

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, drug paraphernalia, using, or under the influence of alcohol or drugs 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, are under the influence of, or possess illicit drugs or alcohol on the IAIA campus 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.

a. Students shall not use, possess, manufacture, dispense, sell, distribute or be under the influence of any State of Federally controlled substances or drug paraphernalia on IAIA premises or property controlled by the IAIA, except as authorized by law.

b. "Controlled Substances" means 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, 11 to 1308.15 where the use is neither authorized by law nor a valid prescription, or the misuse of a 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, hallucinogens, and certain prescription drugs.

c. 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 and referral for investigation and/or prosecution by law enforcement agencies for violation of the standards of conduct.

d. Substance abuse also includes unauthorized use or possession of or being under the influence of alcohol, alcoholic beverages, or illegal substances 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.

e. "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, or during any period of time IAIA employees are supervising students on behalf of IAIA or otherwise engaged in IAIA business.

f. Prescription drugs, so long as these drugs do not adversely affect the student'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 their work-study supervisors. This policy will apply to the misuse of legal drugs.

g. The IAIA will confiscate alcoholic beverages and/or illegal drugs and drug paraphernalia 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, and the names of witnesses.

h. The first time a student is found in the possession of drug paraphernalia, using, under the influence of, or in the presence of drugs or alcohol on the IAIA campus, he or she will be placed on disciplinary probation and 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. The second offense in the same academic year will result in the student being suspended from the IAIA residential housing and face possible suspension or expulsion from the entire IAIA program. The two strike policy will not apply if, in addition to violating policy, the student has engaged in any of the violations addressed in the immediate suspension clause found under POLICY VIOLATION PROCEDURES in the Student Handbook.

i. The IAIA will contact the proper law enforcement agencies to investigate the distribution of alcohol to minors (under 21) and the distribution of controlled substances to the community. Procedures for handling violations of the Alcohol and Substance Abuse Policy can be found under the INSTITUTE POLICIES & REGULATIONS of the Student Handbook.

j. IAIA's primary concern is the safety of students, staff, and faculty and encourages the report of misconduct and crimes by victims and witnesses. We recognize that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

IAIA will grant amnesty to victims and witnesses who may have violated IAIA policies related to the use of drugs, or alcohol at the time they experience or witness domestic violence, dating violence, stalking or sexual assault. Any major violation of state or federal criminal law involving the possession of alcohol or illegal drugs may result in prosecution, and IAIA cannot grant amnesty from proceedings in the criminal justice system.

An anonymous report can be submitted at <https://iaia.edu/student-life/title-ix-campus-safety/> and is located on the IAIA website under Student Life/Title IX.

EDUCATION PROGRAM

A. The Office of 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 Office of Student Life will also post information concerning alcohol and drug abuse policy and programs in prominent areas.

C. The IAIA catalog and class schedules published each semester 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; disciplinary sanctions which may be imposed on students for violation of this policy include but are not limited to warnings, (referral to and satisfactory completion of rehabilitation programs), academic probation, suspension from academic or extracurricular programs, and suspension from IAIA and expulsion. IAIA also reserves the right to make referrals to law enforcement agencies for investigation and prosecution.

E. Registration material at the beginning of each semester and summer sessions (continuing education students excepted) will include a copy of the policy.

This policy is adopted in accordance with Public Law 101-226, Drug Free Schools and Communities Act Amendments of 1989, for receipt of federal program funds.

Approved at the IAIANCAD Board of Trustees Meeting: May 1993

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, Vacant	424.2380
Counselor	424.5758
Housing Staff	428.5802/5808



Retention Director, Jeminie Shell

424.5707

COMMUNITY ASSISTANCE

SF Indian Health Services (IHS)

505.946.9283

Christus St. Vincent's Hospital

505.913.5540

ER Crisis Counselor-Suicide Assessment

Crisis Response of Santa Fe

505.820.6333

Sobering Center-Detox

505.913.4330

Alcoholics Anonymous (AA)

505.982.8932

Meeting times and places of AA, NA, Al-Anon and ACOA programs

AA Friendship Club

505.982.9040

Join the Tribe (AA) IAIA Hogan

505.424.5758

Life Link Treatment Services

505.438.0010

La Luz Shelter

PMS Community Guidance Center

505.986.9633

Counseling, case management, psychiatric care for children, adults and families.

Santa Fe Recovery

505.471.4985

Services for people with drug/alcohol problems

Tierra Nueva Counseling Center

505.471.8575