



PimaCommunityCollege

# 2024-2025 Drug- and Alcohol- Free Environment Notification

**The provisions herein comply with the Federal Regulations regarding the Workplace Act of 1988 and the “Drug-Free Schools and Communities Act and Drug and Alcohol Prevention Regulations.”**

Pima Community College is an equal opportunity, affirmative action employer and educational institution committed to excellence through diversity. Upon request, reasonable accommodations will be made for individuals with disabilities. Every effort will be made to provide reasonable accommodations in a timely manner. For public and employee accommodation requests, as well as information related to the ADA complaint process, contact the College ADA Coordinator at 520-206-4539 or 4905C E. Broadway Blvd., Tucson, AZ 85709-1130. For PCC student accommodation requests, please contact Access and Disability Resources, 520-206-6688 or [adrhelp@pima.edu](mailto:adrhelp@pima.edu).

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# **Pima County Community College District Annual Drug-and Alcohol-Free Environment Notification**

## **Drug Free Schools and Communities Act Information**

As a requirement of Drug-Free Schools and Communities Act and Drug and Alcohol Prevention Regulations, Pima Community College is to disseminate and ensure receipt of the below policy/information to all students, staff, and faculty on an annual basis.

Questions concerning this policy and/or alcohol and other drug programs, interventions and policies may be directed to Tina Neil, Chief Human Resources Officer/Assistant Vice Chancellor, Acting, contact: [cmneil@pima.edu](mailto:cmneil@pima.edu), or at (520) 206-4620.

## **Drug-Free Schools and Communities Act**

Pima Community College is committed to the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226, 20 U.S.C. §1145g). The unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees is prohibited. Violating or failing to comply with published rules and regulations of conduct on College property or during a College activity and/or being under the influence of, using, selling, possessing, or distributing any illicit drugs, including marijuana related products, or alcohol on College property or as part of any of its activities is subject to disciplinary action that may include exclusion, suspension, or expulsion.

Additionally, local, state, and federal laws prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol. Conviction for violating these laws can lead to imprisonment, fine, probation, and/or assigned community service. Students convicted of a drug- and/or alcohol-related offense will be ineligible to receive federally funded or subsidized grants, loans, scholarships, or employment. Pima Community College fully subscribes to and cooperates with the local, state, and federal authorities in the enforcement of all laws regarding the unlawful possession, use, or distribution of illicit drugs and alcohol.

It is illegal under federal and state law, as well as violations of Pima Community College policies to have in your possession, to use, or to distribute, marijuana or any product containing THC while on college property.

There are definite health risks associated with the use of alcohol and illegal substances. Students who experiment with drugs, alcohol, and illegal substances, or use them recreationally, may develop a pattern of use that leads to abuse and addiction. Use of alcohol and illegal substances is a major factor in accidents and injuries, and among persons between the ages of 18 and 24, it is responsible for more deaths than all other causes combined. College officials will assist students with appropriate referrals and information concerning drug and alcohol education, counseling, treatment, or rehabilitation or reentry programs that may be available in the community. Contact the Student Services Center on any campus for information.

# Pima Community College

## Administrative Procedure 11.01.01:

### Drug-and Alcohol-Free Environment

#### Purpose

Pima Community College ("PCC" or the "College") is committed to providing and maintaining a safe, healthy, and productive environment for Students, Employees, and Visitors, free from hazards associated with Drug and Alcohol abuse in accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989. In furtherance of that commitment, PCC issues this Administrative Procedure (AP). This AP is also intended to ensure compliance with the Arizona Drug Testing of Employees Act, A.R.S. § 23-493 et seq. This Administrative Procedure (AP) also provides the College's process by which it complies with the Arizona Medical Marijuana Act, § 36-2801, et seq., and the Smart and Safe Arizona Act (recreational marijuana).

Exceptions to this AP may be granted by the Chancellor or his/her designee for College-sponsored and approved events, on or off College Property, where Alcohol may be served.

#### Section 1: Definitions

"Alcohol" means a beverage intended for human consumption that contains ethanol in a concentration over one-half of one percent (0.5%) by volume. This definition does not include prescribed or over-the-counter medications or extracts intended for use as flavorings in food preparation.

"AP" means Administrative Procedure, which replaces the term "Standard Practice Guide" ("SPG").

"AZPOST" means the Arizona Peace Officer Standards and Training Board.

"CDL" means "Commercial Driver's License."

"College Community" means, collectively, all persons employed by, volunteering for, enrolled in classes at, or visiting the College or attending any College Sponsored Activity.

