

Avalon Institute is committed to providing an environment free of abuse of alcohol, prescription drugs, and illegal drugs. Avalon Institute has an obligation to provide a healthy and safe environment for all students, employees, and visitors. Therefore, Avalon Institute has adopted a policy that seeks to prevent the illicit use of drugs and the abuse of alcohol by all employees and students.

In accordance with the Drug-Free Schools and Communities Act, the Drug-Free Workplace Act of 1988, and other applicable federal laws, employees and students are hereby notified that the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances (drugs and alcohol, including prescription drugs, including marijuana) is harmful and is prohibited on all company-owned or -controlled property and at company-sponsored or supervised events. Avalon Institute's property includes (but is not limited to) the following locations:

- a) the entire campus facility;
- b) any location used for an off-site school function; and
- c) off-site locations, if any employee is in the service of Avalon Institute in any capacity.

No employee or student is to report or return to work or any company activity while under the influence of drugs or alcohol.

For employees only, social activities held off-premises and paid for on a personal basis are generally not affected by this policy. If management considers it appropriate and approves of such use in writing, alcoholic beverages may be served at company-sponsored events held off-premises and for purely social reasons.

All employees and students must comply with federal, state, and local law regarding the possession and consumption of alcohol and controlled substances. Legal sanctions for failure to comply with local, state, and federal laws may include: suspension, revocation, or denial of a driver's license; loss of eligibility for federal financial aid or other federal benefits; disqualification from employment; property seizure; community service; imprisonment; and/or monetary fines.

Drugs and alcohol can be highly addictive and injurious to the body. Consumption of drugs or alcohol cause a number of marked changes in behavior and serious health threats, including (but not limited to) loss of sense of responsibility, memory, coordination, restlessness, irritability, anxiety, paranoia, depression, inattentiveness, loss of appetite, loss of mental functions, sexual indifference, coma, convulsions, hallucinations, tremors, chemical dependence, lung, liver, or nervous system damage, and death. Impairment of employees while on the job or students while in school is likely to result in injury to others or third parties and affects the morale and productivity of everyone.

For employee applicants, having a past history of substance abuse does not preclude you from employment. In accordance with applicable law, applicants who have a past history of substance abuse and who have demonstrated an ability to abstain from the substance, or who can provide medical assurance of acceptable control, may be considered for employment as long as they are otherwise qualified for the position for which they are applying.

As long as the information is not necessary for legal or security purposes, Avalon Institute will keep employee and applicant medical and personal information confidential, in accordance with the law.

Due to Avalon Institute's participation in Title IV Federal Funds Programs, Avalon Institute has established a Drug-Free Workplace and Drug & Alcohol Policy & Abuse Prevention Program. All employees and students must read, understand, and sign a statement regarding this policy and, as a condition of employment/enrollment, agree to willingly participate in the program and abide by the terms of the policy. Avalon Institute has established this program to inform employees and students about:

- a) the dangers of drug abuse in the workplace;
- b) Avalon Institute's policy of maintaining a drug-free environment;
- c) any available drug counseling, rehabilitation, and employee assistance programs; and
- d) the penalties that may be imposed upon employees or students for drug abuse violations.

In accordance with this policy and program, Avalon Institute has imposed the following requirements:

- a) Employees shall notify their supervisor or other appropriate management personnel, students shall notify the Education Director or School Director, of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
- b) Avalon Institute shall notify any federal contracting agency within ten days of having received notice that an employee or student engaged in the performance of such contract or grant has had a criminal drug statute conviction for a violation in the workplace; and
- c) Avalon Institute will take appropriate action against any employee or student who is convicted for a violation occurring in the workplace or will require the employee's/student's satisfactory participation in a drug abuse assistance or rehabilitation program.

Any violation of this Drug-Free policy, along with any unsatisfactory conduct as related to this policy, may result in discipline including (but not limited to) termination, in Avalon Institute's sole discretion. Violation of this policy will result in the following timely action being taken by Avalon Institute including (but not limited to):

- a) requiring the employee/student to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency, including mandatory counseling, evaluation, treatment, and rehabilitation for a drug-use or alcohol-use disorder;
- b) appropriate personnel action, including but not limited to, termination of employment/enrollment; or
- c) referral for prosecution consistent with local, state, and federal law.

Disciplinary action by Avalon Institute does not preclude the possibility of criminal charges against an employee. The filing of criminal charges similarly does not preclude action by Avalon Institute.

Employees/students are required to report any violations of this policy by their peers to their Supervisor/School Director.

SYMPTOMS AND INTERVENTION TECHNIQUES:

If substance abuse is contributing to an employee's poor performance, ignoring or avoiding the issue will not help the situation. An employee's use of alcohol or drugs may be the root of the performance problem; however, substance abuse on the part of someone close to the employee also could be the source. Regardless, abuse of alcohol or other drugs inevitably leads to costly and potentially dangerous consequences in the workplace unless action is taken to confront the issue.

It is important to note that diagnosis of an alcohol or other drug problem is not the job of a supervisor. However, remaining alert to changes in employee performance and working to improve employee productivity is a core component of every supervisor's job. Because substance abuse seriously affects an employee's ability to fulfill his/her responsibilities, supervisors play a key role in keeping a workplace alcohol and drug free.

