

# Drug Free Workplace and Campus

The use of illegal drugs and the abuse of alcohol on the campus of The Art Institute of Dallas or in facilities controlled by The Art Institute of Dallas are prohibited by college regulations and are incompatible with The Art Institute of Dallas goal of providing a healthy educational environment for students, faculty, staff and guests. The following information is provided in compliance with the Drug-Free Schools and Communities Act Amendments of 1989.

## ***Effects of Drugs and Alcohol***

Although individuals often use drugs and alcohol to achieve a variety of effects on mind and body that are found to be temporarily useful or pleasurable, drugs can be highly addictive and injurious. A person can pay a price in terms of his or her physical, emotional and social health.

This price can be paid in a number of ways. The risk of contracting sexually transmitted diseases, including AIDS, is increased through unwanted or unprotected sex when one is under the influence of drugs or alcohol. Drugs can be the trigger for violent crime. Economic and legal problems usually follow directly when one tries to support a drug habit by resorting to crime. The dependence, illness, loss of job, and loss of family or friends that can result from drug or alcohol use and abuse can be tragic.

In keeping with the mission of The Art Institute of Dallas and the requirements of state and federal law, The Art Institute of Dallas has adopted this program to ensure a drug-free campus and workplace and to prevent the use of controlled substances and the abuse of alcohol.

## ***Health Risks Associated with the Use of Alcohol***

### **Short Term Risks**

- Increased risks of accidents and injuries
- Alcohol-related traffic accidents (the leading cause of death for teens)
- Alcohol slows reaction time, decreases muscle coordination, and impairs vision
- Fatal overdose
- Unconsciousness or blackout
- Death by aspiration of vomit
- Nausea
- Gastritis

### **Long Term Risks**

- Increased blood pressure
- Increased risk of heart attack
- Brain damage resulting in permanent psychosis
- Cancer of the mouth, esophagus or stomach
- Liver damage (cirrhosis, alcohol hepatitis, cancer)
- Ulcers and Gastritis
- Pancreatitis
- Birth defects
- In males – testicular atrophy and breast enlargement
- In females – increased risk of breast cancer
- Prolonged, excessive drinking can shorten life span by ten to twelve years

## ***Health Risks Associated with the Use of Drugs Amphetamines (Speed, Uppers)***

- Malnutrition

- Hallucinations
- Dependence, psychological and sometimes physical

#### **Deliriant (Aerosols, Lighter Fluid, Paint Thinner)**

- Permanent damage to lungs, brain, liver, bone marrow
- Loss of coordination, confusion, hallucinations
- Overdose causing convulsions, death

#### **Depressants (Barbiturates, Tranquilizers, Methaqualone)**

- Confusion, depression, loss of coordination
- Dependence, physical and psychological
- Coma, death (caused by overdose)
- Can be lethal when combined with alcohol

#### **Hallucinogens (LSD, PCP, DMT, STP, Mescaline)**

- Hallucinations, panic, irrational behaviors (which can lead to increased risk of accidents, injuries)
- Tolerance overdose leading to convulsions, coma, death
- Possible birth defects in children of LSD users

#### **Intravenous Drug Use**

- Places one at risk for HIV infection (the virus causing AIDS) when needles are shared

#### **Marijuana and Hashish**

- Chronic bronchitis
- Decreased vital capacity
- Increased risk of lung cancer
- In men lower levels of testosterone and increase in abnormal sperm count

#### **Stimulants (Cocaine)**

- Painful nosebleeds and nasal erosion
- Intense “downs” that result in physical and/or emotional discomfort
- Tolerance and physical dependence can develop

#### **Narcotics (Heroin, Morphine, Codeine, Opium)**

- Malnutrition
- Hepatitis
- Loss of judgment and self-control leading to increased risk of accidents, injuries
- Dependence
- Overdose leading to convulsions, coma, death

## Sanctions

### The Art Institute of Dallas

The Art Institute of Dallas, in all of its actions, seeks to uphold local, state and federal laws. Insofar as permitted by these laws, The Art Institute of Dallas will apply sanctions that could lead to a student being fined, suspended or expelled or an employee being disciplined, suspended or dismissed for violation of The Art Institute of Dallas standards of conduct. Students and employees may also be referred for prosecution. Disciplinary sanctions may include the completion of an appropriate rehabilitation program, at the student's or employee's expense, if necessary.

