

# LINCOLN EDUCATIONAL SERVICES CORPORATION POLICY ON DRUGS AND ALCOHOL

## **I. Overview**

Lincoln Educational Services Corporation (Lincoln) promotes a campus culture where each person can flourish. Use of drugs and/or misuse of alcohol can inhibit personal development and is negatively correlated with academic success, job performance and personal safety.

Lincoln welcomes and supports the decision of any student or employee not to consume alcohol. Lincoln seeks to emphasize education about choices, risks, and personal responsibility regarding the use of alcohol and other drugs. Lincoln expects everyone to observe state and federal laws regarding alcohol and drug use, with particular attention to those that address underage drinking. Behaviors that create a risk of danger to the health and safety of themselves or others could be subject to disciplinary action. Anyone found in violation of our policies and/or the law will be held accountable for their choices.

## **II. Policy Statement**

Lincoln is committed to the elimination of drug and/or alcohol abuse in [Lincoln's workplace and learning environments](#). This includes activity that takes place on a Lincoln campus, while driving a Lincoln vehicle, or while engaged in a Lincoln business.

In compliance with the Drug-Free Workplace Act (41 U.S.C. 701) and the Drug Free Schools and Communities Act (20 U.S.C. 1145g), the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol on property owned or controlled by Lincoln or as part of any Lincoln program, activity or event off campus is strictly prohibited, unless specifically permitted for legitimate business purpose.

Violation of this policy constitutes grounds for disciplinary action. For employees, disciplinary consequences can include termination of employment. For students, disciplinary consequences can include expulsion from Lincoln.

## **III. Prohibited Conduct**

### **A. Illegal Drugs and Drug Paraphernalia**

The possession, use, or distribution of illegal drugs or drug paraphernalia is prohibited on all Lincoln property, in any Residential and at any off-campus Lincoln program, activity or event. The term illegal drug includes, without limitation, prescription medications or other drugs that are being used, possessed or distributed illegally. Such conduct may also violate a number of state and federal criminal laws that may subject violators to fines or terms of imprisonment.

## B. Alcoholic Beverages

The possession, use, service, or consumption of alcoholic beverages is prohibited on all Lincoln property, in any Residential Area and at any off-campus Lincoln program, activity or event, including student-centered special events sponsored off campus by Lincoln. These guidelines are intended to discourage the irresponsible distribution and consumption of alcoholic beverages as well as underage access to alcoholic beverages. Students also have the personal responsibility of discouraging drunkenness. At all staff functions that students may attend, the organization sponsoring the activity is responsible for enforcing strict adherence to the applicable state and local laws. At certain Lincoln-sponsored events, the responsible use of alcohol on campus in moderation by persons who are not students at Lincoln, and who are of legal drinking age, will be permitted. It is also illegal to obtain or use false or fraudulent proof of age obtained for the purpose of purchasing or consuming alcohol, to misrepresent one's age or the age of another as being over the legal drinking age, to drive while ability impaired or while intoxicated, or to drink and drive regardless of legal drinking age. Any such conduct by a student that is brought to the attention of a Lincoln official will be treated as a violation of this policy.

## IV. Reporting and Sanctions

### A. Reporting Violations of the Policy on Illegal Drugs and Alcohol

Any member of the faculty, administration or staff, or any student who knows or believes that a violation of Lincoln's policy on Illegal Drugs or Alcohol has taken place may file a complaint against such student, administrator, or staff or faculty member. In the case of a student, allegations will be investigated and adjudicated in accordance with Lincoln's disciplinary procedures.

### B. Student Sanctions

Upon finding credible evidence of a policy violation by any student, Lincoln will take appropriate disciplinary action, and may impose sanctions up to and including probation, suspension or expulsion. Lincoln will also cooperate fully with law enforcement agencies in the investigation and prosecution of drug-related crimes that occur on Lincoln premises or at Lincoln-related events and activities or that otherwise affect the Lincoln community.

### C. Employees Sanctions

If an employee is suspected of violating this policy or any other related policies, the College will initiate an investigation through Human Resources to determine the appropriate course of action.