To carry out this responsibility, a supervisor must clearly understand a company's drug-free workplace policy and have the ability to identify performance problems that may be the result of alcohol and drug abuse. Furthermore, a supervisor should be capable of making appropriate referrals to employees in need of assistance for alcohol- or drug-related problems.

Symptoms

The following performance and behavior problems are common to many employed individuals who abuse alcohol and/or other drugs. It is important to note that if an employee displays these symptoms, it does not necessarily mean he or she has a substance abuse problem.

Performance

- inconsistent work quality
- poor concentration
- lowered productivity
- increased absenteeism
- unexplained disappearances from the jobsite
- carelessness, mistakes
- errors in judgment
- needless risk taking
- disregard for safety
- extended lunch periods and early departures

Behavior

- frequent financial problems
- avoidance of friends and colleagues
- blaming others for own problems and shortcomings
- complaints about problems at home
- deterioration in personal appearance
- complaints and excuses of vaguely defined illnesses

Intervention

When an employee's performance deteriorates for whatever reason, his/her supervisor has an obligation to intervene. The supervisor does not need to be an expert on alcohol and drug abuse to do so because the intervention should be focused on the employee's performance problem.

The following principles of intervention may be followed by supervisors who need to confront a staff member about a performance problem that may be related to substance abuse.

Maintain control

- Stick to the facts as they affect work performance.
- Do not rely on memory; have all supporting documents and records available.
- Do not discuss alcohol or drug use.

Be clear and firm

- Explain company policy concerning performance.
- Explain company drug-free workplace policy.
- Explain consequences if performance expectations are not met.

Be supportive, but avoid emotional involvement

- Offer help in resolving performance problems.

Identify resources for help in addressing personal problems.

Arizona Treatment Centers

Prescott House Inc. in Prescott Arizona is a state licensed, extended-care treatment facility for men in Arizona who need further treatment beyond primary inpatient treatment for a wide range of personal issues. We offer a supportive environment that embraces the principles of 12-Step programs to treat alcoholism and other drug addictions. (866) 425-HOPE

A Sober Way Home located in Prescott Arizona offers inpatient residential addiction treatment for alcohol and drug addictive disorders. A Sober Way Home's program embraces the 12 step model for recovery in addition to providing individual and group counseling. 30-60-90 day rehab programs are available with sober living and extended care

services optional. Please contact us today to learn more about or life changing recovery programs. (877) 917-6237

Women In New Recovery facilities in Mesa and Prescott Arizona provide women with beautiful, safe, residential environments where women recovering from alcohol and drug dependency are supported by professional staff and other women who have been successful in recovery. WINR also provides extended care addiction treatment. Women In New Recovery's 12 Step-based program and orderly living environment promote sober socially-acceptable attitudes and life skills which foster profound personality changes in women. (480) 464-5764

Arizona is an amazing state for recovery. Many people are surprised to learn that Prescott Arizona, located about 100 miles north of Phoenix has mountains and pine trees. Speaking of Prescott, Prescott Arizona has been one of the best kept secrets regarding places to recover. The town's population is small, about 30,000 people, and very big on addiction recovery. It is also host to over 100 - 12 step meetings per week.

Since Prescott is a small intimate town, people tend to be friendly, supportive and there is an overall laid back feel. Arizona is a great place to embark on a new life in recovery. If someone does not have transportation or a driver's license, one can easily walk to where ever they need to go. The above treatment centers all have locations in Prescott, Arizona.

Colorado Treatment Centers

CeDAR at University of Colorado Hospital CeDAR is the Center for Dependency, Addiction and Rehabilitation. Founded in November 2005, CeDAR is a renowned treatment facility for substance use and co-occurring disorders. We are a premier provider of residential and outpatient treatment uniquely integrated into the UCHHealth system and the University of Colorado Hospital, a nationally recognized academic medical center affiliated with the University of Colorado School of Medicine. This partnership allows CeDAR to develop, implement and continually advance a highly specialized, multi-disciplinary treatment approach. CeDAR provides a full continuum of care including Medically Managed Detoxification and Stabilization, 31-Day Intensive Inpatient Residential, 60-90-Day Residential Extended Care, Day Treatment, Intensive Outpatient Treatment, Outpatient Counseling, Addiction Psychiatry, Integrated Addiction Medicine and Primary Care, Recovery Coaching, Long-Term Recovery Management and Support Services We can help individuals 18 and over conquer addiction and begin a lifetime of health and wellness. Whether you've tried addiction treatment before, or if it's your first time we understand and we can help you. (877) 345-8981