### State and Federal Sanctions

#### Texas Law

##### I. Criminal Penalties:

A **Class C misdemeanor** is punishable by a fine not to exceed \$500.

A **Class B misdemeanor** is punishable by a fine not to exceed \$2000; confinement in jail for a term not to exceed 180 days; or both fine and confinement.

A **Class A misdemeanor** is punishable by a fine not to exceed \$4000; confinement in jail for a term not to exceed one year; or both fine and confinement.

A **state jail felony** is punishable by confinement in a state jail for any term of not more than 2 years or less than 180 days and by a fine not to exceed \$10,000.

A **3<sup>rd</sup> degree felony** is punishable by imprisonment for any term of not more than 10 years or less than 2 years and a fine not to exceed \$10,000.

A **2<sup>nd</sup> degree felony** is punishable by imprisonment for any term of not more than 20 years or less than 2 years and a fine not to exceed \$10,000.

A **1<sup>st</sup> degree felony** is punishable by imprisonment for life or for any term of not more than 99 years or less than 5 years and a fine not to exceed \$10,000.

##### II. Offenses:

###### A. Offense of manufacture or delivery of controlled substances

*Sections 481.112, 481.1121, 481.113, and 481.114, Texas Health and Safety Code, which vary the offense and punishment based upon two factors: the type of drug (which schedule it is listed under) and the quantity of the drug involved in the offense. Section 481.032, Texas Health and Safety Code, contains long lists of drugs that are in schedules 1, 1-A, 2, 3, 4, and 5. Additional controlled substances are added to these schedules each year.*

*Section 481.112 Texas Health and Safety Code, deals with the Penalty Group 1 drug offenses: less than 1 gram is a state jail felony; more than 1 gram and less than 4 grams is a 2<sup>nd</sup> degree felony; more than 4 grams and less than 200 grams is a 1<sup>st</sup> degree felony; more than 200 grams and less than 400 grams is a life imprisonment or a term of 10 to 99 years and up to a \$250,000 fine.*

*Section 481.1121, Texas Health and Safety Code, deals with Penalty Group 1-A drug offenses: number of abuse units less than 20 is a state jail felony; number of abuse units more than 20 and less than 80 is a 2<sup>nd</sup> degree felony; number of abuse units more than 80 and less than 4000 is a 1<sup>st</sup> degree; more than 4000 units is life imprisonment or a term of 15 to 19 years and up to a \$250,000.*

*Section 481.113, Texas Health and Safety Code, deals with Penalty Group 2 drug offenses: less than 1 gram is a state jail felony; more than 1 gram and less than 4 grams is a 2<sup>nd</sup> degree felony;*

more than 4 grams and less than 400 grams is a 1<sup>st</sup> degree felony; and more than 400 grams is life imprisonment or a term of 10 to 99 years and up to a \$100,000 fine.

*Section 481.114*, Texas Health and Safety Code, deals with Penalty Group 3 and 4 drug offenses: less than 28 grams is a state felony; more than 28 grams and less than 200 grams is a 2<sup>nd</sup> degree felony; more than 200 grams and less than 400 grams is a 1<sup>st</sup> degree felony; and more than 400 grams is a life imprisonment or a term of 10 to 99 years and up to a \$100,000 fine.

#### **B. Offense of Possession of Controlled Substances**

*Sections 481.115, 481.116, 481.117, 481.118*, Texas Health and Safety Code which vary the offense and punishment based upon two factors: the type of drug (which schedule it is listed under) and the quantity of the drug involved in the offense. *Section 481.032*, Texas Health and Safety Code, contains long lists of drugs that are in schedules 1, 1-A, 2, 3, 4, and 5. Additional controlled substances are added to these schedules each year.

*Section 481.115*, Texas Health and Safety Code, deals with Penalty Group 1 drug offenses: less than 1 gram is a state jail felony; more than 1 gram and less than 4 grams is a 3<sup>rd</sup> degree felony; more than 4 grams and less than 200 grams is a 2<sup>nd</sup> degree felony; more than 200 grams and less than 400 grams is a 1<sup>st</sup> degree felony; more than 400 grams is life imprisonment or a term of 10 to 99 years and up to a \$100,000 fine.

