

Drug and Alcohol Abuse Awareness Prevention

Northeast Technical Institute is committed to preventing drug and alcohol abuse on campus. Including but limited to, misuse, possession, manufacture, or distribution of drugs and/or alcohol is prohibited on campus.

Northeast Technical Institute's policies and procedures are to:

- To create a safe environment that is free from drug and/or alcohol use
- To encourage healthy lifestyle choices for students, faculty, and staff members at NTI

To educate all at NTI, including faculty, staff, and students regarding the negative consequences resulting from the use and/or misuse of drugs and/or alcohol.

Institutional Sanctions

Immediate termination from employment, or in case of a student, from school, will be imposed for use, distribution, or possession of illicit drugs and alcohol.

Health Risks Associated with Use and Abuse of Drugs and Alcohol

Alcohol abuse and drug use problems have become a national health concern. Some of the health risks associated with alcohol and drugs are listed below.

Alcohol

Health Risks

- Addiction or chemical dependency
- Birth defects and mental retardation in user's children
- Physical problems such as cirrhosis of the liver
- Slowing down of brain function, judgment, alertness, coordination and reflexes
- Attitude and/or behavioral changes, such as uncharacteristic hostility, or increased risk taking such as driving recklessly
- Alcohol taken with other drugs can intensify the drug's effects, alter the desired effect of the drug, cause nausea, sweating, severe headaches and convulsions, or blackouts
- Uncharacteristic family, school, work, legal problems

Federal Laws

Alcohol may only be used by those 21 years of age or older.

Maine Laws for Posing

Minors should not possess, buy, or drink alcohol. For more information, including fine amounts please visit;
<https://legislature.maine.gov/statutes/28-A/title28-Asec2051.html>

Maine Laws for Posing with Intent

Supplying and or selling alcohol to minors is a serious offense. For more information, including fine amounts please visit;
<https://legislature.maine.gov/statutes/28-A/title28-Asec2081.html>

Marijuana, THC, Hashish, Oils, etc.

Health Risks

- Dysfunctions related to thinking, learning and recall
- Possible addiction
- Chronic lung disease and lung cancer
- Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden appetite, swollen red eyes
- Impaired ability to drive and do other things that require physical and intellectual capabilities
- Panic reaction, paranoia
- Distortions of time, reality and perception, often impairing short term memory

- Irritation of lungs, aggravation of asthma, bronchitis, emphysema
- Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal and apathy

Federal Laws

Federal law splits marijuana, THC, and hashish into two different schedules. Schedule III for state-licensed and FSA approved medical marijuana productions, and Schedule 1 for general recreational or non-medical cannabis, extracts, and illicit hashish.

- Under 50kg marijuana/10kg or less hashish/ 1kg or less hashish oil: First offense: Not more than 5 years in prison and a fine up to \$250,000 for an individual. Second offense: Not more than 10 years in prison and up to a \$500,000 for an individual.
- 50-99kg marijuana/10-99kg hashish: First offense: Not less than 5 years and not more than 40 years in prison, fine up to \$5 million. Second offense: Not less than 10 years and up to life in prison, fine up to \$8 million.
- 100kg – 1,000+kg marijuana/ 100-1,000+kg hashish: Higher weight tiers escalate mandatory minimums to 10-20 years scaling up to life imprisonment for major criminal enterprises under [DEA federal trafficking penalties](#).

Maine Laws for Posing

Maine does have an exception for only those in possession of cannabis for medical use pursuant to chapter 558-C. Maine classifies these drugs as a Schedule Z. For more information, including fine amounts please visit;

<https://legislature.maine.gov/statutes/28-b/title28-Bsec1501.html>

Maine Laws for Posing with Intent

Maine law for posing with the intent to sell is broken out based on quantity. To find the full details of the Class offense please visit; <https://legislature.maine.gov/statutes/28-b/title28-Bsec802-A.html>

Schedule I

Schedule I drugs are not currently accepted medical use and have high potential for abuse. A Schedule I drug includes but is not limited to; Heroin, Lysergic Acid Diethylamide (LSD), Methylenedioxymethamphetamine (ecstasy), Methaqualone, Peyote.

