlawfully possessing, using or distributing, or be under the influence of or inebriated by alcohol or drugs, whether prescribed, illicit, or used recreationally, or any other intoxicant on university property or at any university event. The sale or transfer of prescription and look-a-like drugs is also a violation of university policy. Students and employees are also prohibited from consuming alcohol or drugs on campus or at NUNM-sponsored events, (except when the event is authorized by special permit; see the Exemption Request for Alcohol at University Events and Receptions policy) or from being on university-controlled property while under the influence of alcohol or intoxicants. In addition, students may not attend class or clinic under the effect of alcohol or drugs. Violation of this policy by a student will result in sanctions up to, and including, suspension or expulsion from NUNM and referral for prosecution for violation of local, state and federal laws. If state and federal law differ in establishing which drugs are illegal, NUNM follows federal law in determining whether a substance is illicit. Any student found in violation of this policy may be subject to sanctions as set forth in the Student Conduct Code.

### **11.3 Drugs/Intoxicant Violation**

Any student believed to have any detectable amount of alcohol or drugs in their system, whether prescribed, illicit, recreational or any other intoxicant, may be required to undergo a rapid urinary drug screen (RUDS). If the RUDS is found to be positive, the results will be confirmed by a second testing method completed at a DHHS-certified lab. If this testing also shows "positive," the student will be removed from class or clinic shift and subject to sanctions as set forth in the Code of Conduct.

If the RUDS demonstrates the presence of a prescription drug, a valid prescription for the drug must be provided, and disciplinary measures may be invoked if the student is visibly inebriated or suffering cognitive impairment while on the medication.

**The university's initial and foremost response to reported or observed violation is counseling in and conjunction with other disciplinary actions.**

### **11.4 Alcohol Violation**

Any student whom NUNM has reasonable grounds to believe is intoxicated will be required to undergo a blood alcohol test that will be administered at a facility designated by NUNM. Refusal to take this blood alcohol test can result in immediate suspension from NUNM. *If the student is working a clinic shift, having a test that shows any alcohol in the student's system will result in immediate removal from the clinic shift and subject to sanctions as set forth in the Code of Conduct.*

### **11.5 Legal Consequences**

There are both state and federal sanctions regarding the possession or distribution of illegal drugs. Oregon has strong laws that allow the seizure and forfeiture of vehicles used to transport illegal drugs by law enforcement agencies. Alcohol is an illegal drug for those under age 21. For drivers under age 18, any detectable amount of alcohol is grounds for losing an operator's license until age 18. Most "recreational" drugs are illegal, and criminal conviction may bar a student from their chosen career path.

### **11.6 Education and Rehabilitation**

Students who may be having difficulty with alcohol and/or drugs are encouraged to seek appropriate counseling. In addition, in compliance with federal law, NUNM is prepared to educate and inform its students and employees of the health risks associated with the use of various illicit drugs and the abuse of alcohol. NUNM is also prepared to refer students to counseling and treatment resources, and to inform students of legal penalties of noncompliance. Students are encouraged to avail themselves of an appropriate counseling, treatment or rehabilitation program. NUNM aims to share concern for those struggling with substance abuse and support their decision to enter counseling or recovery programs. Even so, drug and/or alcohol use and abuse is not tolerated on campus because of the inevitable effects on others.

Resources concerning treatment and rehabilitation programs are available in the Office of Student Life. University officials may consider a student's participation in such a program when applying sanctions for violations of this policy.

### **11.7 Drug Testing**

In compliance with the Oregon Health Authority and Oregon Administrative Rules 409-030-0100, as of July 1, 2015, all incoming students are required to undergo a drug screen prior to matriculation at NUNM. Students enrolled prior to July 1, 2015, are required to undergo a drug screen prior to any clinical rotations or field-work experience.

Incoming students must submit a urine sample at a Department of Health and Human Services (DHHS)-certified lab in the 30 days prior to the beginning of their NUNM matriculation date. Refusal to take the required substance test will result in a revocation of the offer of admission to NUNM. The student will forfeit the enrollment deposit. Students are responsible for paying for the drug screening when they arrive at the lab.

Currently enrolled students may be required to undergo a drug screening prior to their first clinical rotation or field work experience. Refusal to take the required substance test may result in an interim suspension from NUNM and will prohibit the student from participating in clinical rotations or fieldwork at NUNM or any of its affiliates and a referral to Honor Council.