"College Property" means any campus, building or grounds owned, leased, operated, or controlled by the College.

"College Sponsored Activity" means any event, activity, or endeavor officially sanctioned by the College or any on- or off-campus activity initiated, aided, authorized, or supervised by the College's administration or official organizations. Except when Students are being escorted or hosted by College Employees, this definition does not include off-campus, after-hours business meals, entertainment, fundraisers, conferences and association meetings, or other social settings where Alcohol is not expressly prohibited.

"Conviction" means any finding or adjudication of criminal guilt, including one based on a plea of no-contest.

"Drug" means any controlled substance (including marijuana) under Schedule I through V of the Controlled Substances Act (21 U.S.C. § 812), as well any prescription medication, over-the-counter medication, or other over-the-counter substances when the use of such medication or substance results in Impairment of the user.

"Employee" means any person employed by the College on a full-time, part-time, temporary, or regular basis or directly engaged in the performance of work under the provision of a contract with the College. This definition does not include unpaid Volunteers.

"FMCSA" means Federal Motor Carrier Safety Administration "Illicit" means prohibited by state or federal law or College policy.

"Impairment" or "Impaired" means an adverse physical or mental effect on an individual caused by the use of Alcohol or Drugs, including a diminished capacity for speech, cognition, judgment, movement, balance, dexterity, agility, and/or coordination.

"Medical Marijuana" means marijuana that is prescribed and administered lawfully under state law to treat or alleviate a Medical Marijuana Cardholder's medical condition or the symptoms associated with that medical

condition pursuant to A.R.S. § 36-2801, et seq.

“Medical Marijuana Cardholder” means a person who possesses a valid registry identification card issued by the Arizona Department of Health Services pursuant to A.R.S. § 36-2801, et seq.

“Drug Paraphernalia” means items used for the purpose of preparing, injecting, ingesting, inhaling, or otherwise using Drugs.

“Reasonable Suspicion” exists when an Employee exhibits behavior that an average person of ordinary intelligence, exercising ordinary care, skill, and judgment, would believe suggests Impairment from Drug or Alcohol use, including but not limited to, any of the following:

- Observed use of Alcohol or Illicit Drugs during work hours or on College Property;
- Excessive tardiness or excessive early departure from work;
- Excessive or unauthorized absences that are not otherwise explainable;
- Accidents on the job in which injuries or property damage occur;
- Significant changes in personal behavior, appearance, or physical care that are not otherwise explainable, including, without limitation, any of the following:
  - o An odor of Alcohol, marijuana, or other Drugs;
  - o Unusually glassy eyes;
  - o Unusually dilated or constricted pupils;
  - o Difficulty maintaining balance;
  - o Uncharacteristically slow, rapid, slurred, or incoherent speech;
  - o Uncharacteristic aggressiveness or other displays of emotion not appropriate to the circumstances or situation;
- Deteriorating work performance that is not attributable to other factors;
- Statements by the Employee implying the use of Alcohol or Illicit use of Drugs during a time period that could result in Impairment of the Employee’s job performance;
- Arrests involving Drug or Alcohol use during, immediately before, or immediately after an Employee’s scheduled work hours.

“Safety Sensitive Position” means any job that requires the performance tasks or duties that could affect the safety or health of the Employee performing the task or of other individuals, including, but not limited to, any of the following:

- Providing law enforcement, public safety, security, or medical services;
- Operating a motor vehicle, machinery, or power tools;
- Repairing, maintaining, or monitoring the performance of any equipment, machinery, or manufacturing process, the malfunction or disruption of which could result in injury or property damage;
- Preparing or handling food, medicine, or medical equipment;
- Handling, inspecting, transporting, or disposing of hazardous materials or volatile chemicals;
- Participating in a program which an accreditor or other external authority has identified as requiring Drug or Alcohol testing;
- Working in any occupation regulated pursuant to Arizona Revised Statutes Title 32, “Professions and Occupations”.

“Student” means any person currently enrolled in courses at the College on either a full-time or part-time basis, as well as any person currently registered for or participating in continuing-education classes through the College.

“Under the Influence” means a person’s mental or physical functioning is Impaired as a result of the immediate effects of the presence of Alcohol or Drugs in the person’s system.

“Visitor” means any person physically present on College Property or in attendance at a College Sponsored Activity who is not a current Student, Employee, or authorized Volunteer.

“Volunteer” means any unpaid individual who is not an Employee or Student of the College, and is authorized by

the College to perform and voluntarily performs services for the College without promise, expectation, or receipt of compensation, future employment, or other tangible benefit, including academic credit. A Volunteer is not an Employee of the College for any purpose.