Sandstone Care Drug & Alcohol Treatment Center provides drug and alcohol treatment for young adults (ages 18 to 30), adolescents (ages 13 to 18), and adults (ages 30+) including Medically Managed Inpatient Detox, Residential Treatment, Day Treatment (PHP), Intensive Outpatient (IOP), and General Outpatient (OP) programming. We utilize evidence-based practices and take an integrated approach to care which is customized for the needs of each individual, addressing not only the substance use or addiction issues, but also any underlying mental health conditions (co-occurring disorders). In addition to substance abuse and co-occurring disorder treatment, we work with the whole ecosystem of an

individual by providing academic & vocational support prior to every group session, weekly multi-family group sessions, weekly individual sessions, and participation in community events and teen and young adult community meetings. Sandstone Care is licensed through the Colorado Office of Behavioral Health and accepts most insurance providers. In addition, Sandstone Care is fully accredited by The Joint Commission for substance abuse and dual-diagnosis treatment. For more information about our specific programs please visit our website. (866) 283-9148

North Range Behavioral Health provides compassionate, comprehensive treatment for people facing mental health and addiction challenges. We offer outpatient counseling services as well as crisis support and community-based programs for all ages. Our proven, innovative approaches are based on your strengths, values, and goals. Are you or someone you love in a crisis? Please call Colorado Crisis Services at 844.949.TALK (8255). If you are in Weld County, call 970.347.2120, or come to our Crisis Support Services at 928 12th Street, in Greeley. Services are available 24 hours a day, 7 days a week, 365 days a year. Our office is located inside the Indian Peaks Medical Center. Services include: Child, youth, family, and adult outpatient support and therapy; individual and group therapy; child and adolescent in-home services; early childhood development education and assessment; medication evaluation and monitoring; DUI and domestic violence education and treatment; and Mental Health First Aid training. (720) 547-2260

Valley Hope of Parker has provided substance use disorder treatment to adults in the south Denver metro area since 1989. The facility offers 10 detox beds and 40 residential beds, along with 24/7 nursing care, in a comfortable country setting. Our continuum of care includes detox, residential, family counseling and online treatment. Treatment is tailored to individual need and medication assisted treatment may be used when appropriate. Close proximity to Denver International Airport allows easy access from anywhere in the U.S. We're here to help you get the treatment you need. (303) 625-6702

Utah Treatment Centers

Ark of Little Cottonwood 2919 East Granite Hollow Street, Sandy, UT 84092

Primary Focus of Provider: Mix of Mental Health and Substance Abuse Services (MH-SA); Services Provided: Substance Abuse Treatment (TX), Detoxification (DT), Buprenorphine used in Treatment (BU); Type of Care: Partial Hospitalization/Day Treatment (PH), Residential Short Term (RS), Residential Long Term (RL); Specific Programs/Groups Offered: Persons with Dual Diagnosis (CO), Seniors (SE), Pregnant/Postpartum Women (PW), Women (WN), Men (MN); Forms of Payment Accepted: Self Payment (SF), Private Health Insurance (PI), Military Insurance - V.A./TRICARE (MI); Payment Assistance Available: Payment Assistance (PA); Special Language Services: Spanish (SP)

Ascend Recovery Highland, UT 84003

Ascend Recovery is a cutting edge recovery center that synthesizes the best medical expertise offered by several different modalities. Ascend Recovery is a dual diagnosis center specializing in treating the disease of addiction as well as any underlying mental health issues. Primary Focus of Provider: Substance Abuse Treatment Services (SA), Mix of Mental Health and Substance Abuse Services (MH-SA); Services Provided: Substance

Abuse Treatment (TX); Type of Care: Outpatient (OP), Residential Short Term (RS), Residential Long Term (RL); Specific Programs/Groups Offered: Persons with Dual Diagnosis (CO), Gay and Lesbian (GL), Women (WN), Men (MN); Forms of Payment Accepted: Self Payment (SF), Private Health Insurance (PI); Payment Assistance Available: Sliding Fee Scale (SS)

Life-Line 1130 W. Center Street, North Salt Lake, Utah 84054

When Good Kids Make Bad Choices. In today's world, it's too easy for teens to make bad decisions. Even the best kids can lose their way. For 20 years Life-Line has brought hope and healing to thousands of families suffering from substance abuse, depression, family relationship problems, criminal behavior, school problems, etc. Primary Focus of Provider: Substance Abuse Treatment Services (SA); Services Provided: Substance Abuse Treatment (TX), Halfway House/Sober Living (HH); Type of Care: Residential Short Term (RS), Residential Long Term (RL); Specific Programs/Groups Offered: Adolescents (AD), Women (WN), Men (MN)

Odyssey House, Inc. 68 S. 600 East Street, Salt Lake City, UT 84102

Adult Treatment Program. Primary Focus of Provider: Substance Abuse Treatment Services (SA); Services Provided: Substance Abuse Treatment (TX); Type of Care: Residential Long Term (RL); Specific Programs/Groups Offered: Women (WN), Men (MN); Forms of Payment Accepted: Self Payment (SF), Medicaid (MD), State Financed - Other than Medicaid (SI), Private Health Insurance (PI), Military Insurance - V.A./TRICARE (MI); Payment Assistance Available: Sliding Fee Scale (SS)

NATIONAL HELPLINES FOR EMPLOYEES & STUDENTS

The following organizations and resources provide free, confidential assistance to individuals who have, or know someone who has, a problem with alcohol or other drugs.