The 10-panel urinary drug screen must include the following eight substances: amphetamines, including methamphetamines; barbiturates; benzodiazepines; cocaine; marijuana; methadone; opiates; and phencyclidine.

For incoming students, a refusal to take the required substance test may result in a revocation of the offer of admission to NUNM. For current students, a refusal to take the required substance test may result in an interim suspension from NUNM, which prohibits the student from participating in courses, clinical rotations, or fieldwork at NUNM or any of its affiliates.

### **Drug Screening Results for Current Students**

Students who receive a urinary drug screen that is "dilute-positive," "dilute-negative," "positive" or "invalid" in any way, are sent to a Medical Review Officer (MRO), an independent third-party licensed physician who is responsible for receiving and reviewing lab results generated by the urinary drug screen process. The MRO will contact only students with a test result other than a

negative screening result. Any prescribed medications that may appear on the 10-panel urinary drug screen can be submitted to the MRO. NUNM does not accept medical prescriptions for marijuana.

Students whose urinary drug screen is “dilute-positive,” “dilute-negative,” “positive” or “invalid” in any way—the test is considered void/invalid. The student is responsible to take a subsequent drug test within 30 days of the void result. The student will be put on interim clinical suspension until a negative drug result is received. Failure to complete a subsequent urinary drug screen within this time period will result in clinical suspension and a referral to Honor Council.

Students who have had a void or invalid drug screen may be required to undergo a rapid urinary drug screen (RUDS) at any point during their academic or clinical career, with or without cause. If the RUDS is found to be positive, the results will be confirmed by a second testing method completed at a DHHS-certified lab. If this testing also shows “positive,” the student will be removed from class or clinic shift and subject to sanctions as set forth in the Code of Conduct.

Refusal to take the required substance test may result in an interim suspension from NUNM and will prohibit the student from participating in classes, clinical rotations, or fieldwork at NUNM or any of its affiliates.

Possession of marijuana, in any quantity, on any NUNM property or during classes, clinical rotations, or fieldwork is against NUNM policy and federal law. In addition, failure to comply with federal laws and regulations on marijuana possession and use on campus jeopardizes the university’s continued receipt of federal funds. Thus, NUNM does not accept medical prescriptions for marijuana.

### **Costs**

Students will be financially responsible for all drug screening fees. For current students, the lab fee for the urinary drug screenings will be added to each student’s account.

### **Record Retention**

The Office of the Chief Medical Officer will maintain a database recording that the student has complied with all clinical entry requirements stipulated in OAR 409-030-0100.

This information can be shared with affiliated hospitals, clinics, and fieldwork sites that request this information to prevent students from having to comply with further drug testing at their facility and to assure affiliated hospitals, clinics, and fieldwork sites that the student has complied with the policy. Students who wish this information to be released to affiliated hospitals, clinics, and fieldwork sites can submit a Release of Information form to the Chief Medical Officer’s Office.

If a student receives a positive result from the confirmatory drug screening, the report will be forwarded to the dean for students for review and referral to the Honor Council.

### **11.8 Policy Review**

NUNM’s Drug and Alcohol Abuse Program will be reviewed biennially to determine its effectiveness. Changes will be made as appropriate. The president will ensure that these disciplinary sanctions are consistently enforced through regular review of managers.

### **11.9 Exemption Policy for Request for Alcohol at University Events and Receptions**

NUNM complies with the Drug-Free Work Act of 1988, the Drug-Free Schools and Communities Act of 1989, and State of Oregon laws. NUNM prohibits the consumption or distribution of alcohol on university properties, whether or not it is an NUNM-sponsored event, and at off-site university sponsored events.

A student organization or department that would like to request an exemption to the no alcohol policy for an event, may petition the appropriate office for exemption by submitting an “NUNM Alcohol Exemption” form. This applies to all university-sponsored events on- or off-campus.

Exception for special consideration for exemption to this policy must be made no less than two (2) weeks prior to the event date to the appropriate office, and if approved, all delineated requirements must be met.

Any person or organization who wishes to have an event with alcohol, and petitions for exemption, must designate an event host. The event host is responsible for the overall management of the event as well as compliance to city, state and federal laws, and NUNM policies. The event host shall read, understand and agree to all policies and procedures, as well as submit the “NUNM Alcohol Exemption” form for approval a minimum of two (2) weeks prior to the event.