Individuals whose work performance is determined to be impaired as a result of use or abuse of drugs or alcohol (either on or off campus); who illegally use or abuse drugs or alcohol on campus or while on college business; who violate any provisions of this policy

or who have been convicted of violating any criminal drug statute while on college property or while participating in a college sponsored programs off campus are subject to disciplinary action up to termination of employment or referral to law enforcement authorities.

Each employee must agree to notify the Director of Human Resources of any criminal conviction related to drug activity in the workplace within five days after such conviction. If the individual is supported by a federal grant or contract, the college must notify the appropriate government agency within ten days after receiving such notice as required by the provisions of the federal Drug--Free Workplace Act of 1988.

Human Resources and the President of Lincoln shall have the responsibility for determining the appropriate course of action for employees who are convicted of drug or alcohol offenses during their employment with Lincoln.

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

## **V. Risks Associated with the Use of Illegal Drugs and Alcohol Health Risks**

Lincoln has the obligation to protect the interests and rights of students as well as those of the community as a whole. At the same time, Lincoln understands that drug abuse may be a symptom of deeper personal and emotional problems. Lincoln may also offer assistance to students in such circumstances and emphasizes the reciprocal responsibility of the individual to seek such help. The health consequences of alcohol and substance abuse may be immediate and unpredictable, such as fatalities associated with alcohol and drug overdoses, or more long-term, such as the liver and brain damage associated with the prolonged use of alcohol. The following are some of the health consequences of alcohol and other drug use:

### **A. Alcohol**

Short-term effects include depressed central nervous system, impeded attention and memory, impaired judgment, impaired vision, impairment of other senses, irregular sleep, impaired driving, unconsciousness, and, with excessive use, death. Long-term effects of heavy use include damage to the liver, heart and pancreas, irritation of the gastrointestinal system, high blood pressure, oral cancer, malnutrition and nutritional deficiencies, and lowered resistance to disease. Use during pregnancy can cause severe damage to the developing fetus.

## B. Depressants

Short-term effects include depressed central nervous system, mildly impaired coordination, impaired judgment and short-term memory, impaired driving, and reduced anxiety/lethargy. In high doses, short-term effects can include irregular breathing, impaired reflexes, coma and death. Long-term effects of heavy use include disturbed sleep, chronic fatigue, anxiety, restlessness and depression, slower reflexes and impaired coordination, reduced sex drive and/or impotence, menstrual irregularities, hostility and mood swings and cross-tolerance to other depressants. Use during pregnancy can harm the developing fetus.

## C. Hallucinogens

Because some of these substances are synthetic, they may be particularly potent and may contain impurities. Short-term effects include changes in perception, mood, thought and brain function, loss of judgment, disorientation, mild confusion and/or hallucinations, visual disturbances, increased heart rate, blood pressure and body temperature, nausea, vomiting and/or abdominal discomfort. In high doses, some hallucinogens can cause death. Over the long term, heavy use can precipitate severe psychotic episodes. In addition, flashbacks can occur spontaneously. Their effects during pregnancy are not fully understood.

## D. Opiates

Short-term effects include impaired driving. Higher doses can cause drowsiness, sedation, dizziness or euphoria. Some may have a stimulating effect, with increased heart rate, blood pressure, tremors and seizures. Very high doses can cause decreased heart rate and blood pressure, muscle construction, cyanosis and death. Over the long term, heavy use can result in impaired vision, chronic constipation, a higher risk of pulmonary complications, and mood swings. Needle use can lead to abscesses, collapsed veins and infections. Use during pregnancy can harm a developing fetus and create a higher risk of premature birth, miscarriage, and stillbirth.

## E. Marijuana

Short-term effects are the same as many of the short-term effects of depressants, stimulants, and hallucinogens. They can include impaired judgment, short-term memory and intellectual performance, reddening of eyes, sensory distortion, impaired coordination, drowsiness, and impaired driving. Short-term use can also aggravate pre-existing heart problems and mental health problems. Over the long term, effects include respiratory damage, impairment of memory and concentration and interference with the physical, psychological and social development of young users. The effect of daily use during pregnancy may cause problems in the developing fetus, but the effect is not fully known.