Substance Abuse Treatment Locator

Phone: 1-800-662-HELP or online at: www.findtreatment.samhsa.gov

This Substance Abuse and Mental Health Services Administration (SAMHSA) Web site and toll-free phone line help individuals locate drug and alcohol abuse treatment programs in their communities.

AlcoholScreening.org

Online at: www.alcoholscreening.org

This free, confidential Web site lets individuals privately assess their own drinking habits and receive personalized feedback to help them determine if they need help to change those habits. Individuals can also find out about facilities in their communities that offer drug and alcohol abuse treatment and consultations with qualified health professionals regarding alcohol problems.

Al-Anon/Alateen

Phone: (888) 4AL-ANON or online at: www.al-anon.alateen.org

Al-Anon provides information on the effects of alcohol abuse and refers friends and families of alcohol abusers to nearby support groups. Al-Anon's purpose is to help families and friends of alcoholics recover from the effects of living with a relative or friend with a drinking problem. Alateen is the organization's program for young people whose lives have been affected by someone else's drinking.

Alcoholics Anonymous (AA)

Phone: (212) 870-3400 or online at: www.aa.org

AA offers a way to stop drinking to individuals who feel they have a problem with alcohol. AA groups are located in most cities and rural communities throughout the country. Look up "Alcoholics Anonymous" in a local telephone directory for a contact in your area.

American Council on Alcoholism

Phone: (800) 527-5344 or online at: www.aca-usa.org

This service provides referrals to alcoholism treatment programs nationwide and distributes written materials on alcohol abuse problems.

Cocaine Anonymous

Phone: (800) 347-8998 or online at: www.ca.org

Cocaine Anonymous provides support for people dependent on cocaine and other mind-altering substances. Callers are referred to local helplines.

Nar-Anon

Phone: (800) 477-6291 or online at: www.nar-anon.org

This worldwide program provides support for friends and families of individuals with substance abuse problems.

National Council on Alcoholism and Drug Dependence Hopeline

Phone: (800) NCA-CALL or online at: www.ncadd.org

This organization, a planning and oversight agency for public substance abuse treatment programs, provides written information on alcohol and drug abuse and referrals to treatment and counseling services nationwide.

LOCAL, STATE & FEDERAL PENALTIES & SANCTIONS:

Federal Law:

Possession of Illicit Drugs

- Federal laws prohibit illegal possession of controlled substances.
- First offense: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- Second offense: 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.

- Third offense: 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 5 grams.
 - 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
 - 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

Trafficking of Illicit Drugs

- Under federal law, the manufacture, distribution, dispensation or possession with intent to manufacture, distribute or dispense of all Schedule I and II illicit drugs (e.g., cocaine, ecgonine, methamphetamines, heroin, PCP, LSD and all mixtures containing such substances) is a felony.
- First offense: (dependent upon the amount and type of substance) prison sentences of ten years to life (20 years to life if death or serious bodily injury is involved) and fines of up to \$10,000,000 for offenses by individuals (\$50,000,000 for other than individuals).
- Federal law also prohibits trafficking in marijuana, hashish, hashish oil and mixtures containing such substances.
- First offense: prison sentence up to five years and fines of up to \$250,000 for offenses by individuals (\$1,000,000 for other than individuals). Penalties vary depending upon the quantity of drugs involved.
- Second offense: prison sentence up to ten years (not less than life if death or serious injury is involved), and fines of up to \$500,000 for offenses by individuals (\$2,000,000 for other than individuals).
- The trafficking of medically useful drugs (e.g., prescription and over-the counter drugs) is illegal.

Arizona Law:

Alcohol

- It is a crime to sell, furnish or give alcoholic beverages to a person under age 21 or to any obviously intoxicated person.
- It is a crime for a person under the age of 21 to purchase or possess alcoholic beverages.
- It is a crime to sell alcohol without a valid liquor license or permit.
- It is a crime for any person to drink while driving, to have an open container of alcohol in a moving vehicle or to drive under the influence of alcohol.
- It is a crime to be intoxicated in a public place.

- Intoxication is presumed at blood levels of .08% or higher, but since Arizona is a zero-tolerance state, any level of alcohol could result in a DUI charge.

Penalties for Drunk Driving Offenses:

- Standard DUI, 0.08+, first offense: 10 days in jail; fines are about \$1,500, plus jail costs and \$80 monitoring fee; screening and counseling is required; 90-day driver's license suspension or one-year revocation; 12-months of interlock device on vehicle; no community service.
- Standard DUI, 0.08+, second offense: 90 days in jail, home detention eligible (after six days); fines: about \$3,500, plus jail/home detention costs and \$80 monitoring fee; screening and counseling is required; One-year driver's license revocation; 12-months of interlock device on vehicle; 30 hours community service.
- Extreme DUI: 0.15+, first offense: 30 days in jail, home detention eligible (after two days); fines: about \$2,780, plus jail/home detention costs and \$80 monitoring fee; screening and counseling is required; 90-day driver's license suspension; 12 months of interlock device on vehicle; no community service.
- Extreme DUI: 0.15+, second offense: 120 days in jail, home detention eligible (after 24 days); fines: about \$3,740, plus jail/home detention costs and \$80 monitoring fee; screening and counseling is required; one-year driver's license revocation; 12 months of interlock device on vehicle; 30 hours community service.
- Super Extreme DUI: 0.20+, first offense: 45 days in jail, home detention eligible (after 3 days); fines: about \$3,240, plus jail/home detention costs and \$80 monitoring fee; screening and counseling is required; 90-day driver's license suspension; 18 months of interlock device on vehicle; no community service.
- Super Extreme DUI: 0.20+, second offense: 180 days in jail, home detention eligible (after 36 days); fines: about \$4,650, plus jail/home detention costs and \$80 monitoring fee; screening and counseling is required; One-year driver's license revocation; 24 months of interlock device on vehicle; 30 months community service.

