

Annual Policy Notification

**Distribution of the Federal
Drug-Free Schools and
Campuses Regulations**

[Edgar Part 86]

You are receiving this document in accordance with the Federal Government requirements of the Drug-Free Schools and Community Act Amendments of 1989. In order for Ogden-Weber Technical College to receive federal funding of any kind, including financial aid resources, all students, faculty, and staff must receive a copy of this policy annually. This process is formally conducted by the College's Compliance Coordinator Office, in partnership with the Financial Aid and Scholarships Office. Notifications are disseminated to all College Students, Faculty and Staff. The notification is also available online at:

<https://www.otech.edu/site/wp-content/uploads/Annual-Drug-and-Alcohol-Notification.pdf>

Below you will find information about the College's student and employee alcohol and drug policy, college and legal sanctions, as well as basic information on the health risks associated with the consumption of alcohol and drugs. In addition, there is also information about relevant campus and community resources.

If you have questions or concerns about this notification please contact:

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Ogden-Weber Technical College Drug and Alcohol Policies

At the Ogden-Weber Technical College, we strive to create an environment where students, faculty, and staff can learn and grow. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the College environment, as well as the individual potential of our students and staff. The College enforces state laws and related College policies.

Student Alcohol and Drug Policy:

The Drug-Free School and Community Act prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on school property or as part of any school activities. The Ogden-Weber Technical College prohibits:

- Unlawful use, possession, distribution, sale, manufacture, or possession for purposes of distribution or sale of any controlled substance or illegal drug;
- Sale, possession, manufacture, distribution, or consumption of alcoholic beverages on College premises;
- Unauthorized sale, possession, manufacture, distribution, or consumption of alcoholic beverages at any official off-campus College-sponsored function or event;
- Smoking in unauthorized locations on College premises in violation of state law, College, or public health regulations;

The information regarding the Student alcohol and Drug policy and the Student Code of Conduct, as well as the Drug-Free School and Communities Act can be found at:

https://www.otech.edu/files/policies/530.4_Student-Rights-Responsibilities-and-Code-of-Conduct.pdf

Student Sanctions

If a student is found to be in violation of the Drug Free School's act, the college will initiate the College's disciplinary process. If found to be in violation of the Drug-Free School and Communities Act, the student will face appropriate sanctions, up to and including dismissal from the college. The College may also notify appropriate law enforcement.

Student Supports Available:

Students can speak with their program counselor for a referral to substance abuse treatment options in the community. The College also offers 24/7 counseling for students via a contracted provider, Blomquist Hale. The College offers prevention training through Vector Solutions for all enrolled students. Contact information for these services can be found on flyers around campus, or by contacting your Program Counselor for a referral.

OTECH Program Counselors: <https://www.otech.edu/current-students/program-counselors/>

Find substance abuse treatment in Utah: <https://sumh.utah.gov/>

Employee Substance Abuse/Drug-Free Workplace Act

It is the policy of the College that employees shall not be involved with the use, possession, sale, manufacture, or transfer of illegal drugs or alcohol in any manner while on duty or within such time prior to going on duty that the presence of such substances may affect their ability to perform assigned duties or otherwise adversely affect the College and/or its business. Further, employees shall not possess alcoholic beverages or illegal substances in the workplace nor be under their influence while on duty.

You are accountable for the full policy, and you can find the full policy here:
https://www.otech.edu/files/policies/520.49_drugFreeWorkplace.pdf

Employee Sanctions:

Employees found to have violated the Drug Free Workplace Policy will face disciplinary action up to and including termination. The College may also notify appropriate law enforcement.

Employee Support:

Employees can access support for substance abuse issues by contacting their HR representative. The College offers EAP services for benefited employees.

Find substance abuse treatment in Utah: <https://sumh.utah.gov/>

Utah Legal Sanctions

Utah Alcohol Use by Minors:

- **Minors:** Selling or supplying alcohol to a minor is illegal.
Maximum penalty: 1 year imprisonment and or \$2,500 Fine, Class A misdemeanor
- **Minor in possession:** You may not purchase, attempt to purchase, or solicit another person to purchase, possess, or consume any alcoholic beverage or product.
Maximum penalty: 6 months imprisonment and or \$1,000 fine plus suspension of your driver's license up to one year, Class B misdemeanor
- **Not a drop law:** It is illegal to operate a vehicle while there is any measurable alcohol in your body (under 0.8 BAC).
Penalty: Driver's license suspended for 90 days for first offense.

