



304 S. Colonel Rowe Boulevard

McAllen, TX 78501

www.mcallencareersinstitute.com

956-618-5800

Drug & Alcohol Policies

Illegal Drugs/Alcohol

McAllen Careers Institute supports a drug-free environment and will not allow the unlawful possession, use or distribution of illicit drugs or alcohol on or off campus. As a condition of acceptance McAllen Careers Institute students agree to random and for-cause drug testing or search throughout their attendance as set forth in McAllen Careers Institute's Substance Abuse Prevention Policy. A violation will result in taking appropriate action up to and including termination.

Drug and Alcohol Policy

This policy strictly prohibits the illegal use, possession, manufacture, dispensing, or distribution of alcohol, drugs or controlled substances in the workplace, on its premises, or as a part of all school sponsored activities. A violation of this policy is considered a major offense, which may result in requirement for satisfactory participation in a drug or alcohol rehabilitation program, referral for criminal prosecution, and/or immediate disciplinary action up to and including termination from employment and suspension or expulsion from the school. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy. Violations of applicable local, state and federal laws may subject a student or employee to a variety of legal sanctions including but not limited to fines, incarceration, imprisonment and/or community service requirements. Convictions become a part of an individual's criminal record and may prohibit certain career and professional opportunities.

The following information is provided in accordance with the Drug Free Workplace Act of 1988 (P.L. 100-690, Title V, Subtitle D) and the Drug Free Schools and Communities Act Amendments of 1989 (RL. 101-226).

Drug Free Schools Notice to Students

1. McAllen Careers Institute is a drug free campus. Drug and/or alcohol use impairs memory, alertness, and achievement. Their use erodes the capacity to perform, think, and act responsibly. Therefore, any form of such substance abuse creates an extreme danger in the school to students, employees, and others. Substance abuse can be grounds for termination of your enrollment at this institution.
2. McAllen Careers Institute has a policy of maintaining a drug-free College atmosphere. All students are hereby notified that the unlawful manufacture, distribution, dispersion, possession, use of a controlled substance, or alcohol, or the presence of a controlled substance or alcohol in your body's system is prohibited on this institution's premises. These "premises" are defined as all school property, including building interiors and exteriors, sidewalks, parking lots, privately-owned vehicles parked on school premises, as

well as desks, lockers, and storage areas. This prohibition applies to students' performing any school related tasks or attending any school-sponsored functions, including field trips, regardless of location on or off school premises.

3. Pursuant to its Drug Free Schools Program, McAllen Careers Institute may conduct a reasonable search of a student's work area, locker, vehicle (driven on or parked on school property), or other personal items. Continued enrollment is contingent upon your submission to a reasonable search.
4. According to the severity of the violation, in the judgment of school authorities, the following disciplinary sanctions will be imposed upon students for drug or alcohol abuse violations occurring on school premises:
 - Oral or written reprimand.
 - Suspension from school.
 - Mandatory entry into a drug or alcohol abuse counseling, treatment, or rehabilitation program. If referred, failure to enter and successfully complete such a program will result in immediate termination.
 - Immediate termination without referral to a treatment and rehabilitation program.
 - Referral of violation to local law-enforcement agencies for prosecution.
5. Students should be aware that substance abuse inhibits employment opportunities. There is an ever-growing sentiment among employers nationwide that drugs and alcohol will not be tolerated in the work place. Employers in nearly every field now require pre-employment screening to detect drug and alcohol abusers. Remember, even though you may graduate from the program in which you are enrolled, substance abuse can inhibit career opportunities.
6. Drug and alcohol counseling, treatment, and rehabilitation programs are available at, but not limited to, the following locations:

Pura Vida Counseling Services, PLLC

918 W Nolana Loop
(956) 502-5526

Victory Rehab LLC

520 Pecan Blvd.
(956) 618-2419

All students must read, understand and agree to the following:

- I understand, that as a condition of my enrollment and continued attendance at this institution, I must agree to the terms of Paragraphs 1-4 above.
- I must notify the School Director of any criminal drug statute conviction for a violation occurring on school premises no later than five (5) days after such conviction.
- I understand that this institution has established a drug free awareness program to inform students about:
- The institution's policy of maintaining a drug free school.

- The penalties that may be imposed upon students for drug or alcohol abuse violations occurring on school premises.
- The health risks of drug and alcohol abuse.
- The availability of drug and alcohol counseling, treatment, and rehabilitation programs.
- The inhibition of employment opportunities should I be identified as a substance abuser.