Illicit Drugs

- Possession of Dangerous Drugs: Dangerous drugs include methamphetamines, LSD, steroids, psilocybic mushrooms, mescaline, GHB, ecstasy, clonazepam, and more. If you are charged with possession of dangerous drugs, you will face Class 1 Misdemeanor charges, up to 6 months in jail and fines reaching \$2,500.
- Possession of Narcotics: Under Arizona law, you could be charged with possession of narcotics if you are found with cocaine, heroin, oxycodone, morphine, opium, and more. This is considered a Class 5 Felony charge and carries with it a potential 18 month prison sentence.
- Possession of Marijuana: Interestingly, marijuana laws in Arizona are almost more complex than those drugs considered more addictive and dangerous. Possession of less than 2 pounds is considered a Class 6 felony and carries a potential year in prison. For additional information on marijuana charges and penalties, see our Arizona marijuana possession laws page.

- **Deferred Prosecution:** When you are charged with possession of a controlled substance, you could qualify for something called deferred prosecution. This is an effort by the state to keep people out of jail and to give them a second chance. It isn't available under all circumstances, but if this is your first offense you may be eligible.

Deferred prosecution means just what it sounds like, the state will hold off on prosecuting you while you participate in a probationary term. During this probation you may be required to undergo treatment, have random drug tests, and attend classes. If you are successful, the criminal charges are dropped. If you violate the terms (or rules) of your probation, however, you could be prosecuted on those original charges and face the penalties prescribed by law.

Colorado Law:

Alcohol

- **Type of Offense: Consumption and/or Possession Under 21**
 - **Legal Sanctions:**
 - 1st offense- fine < \$250 and 24 hrs of Community Service
 - 2nd offense- Fine <\$500, alcohol evaluation and assessment, recommended alcohol treatment and 24 hrs of Community Service.
 - 3rd offense- Class 2 misdemeanor (3-12 months in jail and/or fine \$250- 1,000) complete alcohol evaluation and treatment.
 - **911 immunity If an underage person calls 911, if the first person to report and request aid for another underage person needing medical attention due to alcohol consumption
 - Additional costs/consequences not specified in statute:
 - Possible loss of Driver's License
 - Court fees
- **Type of Offense: Underage Drinking & Driving (UDD)**
 - **Legal Sanctions:**
 - BAC limit .02-.05 for DUI
 - Court imposed sanctions:
 - Class A traffic infraction- 4 points plus the original violation
 - Up to 24 hrs. on Community Service
 - Alcohol evaluation and treatment
 - DOR/DMV sanctions:
 - Loss of license
 - Additional consequences:
 - Higher insurance
 - Court costs
 - Attorney fees

- Current estimates put the total cost of an alcohol related traffic violation at +/- \$10,000

Alcohol / Drugs

- Type of Offense: Driving while intoxicated or impaired by alcohol or drugs (DUI/DUID)
 - Legal Sanctions:
 - Criminal misdemeanor:
 - Up to 18 months in jail
 - Up to \$5,000 in fines
 - Alcohol/drug evaluation and treatment
 - Probation (depends on jail sentence if any)
 - Community Service
 - Unable to make a non-alcohol plea arrangement
 - 2nd and subsequent convictions have mandatory jail sentences
 - DOR/DMV consequences:
 - Loss of license
 - Interlock device
 - Increased insurance rates/requirements
 - Additional consequences:
 - Long term insurance rate increases
 - Attorney fees
 - Life-long alcohol conviction on record
 - Current estimates put the total cost of an alcohol related traffic violation at +/- \$10,000

Schedule I or II Substances – Cocaine, Opium, Heroin, Morphine, Methadone, LSD, Mescaline, Psilocybin or Non-schedule I or II – Flunitrazepam, Ketamine

- Type of Offense: Possession Only
 - Legal Sanctions:
 - Class 6 Felony
 - 1-1.5 yrs. Prison and/or
 - \$1,000-\$100,000 Fine
- Type of Offense: Manufacturing or Distribution
 - Legal Sanctions:
 - 1st Offense is a Class 3 Felony
 - 4-12 yrs. Prison
 - \$3,000-\$750,000 Fine

- 2nd Offense is a Class 2 Felony
 - 8-24 yrs. Prison
 - \$5,000-\$1,000,000 Fine

Schedule III, IV and IV Substances (Described Below)