Health Risks

- Death from overdose
- Infection, hepatitis or AIDS
- Addiction with severe withdrawal symptoms
- Loss of appetite
- Drowsiness, clouding of mental processes, apathy, slowing of reflexes
- Testicular atrophy
- Sexual dysfunctions, sterility (reversible), impotence
- Cancer
- Rage and uncontrolled anger
- Liver disease
- Growth problems
- Psychological problems
- Breast reduction
- Failure of secondary sex characteristics
- Fetal damage
- For a person who has a history of mental or emotional instability, LSD may trigger more serious problems
- Distortions of reality such as feeling that the unusual and sometimes frightening effects of the drug will somehow last forever. Tolerance with repeated use means that increased amounts are needed to bring about the same effect.

Federal Laws

Minimum penalty: low end amount (size depends on drug) – 5-40 years High end amount – 10 years to life. Maximum fine: \$1-\$20 million. If death or serious injury occurs – 20 years to life. To see the full details based on quantity and offenses go to [DEA.Gov](#).

Maine Laws for Posing

Maine law sections out each Schedule I as a Schedule W drug. For further information of each Schedule W drug and its Class B

crime please visit; <https://legislature.maine.gov/statutes/17-A/title17-Asec1107-A.html>.

Maine Laws for Posing with Intent

Maine law for Schedule W drugs. More information can be found here;
<https://www.mainelegislature.org/legis/statutes/17a/title17-Asec1103.html>

Schedule IV

Schedule IV drugs have a low potential for abuse and low risk of dependence. A schedule IV drug includes but is not limited to; Xanax, Darvon, Valium, Ambien, Darvocet, Ativan, Talwin, Soma.

Health Risks

- Drowsiness
- Withdrawal symptoms
- Abdominal cramping and/or muscle cramping
- Anxiety
- Tremors
- Insomnia
- Convulsion
- Possible death
- Fetal damage

Federal Laws

All schedule IV drugs except for Flunitrazepam/Rohypnol, first offense: Not more than 5 years and fines no more than \$250K for an individual. Second offense: maximum of 10 years in prison and a fine up to \$500K for an individual. Flunitrazepam/Rohypnol – higher/lower grams can shift the prison terms ranging from 3-20 years depending on the weight and offenses. To see the full details based on quantity and offenses go to DEA.Gov.

Maine Laws for Posing

Maine law sections out each Schedule IV as a Schedule Y drug. For further information of each Schedule Y drug and its Class D crime please visit; <https://legislature.maine.gov/statutes/17-A/title17-Asec1107-A.html>

Maine Laws for Posing with Intent

Maine law for Schedule Y drugs. More information can be found here; <https://legislature.maine.gov/statutes/17-A/title17-Asec1103.html>.

Schedule V

Schedule V drugs have the lowest potential for abuse then schedule IV. A Schedule V drug includes but is not limited to; cough preparations with less than 200 milligrams of codeine or per 100 milliliters (Robitussin AC), Lomotil, Lyrica.

Health Risks

- Nausea
- Gastrointestinal symptoms
- Drowsiness
- Withdrawal symptoms
- Runny nose
- Watery eyes
- Panic
- Chills
- Cramping
- Irritability
- Fetal damage

Federal Laws

All drugs, any amount. First offense: Not more than a year in prison and a fine of no more than \$100K for an individual. Second offense: not more than 10 years in prison and a fine of not more than \$200k for an individual. To see the full details based on quantity and offenses go to DEA.Gov.

Maine Laws for Posing

Maine law sections out each Schedule IV as a Schedule Y drug. For further information of each Schedule Y drug and its Class D crime please visit; <https://legislature.maine.gov/statutes/17-A/title17-Asec1107-A.html>

Maine Laws for Posing with Intent

Maine law for Schedule Y drugs. More information can be found here; <https://legislature.maine.gov/statutes/17-A/title17-Asec1103.html>.

For the full listing of Maine state Legislature laws please visit; <https://legislature.maine.gov/statutes/17-A/title17-Ach45sec0.html>.