Health Risks

Health risks generally associated with alcohol and drug abuse can result in but are not limited to a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes and thought disorders. The use of alcohol and other drugs represents a serious threat to health and the quality of life. More than 25,000 people die each year from drug-related accidents or health problems. With most drugs, it is possible that users will develop psychological and physical dependence. The general categories of drugs and their effects are as follows:

Alcohol produces short-term effects that include behavioral changes, impairment of judgment and coordination, greater likelihood of aggressive acts, respiratory depression, irreversible physical and mental abnormalities in newborns (fetal alcohol syndrome) and death. Long-term effects of alcohol abuse include damage to the liver, heart and brain; ulcers; gastritis; malnutrition; delirium tremens; and cancer. Alcohol combined with barbiturates and other depressants can prove to be a deadly mixture.

Amphetamines/Stimulants (speed, uppers, crank, caffeine, etc.) speed up the nervous system and can cause increased heart and breathing rates, higher blood pressure, decreased appetite, headaches, blurred vision, dizziness, sleeplessness, anxiety, hallucinations, paranoia, depression, convulsions and death due to a stroke or heart failure.

Anabolic Steroids seriously affect the liver, cardiovascular and reproductive systems. Can cause sterility in males and females as well as impotency in males.

Barbiturates/Depressants (downers, Quaaludes, valium, etc.) slow down the central nervous system and can cause decreased heart and breathing rates, lowered blood pressure, slowed reactions, confusion, distortion of reality, convulsions, respiratory depression, coma and death. Depressants combined with alcohol can be lethal.

Cocaine/Crack stimulates the central nervous system and is extremely addictive, both psychologically and physically. Effects include dilated pupils, increased heart rate, elevated blood pressure, insomnia, loss of appetite, hallucinations, paranoia, seizures and death due to cardiac arrest or respiratory failure.

Hallucinogens (PCP, angel dust, LSD, etc.) interrupt the functions of the part of the brain that controls the intellect and instincts. May result in self-inflicted injuries, impaired coordination, dulled senses, incoherent speech, depression, anxiety, violent behavior, paranoia, hallucinations, increased heart rate and blood pressure, convulsions, coma, and heart and lung failure.

Cannabis (marijuana, hashish, hash, etc.) impairs short-term memory comprehension, concentration, coordination and motivation; may also cause paranoia and psychosis. Marijuana

smoke contains more cancer-causing agents than tobacco smoke. The way in which marijuana is smoked - deeply inhaled and held in the lungs for a long period, enhances the risk of getting cancer. Combined with alcohol, marijuana can produce a dangerous multiplied effect.

Narcotics (heroin, morphine, demerol, percodan, etc.) initially produce feelings of euphoria often followed by drowsiness, nausea and vomiting. An overdose may result in convulsions, coma and death. Tolerance develops rapidly and dependence is likely. Using contaminated syringes to inject such drugs may result in AIDS.

Tobacco/nicotine causes death among some 170,000 people in the United States each year due to smoking-related coronary heart disease. Some 30 percent of the 130,000 cancer deaths each year are linked to smoking. Lung, larynx, esophagus, bladder, pancreas and kidney cancers strike smokers at increased rates. Emphysema and chronic bronchitis are 10 times more likely among smokers.

Punishment for Alcohol and Drug Related Crimes - State of Texas

The Texas Health and Safety Code sets the possession law, dividing controlled substances into five penalty groups, plus a marijuana category. While some of the substances are legal, it is illegal to possess them without a prescription, and the health code establishes the punishments for illegal possession.

| Penalty Group | Examples of Drugs/ Controlled Substances |
|----------------------|---|
| 1 | Cocaine, heroin, methamphetamine, GHB, ketamine, oxycodone and hydrocodone. |
| 1A | LSD |
| 2 | Ecstasy, PCP and mescaline. |
| 3 | Valium, Xanax and Ritalin. |
| 4 | Compounds containing Dionine, Motofen, Buprenorphine or Pryovalerone |

Penalty Group 1

| Weight | Classification | Penalty |
|--|------------------------------|--|
| Less than one gram | State jail felony | 180 days 2 years in a state jail and/or a fine of not more than 10,000 |
| 1 gram or more less than 4 grams | Third-degree felony | 2 to 10 years in a state prison and/or a fine of not more than 10,000 |
| 4 grams or more, but less than 200 grams | Second-degree felony | 2 to 20 years in a state prison and/or a fine of not more than 10,000 |
| 200 grams or more, but less than 400 grams | First-degree felony | 5 to 99 years in a state prison and/or a fine of not more than 10,000 |
| 400 grams or more | Enhanced first-degree felony | 10 to 99 years and a fine of not more than \$100,000 |