- Type of Offense: Possession Only
 - Legal Sanctions:
 - Class 1 Misdemeanor
 - 6-18 months in Jail and/or
 - \$500-\$5,000 Fine
- Type of Offense: Methamphetamine – Possession Only
 - Legal Sanctions:
 - 2 grams or less is a Class 6 Felony
 - 1-1.5 yrs. Prison and/or
 - \$1,000-\$1,000 Fine
 - More than 2 grams is a Class 4 Felony
 - 2-6 yrs. Prison and/or
 - \$2,000-\$500,000 Fine
- Type of Offense: Schedule III Substance for Distribution – PCP, Codeine, Dilaudid
 - Legal Sanctions
 - 1st Offense is a Class 4 Felony
 - 2-6 yrs. Prison and/or
 - \$2,000-\$500,000 Fine
 - 2nd or Subsequent Conviction: Class 3 Felony
 - 4-12 yrs. Prison and/or
 - \$3,000-\$750,000 Fine
- Type of Offense: Schedule IV Substance for Distribution – Chloral Hydrate, Tranquilizers, some barbiturates and stimulants
 - Legal Sanctions:
 - 1st Offense is a Class 5 Felony
 - 1-3 yrs. Prison and/or
 - \$1,000-\$100,000 Fine
 - 2nd or Subsequent Conviction is a Class 4 Felony
 - 2-6 yrs. Prison and/or
 - \$2,000-\$500,000 Fine
- Type of Offense: Schedule V Substance for Distribution – Codeine and other Narcotics
 - Legal Sanctions:

- 1st Offense is a Class 1 Misdemeanor
 - 6-18 months Jail and/or
 - \$500-\$5,000 Fine
- 2nd or Subsequent Conviction is a Class 5 Felony
 - 1-3 yrs. yrs. Prison and/or
 - \$1,000-\$100,000 Fine
- Type of Offense: Flunitrazepam or Ketamine Distribution
 - Legal Sanctions:
 - 1st Offense is a Class 3 Felony
 - 4-12 yrs. Prison and/or
 - \$3,000-\$750,000 Fine
 - 2nd or Subsequent Conviction is a Class 2 Felony
 - 8-24 yrs. Prison and/or
 - \$5,000-\$1,000,000 Fine

**Note: All drug and alcohol convictions can result in additional sanctions by the court to include a prohibition of use prior to the case and during any probation/parole. Additionally the court can order the convicted to pay for evaluations, treatment, tests, etc. The above are listed as general guidelines only.*

Marijuana

With the passage of Amendment 64 in 2012, new laws are being created governing marijuana use in the state of Colorado. Below is a brief overview of the laws related to marijuana use. At this time there are several District Attorney's Offices evaluating the law and determining how enforcement is going to happen within their jurisdictions.

Amendment 64

- Allows: Person's over the age of 21 to:
 - Possess, use, display, purchase or transport one ounce or less of marijuana
 - Possess, purchase or transport marijuana accessories
 - Grow up to 6 marijuana plants (only 3 of which are flowering)
 - Possess all the marijuana produced by the plants on the premises where the plants are grown
 - Transfer 1 ounce or less to another adult (21 years of age or older) without compensation.
- Not Allowed: Use of marijuana by anyone under the age of 21.
 - The exception would be anyone with a medical marijuana certificate.
 - Driving under the influence of marijuana
 - Public use
 - Use in a manner "that endangers others"

Current Marijuana Laws

- Type of Offense: Possession
 - Legal Sanctions:
 - Less than 2 ounces
 - Class 2 Petty Offense and
 - Fine not more than \$100
 - 2-6 ounces
 - Class 2 Misdemeanor
 - 3-12 months Jail and/or
 - \$250-\$1,000 Fine
 - 6-12 ounces
 - Class 1 Misdemeanor
 - 6-18 months Jail and/or
 - \$500-\$5,000 Fine
 - More than 12 ounces
 - Class 6 Felony
 - 1-1.5 yrs. Prison and/or
 - \$1,000-\$100,000 Fine
- Type of Offense: Public Use and Display
 - Legal Sanctions:
 - Less than 2 ounces
 - Class 2 Petty Offense
 - 15 days Jail and
 - Fine not more than \$100
 - More than 2 ounces
 - Class 2 Misdemeanor
 - 3-12 months Jail and/or
 - \$250-\$1,000 Fine
- Type of Offense: Distribution
 - Legal Sanctions:
 - 5 lbs. or less
 - Class 5 Felony
 - 1-3 yrs. Prison and/or
 - \$1,000-\$100,000 Fine
 - 5-100 lbs.
 - Class 4 Felony
 - 2-6 yrs. Prison and/or
 - \$2,000-\$500,000 Fine

- More than 100 lbs.
 - Class 3 Felony
 - 4-12 yrs. Prison and/or
 - \$3,000-\$750,000 Fine

Utah Law:

Alcohol

- It is a crime to sell, furnish or give alcoholic beverages to a person under age 21 or to any obviously intoxicated person.
- It is a crime for a person under the age of 21 to purchase or possess alcoholic beverages.
- It is a crime to sell alcohol without a valid liquor license or permit.
- It is a crime for any person to drink while driving, to have an open container of alcohol in a moving vehicle or to drive under the influence of alcohol.
- It is a crime to be intoxicated in a public place.
- Intoxication is presumed at blood levels of .08% or higher.