## F. Stimulants

Short-term effects include increased alertness and energy, impaired driving, impaired judgment, increased breathing, heart rate and heart palpitations, anxiety, restlessness, hostility, paranoia and confusion, and visual and auditory hallucinations. Overdose can lead to death. Over the long term, use of stimulants can cause severe anxiety and paranoia, impaired coordination, tremors, high blood pressure, malnutrition, chronic sleeplessness, and damage to internal organs, such as the brain, heart, lung, liver, and kidneys. Chronic use can lead to death. Use during pregnancy can cause damage to the developing fetus.

## VI. External Sanctions

In addition to any Lincoln sanctions, the unlawful possession, use, or distribution of illicit drugs and alcohol may violate federal, state and/or local laws and may result in misdemeanor or felony convictions accompanied by the imposition of legal sanctions, which include, but are not limited to, the following:

- Community service;
- Fines as determined under local, state, or federal laws;
- Imprisonment, including up to life imprisonment, for possession or trafficking in drugs such as heroin, cocaine, marijuana and prescription drugs;
- Forfeiture of personal and real property;
- Forfeiture of financial aid eligibility;
- Denial of federal benefits such as grants, contracts and student loans;
- Loss of driving privileges;
- Required attendance at substance abuse education or treatment programs.

Federal laws make it a criminal offense to manufacture, distribute, dispense, possess with intent to distribute, or simply possess a controlled substance. Such substances include heroin, cocaine, methamphetamine, ecstasy, LSD, PCP, marijuana, and a number of common pharmaceutical drugs if unlawfully obtained.

Please see the following resources for more information on the applicable federal and state laws:

- The [Alcohol Policy Information System](#) is an NIAAA-sponsored website that provides detailed information on alcohol-related public policies at both state and federal levels.
- [Federal and state drug and alcohol laws](#) is a summary prepared by American Addiction Centers.
- [DEA.gov Federal Trafficking Penalties](#). The DEA.gov website lists substances and their associated penalties.

## VII. Community Resources for Preventing, Counseling and Educating Yourself about Alcohol and Substance Abuse

Lincoln employees may contact the Life Assistance Program (LAP), <https://link.edgepilot.com/s/408e843f/xrmXE71QTUKkkleV8LuyXg?u=http://www.cignabehavioral.com/cgi> (1-800-538-3543).

Students and employees seeing treatment may contact Substance Abuse and Medical Treatment at home, at <https://findtreatment.samhsa.gov/locator.html>.

Other external resources:

- Alcoholics Anonymous, [www.aa.org](http://www.aa.org)
- Women for Sobriety, [www.womenforsobriety.org](http://www.womenforsobriety.org)
- Smart Recovery Self-Help Network, [www.smartrecovery.org](http://www.smartrecovery.org)
- Narcotics Anonymous, [www.na.org](http://www.na.org)
- Cocaine Anonymous, [www.ca.org](http://www.ca.org)

### **VIII. Amnesty for Drug and Alcohol Use**

The health and safety of every student at Lincoln is of the utmost importance. Refer to the Good Samaritan Laws in your state for more information on reporting a drug or alcohol overdose that requires emergency medical care or witness to someone overdosing. In addition, Lincoln recognizes that students who have been drinking and/or using drugs at the time that sexual harassment, gender-based harassment, or sexual violence occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Lincoln strongly encourages students to report incidents of sexual harassment, gender-based harassment or sexual violence. Therefore, a complainant or bystander acting in good faith who reports any incident of sexual harassment, gender-based harassment or sexual violence to Lincoln or law enforcement authorities will not be subject to Lincoln's Code of Conduct for violations of Drug and Alcohol Use Policy occurring at or near the time of the commission of the sexual harassment, gender-based harassment or sexual violence.

### **IX. Effective Date**

December 2020

### **X. Revision/Policy History**

It is strongly recommended that this policy be reviewed every two years to ensure that it accurately reflects institutional policy, procedures, programs and campus safety plan.

Next Review/Revision Date:

December 2022