Utah Alcohol Laws for Everyone:

- **Intoxication:** It is illegal to sell or supply alcohol to anyone who is intoxicated. It is also illegal to purchase alcohol if you are intoxicated.
Maximum Penalty: 6 months imprisonment and/or \$1,000 fine, Class B misdemeanor.
- **Public Intoxication:** It is illegal to drink in a public building, park, or stadium, or to be so intoxicated that you disturb others or injure yourself or others.
Maximum Penalty: 90 days imprisonment and/or \$750 fine, Class C Misdemeanor.
- **Open Container Law:** It is illegal to drink any alcoholic beverage while operating or riding as a passenger in a motorized vehicle, regardless of if the vehicle is moving, stopped, or parked on any highway, street, or other area of traffic.
Maximum penalty: 6 months imprisonment and/or 1,000 Fine, Class B misdemeanor.
- **Driving Under the Influence (DUI):** It is illegal to drive or be in the physical control of a vehicle for motorboat, even when parked, while under the influence of alcohol, any drug, or the combined influence of alcohol and any drug if impaired.
Penalty for a first offence: 60 days – 6 months imprisonment and/or up to \$1,000 fine, Class B misdemeanor.
Mandatory assessment and participation in education programs, suspension of driver's license for 90 days or more.
** Penalties increase if there is injury involved or minors in the car at the time of the offense.*

**Penalties increase for subsequent offenses and are enhanced if the incident occurs within 1000 feet of a school, church, stadium, theater, sports complex, etc.*

Utah Drug Related Sanctions for Everyone:

- **Obtaining or distributing a controlled substance under false pretenses**
Maximum penalty: 5 years imprisonment and/or \$5,000 fine. Third degree felony.
- **Possession or sale of drug-related paraphernalia**
Maximum penalty: 5 years imprisonment and/or \$5,000 fine. Third degree felony.
- **Sale or use of inhalants to get high**
Maximum penalty: 1 year imprisonment and/or \$2,500 fine. Class C misdemeanor.
- **Manufacture or sale of imitation controlled substances**
Maximum penalty: 90 days imprisonment and/or \$2,500 fine. Class C misdemeanor.
- **Possession or use of imitation controlled substances**
Maximum penalty: 90 Days imprisonment and/or \$750 fine. Misdemeanor.
- **Drug possession of Schedule I and II drugs for personal use (simple possession)**
12 months in jail and/or up to \$2,500 fine. Class A misdemeanor.
**A third offense of Schedule I and II drug possession is classified as a third-degree felony.*
- **Tobacco Product Use:** You must be 19 to buy, use, or possess any tobacco product. Selling or furnishing any tobacco product to anyone under the age of 19 is illegal. Through the use of tobacco, nicotine is one of the most heavily used addictive drugs and the leading preventable cause of disease, disability, and death in the U.S. Cigarette smoking accounts for 90% of lung cancer cases in the U.S., and about 38,000 deaths per year can be attributed to secondhand smoke.

Federal Laws and Sanctions:

Controlled substance convictions under federal laws carry a range of penalties which can include fines and/or imprisonment. Federal controlled substance convictions also can lead to forfeiture of both real and personal property; the denial of federal benefits, such as grants and student loans; and the denial of federally provided or supported professional and commercial licensures. The seriousness of the offense and the penalty imposed generally depends on the type and amount of the drugs involved.

Federal Provisions:

<https://www.govinfo.gov/content/pkg/USCODE-2014-title21/html/USCODE-2014-title21-chap13-subchapl.htm>

Health Effects of Alcohol and Drug Use:

In addition to the social and financial difficulties caused by Substance abuse, numerous health risks have been identified with substance abuse (use of illicit drugs and excessive use of alcohol), and this list is not all-inclusive. Abusers can lose resistance to disease, develop heart problems, contract infections, or become malnourished, physically exhausted, and even die. Reality is often distorted, reactions may be slower, and the risk of accidents can increase. Extended substance abuse can cause coma, respiratory arrest, and convulsions. Injected drugs increase the risk for infectious diseases such as hepatitis and AIDS. Body systems are affected. The liver, lungs, and heart are damaged.

For women, there is an increase in birth defects associated with use during pregnancy.

DEA Resource Guide:

<https://www.getsmartaboutdrugs.gov/sites/getsmartaboutdrugs.com/files/publications/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant.pdf>

ORGAN DONATION

The Ogden-Weber Technical College is a proud supporter of organ donation. If you haven't already registered to be an organ, eye, and tissue donor, here is your chance. Go to **www.yesutah.org** or call 1-899-YES-UTAH

NON-DISCRIMINATION STATEMENT:

The college is committed to providing equal educational opportunity regardless of gender, marital status, parental status, race, color, religion, age, national origin, or physical or mental disability as required by Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendment of 1972, Section 504 of the Rehabilitation act of 1973, the age discrimination act of 1975, the Vocational Amendments of 1976, and the Americans with Disabilities Act, and all other applicable state and federal laws.

https://www.otech.edu/files/policies/530.5_Student_Non-Discrimination.pdf