Penalties for Drunk Driving Offenses

- In Utah, the law states that no one can operate a vehicle with a blood alcohol (BAC) level of .08 or greater, or under the influence of alcohol or drugs so that it renders them incapable of safely operating the vehicle. If they are found in violation of either of these tenets, they can be arrested for suspicion of driving under the influence (DUI).
- In general, a first offense DUI charge is classified as a Class B Misdemeanor. However, there are situations that could elevate the charge to a Class A Misdemeanor. These include:
 - Inflicting serious injury on another as a result of operating the vehicle under the influence,
 - Having a passenger under the age of 16 in the car with you at the time, or
 - Being over 21 and having someone under the age of 18 in the car at the time.
- The law prescribes certain penalties for a first time DUI offender. If you are convicted, you face:
 - A minimum 48 hour jail sentence,
 - 48 hours of community service or house arrest,
 - Mandatory drug and alcohol screening and potential assessment,
 - Participation in either drug/alcohol treatment or an educational program,
 - A minimum \$750 fine, and
 - Mandatory probation if your BAC was greater than .16.

Illicit Drugs

- The Utah statutes are incredibly broad for what they can consider drug paraphernalia. Anything used to grow, prepare, process, store or use marijuana or other drugs could be called paraphernalia. Even common household items with a thousand other uses. It could be any makeshift pipe, baggy, or a grinder. Possession of drug paraphernalia is a Class B Misdemeanor Offense. (Selling paraphernalia is a Class A misdemeanor.) Jail time is very unlikely for a first offense. A good result would be avoiding the license loss, which is often the primary goal of a legal defense in these cases.
- The penalties for possession of paraphernalia under Chapter 37a, Section 5 of the Utah Drug Paraphernalia act are as follows:
 - Up to 6 months in jail.
 - Fines of up to \$1000.
 - Suspension of driver's license for 6 months.
- In Utah, even if you are caught with a small amount of marijuana, you will face criminal charges and potential jail time. The likelihood that you'll go to jail depends on a number of factors, including your criminal history, the facts of your case, and even the judge overseeing the case. The crime classifications and penalties below represent a maximum allowable sentence under Utah law for charges of marijuana possession.
 - Less than 1 ounce, Misdemeanor, 6 months in jail and \$1,000 in fines
 - 1 oz. to 1 pound, Misdemeanor, 1 year in jail and \$2,500 in fines
 - 1 to 100 lbs., Felony, 5 years in prison and \$5,000 in fines
 - More than 100 lbs., Felony, 1-15 years in prison and \$10,000 in fines
- The penalties for distribution or even intent to distribute are far more serious. No matter how much marijuana you are caught with, if the prosecution can prove you sold it or intended to sell it, you will face a felony charge and up to 5 years in prison. Schedule I and II drugs include Heroin, LSD, Cocaine, Morphine, Methamphetamines, and others. If you are caught in possession of a controlled substance classified under this designation, you will face 3rd degree felony charges. A 3rd degree felony is punishable by up to 5 years in prison and \$5,000 in fines.
- If you are caught in possession of drugs not included in the above schedules, including things like Ketamine, Codeine, Hydrocodone, and other prescriptions, you will likely face a Class B misdemeanor charge for a first offense. This means you will face a potential sentence of up to 6 months in jail and \$1,000 in fines. If this isn't your first offense, however, the charge can be elevated to a Class A misdemeanor, carrying up to 1 year in jail and \$2,500 in fines.
- The Utah Controlled Substances Act prohibits the production, dispensing, manufacturing, or possession with intent to dispense of illegal drugs. This law covers illegal drugs and illegal prescription substances. The penalty you face for violating this law depends largely on the drug in question.
- If the drug in question is a Schedule I or Schedule II substance like cocaine, heroin, LSD, GABA, methamphetamines, crack, or opium, you will be charged with a 2nd

Degree Felony. A 2nd degree felony charge carries a potential sentence of up to 15 years in prison and \$10,000 in fines. If this isn't your first offense, that charge can be elevated to a 1st Degree Felony, carrying from 5 years to life in prison and \$10,000 in fines.

- If the drug in question is not included in the schedules above, like hydrocodone, ketamine, codeine, and other prescriptions, you could be charged with a 3rd degree felony, carrying penalties up to 5 years in prison and \$5,000 in fines. Again, if you have prior similar convictions, this charge can be elevated to a 2nd degree felony, with a potential sentence up to 15 years and \$10,000 in fines.

HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS & ALCOHOL:

CONTROLLED SUBSTANCES - USES & EFFECTS

DRUGS	TRADE OR OTHER NAMES	MEDICAL USES	DEPENDANCE			DURATION (HOURS)	USUAL METHOD	POSSIBLE SIDE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYMPTOMS
			PHYSICAL	PSYCHOLOGICAL	TOLERANCE					
NARCOTICS										
Heroin	Diamorphine, Horse, Smack, Black Tar	None in the US, Analgesic, Antitussive	High	High	Yes	3-4	Injected, snorted, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine	MS-Contin, Roxanol, Oramorph SR, MSIR	Analgesic	High	High	Yes	3-12	Oral, injected			
Hydrocodone	Hydrocodone w/ Acetaminophen, Vicodin, Vicoprofen, Tussionex, Lortab	Analgesic, Antitussive	High	High	Yes	3-6	Oral			
Hydromorphone	Dilaudid	Analgesic	High	High	Yes	3-4	Oral, injected			
Oxycodone	Roxicet, Oxycodone w/Acetaminophen, OxyContin, Endocet, Percocet, Percodan	Analgesic	High	High	Yes	3-12	Oral			
Codeine	Acetaminophen, Guafenesin or Promethazine w/Codeine, Fiorinal, Fioricet or Tylenol w/Codeine	Analgesic, Antitussive	Moderate	Moderate	Yes	3-4	Oral, injected			
Other Narcotics	Fentanyl, Demorol, Methadone, Darvon, Stadol, Talwin, Paregoric, Buprenex	Analgesic, Antidiarrheal, Antitussive	High-Low	High-Low	Yes	Variable	Oral, injected, snorted, smoked			
DEPRESSANTS										
<i>gamma</i> Hydroxybutyric Acid	GHB, Liquid, Ecstasy, Liquid X, Sodium Oxybate	None in the U.S., Anesthetic	Moderate	Moderate	Yes	3-6	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol, impaired memory of events, interacts with alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Benzodiazepines	Valium, Xanax, Halcion, Ativan, Restoril, Rohypnol	Antianxiety, Sedative, Anticonvulsant, Hypnotic, Muscle Relaxant	Moderate	Moderate	Yes	1-8	Oral, injected			
Other Depressants	Ambien, Sonata, Meprobamate, Chloral Hydrate, Barbiturates, Methaqualone	Antianxiety, Sedative, Hypnotic	Moderate	Moderate	Yes	2-6	Oral			

Please see the drug and alcohol awareness bulletin board located in the school for more information.

Students convicted of a drug statute offense while receiving Title IV Federal Financial Aid may become ineligible for Title IV Federal Financial Aid. Please speak with your school's Financial Aid Coordinator for more information.

TESTING POLICY & PROCEDURES

Drug and Alcohol testing may be conducted, on a random basis; if Avalon Institute believes that an employee or student has been observed possessing or using a prohibited substance on the job; when Avalon Institute reasonably believes that any employee or student may be affected by the use of Drugs or Alcohol and that they use may adversely affect performance or the environment; when Avalon Institute reasonably believes that an employee or student is impaired during working or school hours or while engaged in school business, or a school-sponsored activity; and any employee or student who has had a positive Drug or Alcohol impairment test may be subjected to periodic, random testing, for a period of one year from a positive Drug or Alcohol impairment test.

Refusal to participate in Drug or Alcohol impairment testing when requested to do so, or refusal to accept the terms and conditions of testing as specified in this policy, may result in disciplinary action, up to and including termination from Avalon Institute. If applicable, prospective employees or students who refuse to undergo Drug or Alcohol impairment testing are not eligible for hire or admission (respectively).

- Employees and student have the right, upon written request, to obtain a copy of the written test results.
- Avalon Institute will not release information relating to testing, including test results, to any third parties except upon written authorization of the employee or student, or when legally compelled to do so.

The following testing methods and procedures will be followed:

- Testing will ordinarily be conducted during, immediately before, or immediately after, regularly scheduled work or school hours. For current employees, time spent in testing, and in traveling to and from the regular work site to the place of testing, is work time.
- Whenever a Drug or Alcohol impairment test is done at the request of Avalon Institute pursuant to this policy, the school will pay the actual costs of the testing. In addition, when testing is done at locations other than the school facility, the school will pay reasonable transportation costs for travel to and from the site to the testing location.
- Testing shall be conducted under the following conditions:
 - Sample collection shall be performed under reasonable and sanitary conditions;
 - Sample collections shall be labeled in such a way as to reasonably preclude the possibility of misidentification of test results;
 - Prior to testing, the individual shall be provided with an opportunity to notify Avalon Institute of any information relevant to the test;
 - Sample collection, storage, and transportation, where necessary, shall be performed in a manner reasonably designed to preclude the possibility of sample contamination, adulteration, or misidentification.
 - Sample testing will be done in such a way as to comply with scientifically accepted analytical methods and procedures, and by a laboratory approved of certified by, at least, one of the following: (a) United States Department of Health and Human Services; (b) College of American Pathologists; or (c) a state department of health and human services.
 - Upon the written request of the individual, positive Drug test results shall be confirmed by a subsequent test, using a different chemical process than used in the initial Drug screen. A chromatographic technique or another comparably reliable analytic method will be conducted confirming results.

Avalon Institute conducts a biennial review of its Drug & Alcohol Policy & Abuse Prevention Program to determine its effectiveness and implement change to the program if it is deemed appropriate and to ensure that disciplinary sections are consistently enforces. Please direct any questions, concerns, or reports regarding this policy or Avalon Institute's programs to your direct Supervisor (if an employee), the Education Director, or the School Director.