Penalty Group 1A

| Amount | Classification | Penalty |
|--|------------------------------|---|
| Fewer than 20 units | State jail felony | 180 days to 2 years in a state jail and/or fine of not more than \$10,000 |
| 20 or more units, but less than 80 units | Third-degree felony | 2 to 10 years in a state prison and/or a fine of not more than \$10,000 |
| 80 units or more, but less than 4,000 units | Second-degree felony | 2 to 20 years in a state prison and/or a fine of not more than \$10,000 |
| 4,000 units or more, but less than 8,000 units | First-degree felony | 5 to 99 years in a state prison and/or a fine of not more than \$10,000 |
| 8,000 units or more | Enhanced first-degree felony | 15 to 99 years in state prison and a fine of not more than \$250,000 |

Penalty Group 2

| Weight | Classification | Penalty |
|--|------------------------------|---|
| Less than one gram | State jail felony | 180 days to 2 years in a state jail and/or a fine of not more than \$10,000 |
| More than 1 gram, less than 4 grams | Third-degree felony | 2 to 10 years in a state prison and/or a fine of not more than \$10,000 |
| More than 4 grams, less than 400 grams | Second-degree felony | 2 to 20 years in a state prison and/or a fine of not more than \$10,000 |
| 400 grams or more | Enhanced first-degree felony | 5 to 99 years in a state prison and/or a fine of not more than \$50,000 |

Penalty Groups 3 and 4

| Amount | Classification | Penalty |
|---|-----------------------|--|
| Less than 28 gram | Class A Misdemeanor | Not more than 1 year in a county jail and/or fine of not more than \$4,000 |
| 28 grams or more, but less than 200 grams | Third-degree felony | 2 to 10 years in a state prison and/or a fine of not more than \$10,000 |

| | | |
|---|---------------------------------|---|
| 200 grams or more, but less than 400 grams | Second-degree felony | 2 to 20 years in a state prison and/or a fine of not more than \$10,000 |
| 400 grams or more, | Enhanced first-degree felony | 5 to 99 years and/or a fine of not more than \$50,000 |

The Texas Tax Code, in addition to the criminal penalties for drug possession, also sets potential civil penalties. Although the statute is not often used in minor possession cases, the code requires that taxes must be paid on illegal drugs, so that “dealers” who possess over certain amounts can be charged with tax evasion. The state of Texas can also suspend your license for up to six months following a conviction on any violation of the Texas Controlled Substances Act.

The Code of Criminal Procedure also allows police to seize any property used or “intended to be used” in the commission of a drug felony. That means they can take your car, your home, or any other belonging where you are accused of carrying or hiding drugs. The asset forfeiture law is a civil action, not criminal, and you don’t have to be convicted for the state to try to take your property. Drug possession penalties are complicated, and depend on the classification of the substance and the quantity.

Possession of Drug Paraphernalia

Any item that can be used as a drug processing, packaging, or consumption mechanism can be defined as paraphernalia under 481.002 (17) of the Texas Controlled Substances Act. Even common household items such as scales, spoons, bowls, envelopes or bags can land you an illegal possession of paraphernalia charge. The most common paraphernalia charges result from pipes, and bongs.

Simple possession of drug paraphernalia is a Class C Misdemeanor, which carries a penalty of fines up to \$500.

Distribution or possession with intent to distribute or sell drug paraphernalia is a Class A misdemeanor, which can result in up to a year in jail. Second offense penalties will result in mandatory jail time, or if you sell to someone under 18 years old.

Federal Law

| Offense | Minimum Punishment | Maximum Punishment |
|--|---|---|
| Manufacture, distribution or dispensing drugs (includes marijuana) | A term of imprisonment for up to 5 years, and a fine of \$250,000 | A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$8,000,000 (for an individual) or \$20,000,000 (if other than an individual). |
| Possession of drugs (includes marijuana) | Imprisonment for up to 1 year, and a fine of \$1,000 | Imprisonment for not more than 20 years or not less than 5 years, a fine of not less than \$5,000 plus cost of investigation and prosecution. |
| Operation of a | | Imprisonment for up to 15 years |

Common Carrier
under the influence
of alcohol or drugs

and a fine not to exceed \$250,000

Referral and Hotline Information

The College does not offer professional counseling services but offers the following recourse information:

National Institution on Drug Abuse (M-F, 8:30 a.m.-4:30 p.m.) 1 -800-662-HELP

National Alcohol & Drug Abuse Hotline 1-800-234-0420

Cocaine Helpline 1-800-COCAINE

Reach-Out Hotline 1-800-522-9054

(Alcohol, drug-crisis, intervention, mental health referral)