*Section 481.1151*, Texas Health and Safety Code, deals with Penalty Group 1-A drug offenses: number of abuse units less than 20 is a state jail felony; number of abuse units more than 20 and less than 80 is a 3<sup>rd</sup> degree felony; number of abuse units more than 80 and less than 4000 is a 2<sup>nd</sup> degree felony; more than 4000 units and less than 8000 units is a 1<sup>st</sup> degree felony; and more than 8000 units is life imprisonment or a term of 15 to 99 years and up to a \$250,000 fine.

*Section 481.116*, Texas Health and Safety Code, deals with the Penalty Group 2 drug offenses: less than 1 gram is a state jail felony; more than 400 grams is a 2<sup>nd</sup> degree felony; and more than 400 grams is life imprisonment or a term of 5 to 99 years and up to a \$50,000 fine.

*Section 481.117*, Texas and Health Safety Code, deals with Penalty Group 3 drug offenses: less than 28 grams is a Class A misdemeanor; more than 28 grams and less than 200 grams is a 3<sup>rd</sup> degree felony; more than 200 and less than 400 grams is a 2<sup>nd</sup> degree felony; and more than 400 grams is life imprisonment or a term of 5 to 9 years and up to a \$50,000 fine.

*Section 481.118*, Texas Health and Safety Code, deals with Penalty Group 4 drug offenses: less than 28 grams is a Class B misdemeanor; more than 28 grams and less than 200 grams is a 3<sup>rd</sup> degree felony; more than 200 grams and less than 400 grams is a 2<sup>nd</sup> degree felony; more than 400 grams is life imprisonment or a term of 5 to 99 years and up to \$50,000 fine.

#### **C. Offense of Delivery of Marijuana**

*Section 481.120*, Texas Health and Safety Code, deals with delivery of marijuana offenses: less than one quarter ounce is a Class B misdemeanor if delivery is for compensation; more than one quarter ounce and less than five pounds is a state jail felony; more than five pounds and less than 50 pounds is a 2<sup>nd</sup> degree felony; more than 50 pounds and less than 2000 pounds is a 1<sup>st</sup> degree felony; and more than 2000 pounds is life imprisonment or a term of 10 to 99 years and a fine not to exceed \$100,000.

#### **D. Offense of Possession of Marijuana**

*Section 481.121*, Texas Health and Safety Code, deals with possession of marijuana offenses: less than 2 oz. is a Class B misdemeanor; more than 2 oz. and less than 4 oz. is a

Class A misdemeanor; more than 4 oz. and less than five pounds is a state jail felony; more than five pounds and less than 50 pounds is a 3<sup>rd</sup> degree felony; more than 50 pounds and less than 2000 pounds is a 2<sup>nd</sup> degree felony; and more than 2000 pounds is life imprisonment or a term of 5 to 99 years and a fine not to exceed \$50,000.

**E. Offense of Delivery of Controlled Substance or Marijuana to Minor**

*Sections 481.122*, Texas Health and Safety Code, deals with the offense of the delivery a controlled substance or marijuana to a minor (17 years of age or younger) and provides that the offense is a 2<sup>nd</sup> degree felony punishable by imprisonment for a term of not more than 20 years or less than 2 years and a fine not to exceed \$10,000.

**F. Offense of Driving while Intoxicated (drugs or alcohol)**

*Sections 49.04, 49.09*, Texan Penal Code, provide that the offense of driving while intoxicated is punishable as a Class B misdemeanor with a minimum of term of confinement of 72 hours unless the driver had an open container of alcohol in his possession in which case the offense is a Class B misdemeanor with a minimum term of confinement of six days in jail. One prior conviction enhances the punishment to a Class A misdemeanor with a minimum term of confinement of 30 days; two prior convictions enhances the punishment to a 3<sup>rd</sup> degree felony.

**G. Offense of Consumption or Possession of Alcohol in Motor Vehicle**

*Section 49.03*, Texas Penal Code, provides that the penalty for the offense of consumption of an alcoholic beverage while operating a motor vehicle in a public place is a Class C misdemeanor.

**H. Offense of Public Intoxication**

*Section 49.02*, Texas Penal Code, provides that the offense of public intoxication wherein a person appears in a public place while intoxicated to the degree that the person may endanger himself or another person is punishable as a Class C misdemeanor, unless the person is younger than 21 years old, wherein *Sections 106.071 and 106.115*, Texas Alcoholic Beverage Code apply, and provide for a Class C misdemeanor punishment and attendance at an alcohol awareness program, and where the offender has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance an at alcohol awareness program.