Signs of Substance Abuse

Here are some signs of substance abuse:

- Excessive tardiness; you may notice patterns such as always calling out on Mondays, after holidays, or paydays.
- Sudden change in appearance such as wearing dirty clothes, looking disheveled, neglecting personal hygiene.
- Physical symptoms like tremors, bloodshot eyes, alcohol on breath (or constant use of breath mints and gum), runny nose (or always rubbing their nose), sweating, or looking spaced out.
- Sudden mood changes like behaving paranoid, irrational, argumentative, or short-tempered.
- Acting inappropriate, obnoxious, loud, or laughing excessively.
- Avoiding people or meetings.
- Multiple trips to the bathroom or parking lot, running errands during school time.
- Sleeping during class.

Resources

- Drug and Alcohol Counseling/Treatment - Maine Statewide Crisis Hotline 1-888-568-1112
- Maine Office of Substance Abuse Information about substance abuse and listings of treatment agencies and support group meetings in Maine. <http://maine.gov/dhhs/osa/index.htm> or call 1800-499-0027.
- 1-800-COCAINE (262-2463) Information, crisis intervention and referrals to local rehab centers for all types of drug dependency.
- You may confidentially and anonymously report information about the illegal trafficking of drugs: 1-800-452-6457

CDL Drug Screen Policy

Reasons for a CDL Drug Screen:

- Pre-employment
- Post-accident
- Random
- Reasonable suspicion
- Return-to-duty & Follow-up

Pre-employment/Pre-admission

The Federal Motor Carrier Safety Administration (FMCSA), the agency for the Department of Transportation (DOT) charged with regulating the US trucking industry, requires a pre-employment drug test for all applicants for employment in positions requiring a CDL. CDL students are also included in drug testing requirements as per section 382.107 of the Code of Federal Regulations, which allows that "truck and bus driver training schools meet the definition of an employer because they own or lease Commercial Motor Vehicles (CMVs) and assign students to operate them at appropriate points in their training". Furthermore, "students who actually operate CMVs to complete their course work qualify as drivers".

Post-accident

FMCSA regulations require an employee/student be administered drug and alcohol tests as soon as is practicable following an accident, if the accident involved the loss of human life or the driver receives a citation. Drug tests should be performed within 32 hours of the incident and alcohol tests should be performed within 8 hours, however if an alcohol test is not performed within 2 hours of the incident, a record should be prepared and maintained explaining the reason(s) why.

Random

FMCSA regulations require CDL employees/students be subject to random alcohol and drug testing. The selection process shall ensure each employee/student has an equal chance of being tested each time selections are made. Selection shall be determined by a third-party organization (NTI currently uses DISA/AWSI), and test dates shall be spread reasonably throughout the year with no established pattern. Testing will be unannounced as well as random. The following guidelines should be followed after being notified of selection for random testing:

- The employee/student shall report *immediately* to the collection site. Failure to report to the collection site within 30 minutes of your appointment—including reasonable driving time—is considered by FMCSA as a *refusal to submit*.
- If the employee/student is engaging in safety-sensitive duties (instructing, driving), schedules should be adjusted and the employee/student shall be asked to stop what they are doing and report immediately to the collection site.
- An employee/student may only be permanently removed from the random pool if there is no reasonable expectation of them ever returning to drive for the employer.
- If it is an employee's/student's day off, notification can be held until the employee's/student's next scheduled work day, so long as it occurs before the next selection date. Once notification is received, the employee/student must immediately report to the collection site.
- If an employee/student has been notified of selection and testing cannot be completed due to "unforeseeable circumstances" at the collection site (i.e. site closed, collector unavailable, natural disaster, etc.) the student/employee will immediately contact their employer for an instruction to an alternative collection site as this does not negate an employer's responsibility of ensuring that the required test be administered.
- If an employee/student is unable to submit to random testing due to injury, illness, vacation, etc., the employee/student must immediately notify their employer so it can be documented in the employee/student's file. In this case, either an alternate will be selected, or an additional employee/student will be added to the next selection in order to comply with FMCSA regulations.

Reasonable Suspicion

FMCSA regulations require that an employee or student undergo alcohol and/or drug testing when the supervisor has reasonable suspicion to believe that the employee or student has used a prohibited drug or has misused alcohol. The request to undergo a reasonable suspicion test must be based on specific, articulable, reliable observations concerning the appearance, behavior, speech, or body odor of the employee/student.