All requests for exemption for alcohol require at least three signatures for final approval. In cases of events at which students are present, approval is required by the dean of students (or designee); in cases of institutional or departmental events at which staff or faculty are present, approval by the director of human resources is required. If students and employees are present, both the director of human resources and the dean of students (or designee) must approve the form. In cases of non-NUNM events, approval is by the vice president for finance and administrative affairs or designee. The Office of Security and the Office of the President must also sign off on all petitions for final approval. Any violations of these requirements, or the regulations and policies outlined below, will result in disciplinary acts on the part of NUNM.

In addition to federal and state laws, the following regulations and policies shall be enforced when alcohol is present at any event.

1. No persons under the age of 21 shall possess or consume alcohol. All persons who attend the event must be prepared to show government-issued picture identification.
2. No student, employee or other person shall knowingly or intentionally furnish, sell, supply, give or provide alcohol to a person under the age of 21; or allow any person under the age of 21 to possess or consume alcohol.
3. No alcohol will be served to persons who appear to be intoxicated.
4. Non-alcohol beverages, in addition to water, must be prominently displayed and available during the event.
5. No less than two different types of substantial food shall be served at each event, with food services beginning prior to the consumption of alcohol and continuing until the end of the event.
  - a. “Different” means food items that differ in their primary ingredients and/or method of preparation (i.e., cheese pizza and pepperoni pizza are different).
  - b. “Substantial” means food items prepared or cooked and that are typically served as a main course or entrée (i.e., pizza and sandwiches are substantial however, chips and popcorn are not).
6. Alcohol service must be discontinued no later than 30 minutes prior to the end of the scheduled event.
7. Alcohol must be served by servers who hold current servers licensing, and only servers may serve alcohol. Receptions that are limited to less than 10 people and are closed, invitation-only events, do not require a licensed alcohol server. However, the event host is responsible for compliance with all laws and policies. Self-service and bring your own (BYO) is not permitted.
8. Servers will not consume alcohol while working, nor serve more than one alcohol beverage to a single person at one time.
9. NUNM employees shall not consume alcohol unless they have completed their normal work schedule. This is in compliance with the Drug-Free Workplace Act.

10. Sponsoring groups who wish to provide alcohol at events sponsored by the university or on university property must designate an event host. The event host is responsible for the submission of the "NUNM Alcohol Exemption" form for approval to the approving body no fewer than two (2) weeks prior to the event. Failure to comply with the deadline may result in denial of permit.
11. The event host may not consume alcohol during the event to ensure all policies, procedures, regulations and laws are being followed.
12. No alcohol will be sold on university properties unless the events are catered through food service and have been approved through the NUNM process. NUNM does not hold a liquor license. The food service provider must apply for and receive a Temporary Sales License through the Oregon Liquor Control Commission office (OLCC). Events where donations or tickets are required for alcohol/entry to the event, or if alcohol is being raffled as a prize, an OLCC liquor license will be required.
13. Alcohol on university property will be limited to beer, wine and champagne only. No hard liquor or distilled spirits are allowed.
14. No student activities money shall be used for the purchase of alcohol without the approval of the dean of students (or designee); whether the event is on- or off-campus.
15. No alcohol beverages shall be served at university student recruitment functions.
16. Publicity of events should focus on the entertainment, speeches, presentations and/or other activities and should not focus on alcohol. Advertisements cannot mention alcohol as a means of promotion of the event.
17. Alcohol beverages must be consumed in the designated event area(s) and must not leave the university property.
18. Alternative transportation options must be planned for and, if deemed necessary, provided by the event host to anyone who appears to be intoxicated. Alternative transportation fiscal responsibility is that of the event host.
19. Security may be required at the event, especially if there are minors present for the event. Fiscal responsibility for security may be the responsibility of the event host. Please contact the chief security officer to arrange for security for the event. Final approval for the event will not be granted until after the chief of security has given authorization.
20. Failure to comply with all these established rules, regulations and laws will result in disciplinary action through either the Student Code of Conduct or through Human Resources as delineated in the student and employee handbooks.

Upon submission of the "NUNM Alcohol Use Exemption" form by the event hosts to either the dean of students (or designee), director of human resources or vice president for financial and administrative affairs, it will be reviewed. If approved, the event host will submit the form to the Office of Security for approval. If approved, the event host will then submit the form to the Office of the President for final approval and returned to the dean of students. The form will be kept on file in the Office of the Dean of Students with copies submitted to the approving bodies.