**I. Offense of Purchase of Alcohol by a Minor**

*Sections 106.02, 106.071, and 106.115*, Texas Alcoholic Beverage Code, provide that the offense of the purchase of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and when the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

**J. Offense of Consumption of Alcohol by a Minor**

*Sections 106.04, 106.071, and 106.115*, Texas Alcoholic Beverage Code, provide that the offense of consumption of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both

the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

**K. Offense of Possession of Alcohol by a Minor**

*Sections 106.05, 106.071, and 106.155*, Texas Alcoholic Beverage Code, provide that the possession of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

**L. Offense of Sale of Alcohol to a Minor**

*Section 106.03*, Texas Alcoholic Beverage Code, provides that the penalty for selling alcohol to a minor is a Class A misdemeanor.

**M. Offense of Purchase of Alcohol for a Minor or Furnishing Alcohol to a Minor**

*Section 106.06*, Texas Alcoholic Beverage Code, provides that the penalty for purchasing for a minor or giving or making available an alcoholic beverage to a minor is a Class B misdemeanor.

**N. Offense of Misrepresentation of Age by a Minor to Person Selling or Serving Alcoholic Beverages**

*Section 106.07, 106.071 and 106.115*, Texas Alcoholic Beverage Code, provide that the penalty for misrepresentation of age by a minor to a person selling or serving alcoholic beverages is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

**Federal Law**

Federal penalties and sanctions for illegal possession of a controlled substance include the following:

- **First conviction:** up to 1 year in prison, fine of \$1,000 to \$100,000, or both
- **Second conviction:** at least 15 days and up to 2 years imprisonment, \$5,000 to \$250,000 fine, or both
- **After two drug convictions:** at least 90 days and up to 3 years in prison, \$5,000 to \$250,000 fine, or both. Special federal sentencing provisions for possession of crack cocaine include a mandatory prison term of at least 5 years and up to 20 years, fine of up to \$250,000, or both, for a first conviction if the amount of crack exceeds 5 grams, for a second conviction if amount exceeds 3 grams, and for a third or subsequent conviction if the amount exceeds 1 gram.

Additional federal sanctions may also supply including forfeiture of vehicles used to transport controlled substances, denial of federal benefits including student loans, grants, and contracts and denial or revocation of certain federal licenses and benefits.

**Convictions for Drug-Related Offenses**

Any student convicted of any drug-related criminal stature must notify the Dean of Student Affairs, in writing, no later than five (5) days after which conviction regardless of where the offense occurred. This is because under federal and state laws, any student convicted of a drug-related felony offense must be denied all federal and state assistance, including Pell Grants and State Specific Grants. However, a criminal conviction shall not be necessary to find that a student has violated these standards of conduct, and The Art Institute of Dallas need not, and ordinarily will not, defer its own actions and sanctions pending the outcome of any criminal proceeding.

### **Danger Signals Indicating a Drug or Alcohol Problem**

Following is a listing of classic danger signals that may indicate the presence of a drug or alcohol problem:

- Abrupt changes in mood or attitude
- Decreased efficiency at work or at school
- Frequent absences, tardiness, and /or early departures
- Relationship problems with family, friends, and co-workers
- Unusual outbursts of anger and hostility
- Social withdrawal

## **Counseling**

If you observe any of these changes in yourself or another student, you are encouraged to talk with a Counselor (214.692.8080 ext. 1223) in the Student Affairs Office.

Abuse of alcohol or drugs can lead to dependency and addiction, with serious consequences for personal health and overall quality of life. There are drug and alcohol counseling, treatment, and rehabilitation facilities available in our area where students and employees may seek advice and treatment. The Counselor can refer you to one that meets your needs.

## **Dallas Area Resources**

There are also organizations that may be contacted for help. Greater Dallas Council on Alcohol and Drug Abuse (214-522-8600 – [www.gdcada.org](http://www.gdcada.org)). The National Institute of Drug Abuse Hotline (1-800-662-4357) is available from 8:00 a.m. to 2:00 a.m., Monday through Friday and from 11:00 a.m. to 2:00 a.m. on weekends.

A list of emergency and sliding-fee scale resources is available from the counselor.