- Only a supervisor who has completed Reasonable Suspicion training can determine whether or not to test an employee/student.
- The decision to test an employee/student for reasonable suspicion should be documented within 24 hours.
- Reasonable suspicion alcohol testing is only permissible if the trained supervisor's observations are made during, just preceding, or just after the employee/student is performing safety-sensitive functions.
- Reasonable suspicion substance abuse testing is permissible at any time the employee/student is on duty.
- If an alcohol test is not administered within 2 hours following observations triggering the request to test, a record must be prepared and maintained stating the reasons why the test was not administered promptly.
- If an alcohol test is not administered within 8 hours, all attempts to administer the test must cease and the

supervisor will document why the test was not administered. The employee/student should be placed out of service for 24 hours.

- Controlled substances tests must be administered within a reasonable time.

Return to duty & Follow-up

Before any employee/student is allowed to return to duty following a verified drug test, an alcohol result of .04* or greater, or a refusal to submit, that employee/student must undergo a return-to-duty test. The return-to-duty drug test must be negative and the return-to-duty alcohol test must indicate an alcohol concentration of less than .02. All return-to-duty tests must be conducted under direct observation. Once allowed to return-to-duty, the employee/student shall be subject to unannounced follow-up testing for at least 12, but not more than 60 months. A minimum of six tests must be administered during the first 12 months and the employee/student must also remain in the random testing pool.

- **If during a random alcohol test an employee/student tests over .02, a confirmation test is required within 15-30 minutes. If the employee/student tests between .02 and .039, the employee/student is removed from duty for a set period of time determined by the DOT.*

Failure to Submit

- A failure or refusal to submit includes, but is not limited to Excessive delay in reporting for a required test
- Refusing or failing to provide a specimen
- Attempting to adulterate or substitute a specimen
- Failing to complete any paperwork required by the collection site
- Failing to remain at the collection site until the test is completed
- Failing or refusing to submit to a second test that may be required by the collection site/employer
- Failing to cooperate with any aspect of the testing process.

Any employee/student accused of failing/refusing to submit will be immediately removed from duty/their driving program and must complete the return-to-duty testing before returning to work/class.

Failing a Test or Refusal to Submit

- The employee/student is immediately removed from all safety sensitive functions (instructing/driving)
- The employee/student must seek a face-to-face meeting with a substance abuse professional (SAP). To find a SAP, the employee/student should call: 888-720-7277
- The employee/student must follow the SAP's recommended course of action which may include a referral to an educational/treatment program.
- The SAP will determine if the program was a success or if further education/treatment is needed.
- If the SAP determines the program was successful, the SAP will file a report that lists any continuing treatment/education (if required), along with the number of follow-up tests required within a specified timeframe.
- After the SAP gives the go-ahead, the employee/student must take a return-to-duty test under direct observation and the result must be negative
- After a return-to-duty, the employee/student is required to have a minimum of six unannounced follow-up tests in the first 12 months, plus whatever additional testing may be required by the SAP.
- A follow-up test *does not* count as a random pool test, and any employee/student who is required to complete follow-up tests must remain in the random drug pool as well.
- All test failures or refusals to submit are reported to the Clearinghouse, thus, if an employee/student leaves their employer/school before all follow-up tests are completed, their next employer/school will require them to complete the tests.



51 U.S. Route 1, Suite K, Scarborough, ME 04074
1435 Broadway, Bangor, ME 04401
730 Center St, Suite 6C, Auburn, ME 04210
(800) 447-1151 | www.NTINOW.edu

What is Reported to and Maintained by the Clearinghouse?

- A verified positive, unadulterated, or substituted drug test result
- An alcohol confirmation test with a concentration of .04 or higher
- A refusal to submit to any test required by FMCSA regulations
- An employer's report of actual knowledge of:
 - o On duty alcohol use
- Pre-duty alcohol use
- Alcohol use following an accident
- Controlled substance use
- A SAP report of the successful completion of the return-to-duty process
- A negative return-to-duty test
- An employer's report of completion of follow-up testing