## **Section 2: Possible Legal Sanctions**

Local, state, and federal laws prohibit the unlawful manufacture, distribution, sale, dispensing, possession, storage, or use of Alcohol and Illicit Drugs. If convicted of violating one or more of these laws, an individual could be sentenced to imprisonment, fines, probation, and/or mandatory community service. PCC will cooperate fully with the local, state, and federal authorities in the enforcement of all applicable laws.

*Pima Community College Police Department has primary responsibility for the enforcement of Federal and State drug and alcohol laws.*

See Appendix A: Federal and State Legal Sanctions

## **Section 3: Health Risks**

There are known health risks associated with the use and abuse of Alcohol and Drugs. The excessive use, misuse, or abuse of Alcohol or any Drug, legal or illegal, may cause intoxication and Impairment, as well as physical, psychological, and social harm. Alcohol and/or any Drug used in excess over time can produce illness, disability, and death.

See Appendix B: Drug and Alcohol Health Risks.

## **Section 4: PCC Statement on Medical Marijuana and Recreational Marijuana**

The Arizona Medical Marijuana Act (A.R.S. § 36-2801, et seq.) ("the Act") authorizes the possession and use of marijuana for medical purposes by certain registered individuals ("Medical Marijuana Cardholders"). However,

A.R.S. § 15-108 expressly prohibits the use or possession of marijuana or any product derived from it, on the campus of any public university, college, or community college, even by registered Medical Marijuana Cardholders.

Furthermore, the Act conflicts with federal laws governing controlled substances in that the distribution, use, and possession of marijuana remain illegal under the federal Controlled Substances Act, Drug-Free Schools and Communities Act ("DFSCA"), and Drug-Free Workplace Act ("DFWA"). Pursuant to the DFSCA and DFWA, any institution that receives federal funding must institute and enforce a drug-prevention program and prohibit the manufacture, use, and distribution of federally controlled substances, including marijuana, or risk being disqualified from receiving future federal funding. PCC receives federal funding in the form of financial aid and grants that would be in jeopardy if those federal laws did not take precedence in the College's policies.

Because of its obligations under federal law, and to ensure Students' and the College's continued access to federal student loans and grants, PCC will continue to prohibit all marijuana use, possession, and distribution on College Property or during any College Sponsored Activity. Employees and Students who violate this policy may be subjected to disciplinary sanctions and possible criminal action even if they are registered Medical Marijuana Cardholders.

## **Section 5: Employees**

### **A. Standards of Conduct for Employees**

All Employees are required to report to work, and remain during all working hours, unimpaired by Alcohol or Drugs and in a condition fit to perform the duties of their respective positions including while working remotely.

Every PCC Employee is subject to this AP and to all applicable College Drug and Alcohol policies, including PCC Administrative Procedure 11.01.01 and the PCC Employee Handbook. Violations could result in disciplinary sanctions up to and including termination of employment.

As a condition of their continued employment with PCC, all Employees must abide by AP 11.01.01 and all of the College's Drug and Alcohol policies.

## **B. Support Resources**

Employees dealing with Drug and/or Alcohol problems are encouraged to seek help, either through their own resources or through the College's Employee Assistance Program ("EAP"). All PCC Employees can obtain completely confidential, 24-hour EAP services through Jorgensen Brooks by calling 888-520-5400, or through [www.jorgensenbrooks.com](http://www.jorgensenbrooks.com).

Although violations of College policies or unacceptable work performance will not be excused because an Employee has sought assistance, conscientious efforts to obtain such help will not jeopardize an Employee's job and will not be noted in the Employee's personnel file. In cases of possible Drug overdose or Alcohol poisoning, health and safety are the College's primary concerns, and Employees are strongly encouraged to call for medical assistance for themselves or others who may be dangerously Impaired.

## **C. Prohibited Conduct for Employees**

No College Employee shall engage in any of the following conduct:

- Violate any of the provisions of AP 11.01.01;
- Refuse to submit to a Drug/Alcohol test when directed to do so pursuant to College policy;
- Fail to report at the specified date and time to the designated testing facility when directed by the College's HR office to submit to a Drug/Alcohol test;
- Attempt to interfere with or alter the outcome of a College directed Drug/Alcohol test, or submit a false sample for testing;
- Report for work or remain at work when Impaired by Alcohol, and/or Drugs, or a combination of both;
- Use, distribute, manufacture, dispense, sell, store, or possess Alcohol (unless specifically permitted by the Chancellor (see "Scope" above) or Illicit Drugs, including Marijuana, on College Property, during the Employee's scheduled work hours, while on official College business, during any formal or informal College Sponsored Activity, or in a College supplied vehicle;
- Possess or be Impaired by Marijuana i) while on College Property, ii) during the Employee's scheduled work hours, iii) while on official College business, iv) during any on- or off-campus College Sponsored Activity, or v) in a College-supplied vehicle, even if the Employee is a Medical Marijuana Cardholder or otherwise possessing or using Recreational Marijuana in accordance with Arizona state law;
- Test positive for any Drug at any time without a legal basis for use of that Drug. Employees who test positive only for the presence of Marijuana will not be found in violation of the College's Drug and Alcohol policy if i) they do not demonstrate signs of Impairment on College Property, during any College Sponsored Activity, or during their scheduled College work hours, regardless of location, and ii) they do not use, possess, or distribute Marijuana on College Property, during any College Sponsored Activity, or during their scheduled College work hours.

Drug and Alcohol policies for Employees working in certain College departments, may be more restrictive than those stated in this AP. For further information, please contact HR or the specific College departments.

## **D. Special Restrictions and Provisions for Employees in Safety Sensitive Positions**

No Employee in a Safety Sensitive Position may use any Drug, including legal Drugs, prescribed by a physician or otherwise, if the use of that Drug could impair or otherwise negatively affect an Employee's job performance in that position or endanger the Employee or other members of the College Community. Employees in Safety Sensitive Positions who take prescription Drugs that could potentially cause Impairment must work with their physicians to ensure Impairment does not occur at times when the Employee's job performance could be negatively affected. (See also Duty to Disclose Use of Medications, below).

In addition to this general prohibition, Employees in the following positions must comply with additional, specific requirements as noted:

- Personnel with a CDL are required to follow the FMCSA, 49 CFR Part 382.
- Commissioned Law Enforcement personnel certified through AZPOST must comply with any rules and requirements promulgated by AZPOST with respect to the use or possession of Marijuana or the association with a Medical Marijuana dispensary pursuant to the Arizona Medical Marijuana Act.

## **E. Process and Procedures for Employee Testing**

Section 5 of AP 11.01.01 related to employees will be administered by the College's Human Resources ("HR") office.

- The College's Employee Drug and Alcohol testing process will be administered by the College's HR office.
- All College directed Drug and/or Alcohol testing of Employees will be considered paid work time.
- All Employees may be subject to Alcohol and Drug testing pursuant to the conditions and procedures stated in this AP.
- All Employees shall receive a copy of this AP at the time of their initial employment with the College and after any updates and changes to this AP. As an alternative to providing a printed copy of the, the College may give written notice of the URL address or location on the College's website where this AP can be reviewed.
- The College's HR office shall schedule all Alcohol and Drug testing, arrange for the transportation of Employees to and from such testing, when necessary, and maintain all testing documentation.
- Specific programs, College divisions, departments, and units with Safety Sensitive Positions may have additional Drug and Alcohol testing procedures that expand on these general College-wide procedures, based on the regulations required for those specific programs, divisions, departments, and units.

## **F. Confidentiality of Employee Drug and Alcohol Testing**

All Employee Drug and/or Alcohol testing, monitoring, and related activities are confidential.

- All information related to an Employee's Drug and/or Alcohol testing, and related activities will be treated by the College as confidential employment records.
- Employee Drug and/or Alcohol testing information will be disclosed only when required by law, when disclosure specifically authorized by the Employee, or to other College Employees and authorized third parties contracted by the College on a need-to-know basis.
- Documentation and other records related to Employee Drug and Alcohol testing must be maintained in a secure and confidential location by the College's HR office.

## **G. Employee Disciplinary Action for Drug and Alcohol Violations**

- An Employee who violates this AP may be subject to discipline in accordance with College policy up to and including termination of employment. (See Employee Handbook).
- Minor procedural errors in the implementation of AP 11.01.01 shall not be grounds for invalidating the results of a Drug or Alcohol test or overturning discipline imposed pursuant to AP 11.01.01.

## **H. Duty to Disclose Use of Medication**

The College understands Employees under a physician's care may be required to use prescription Drugs.

However, an Employee's abuse or misuse of otherwise legal prescription Drugs will be addressed per AP 11.01.01 in the same manner as an Employee's abuse or misuse of Illicit Drugs or Alcohol.

An Employee must inform the College's HR office of the Employee's prescription or non-prescription Drug use if such use will or is reasonably likely to impair the Employee's ability to perform the essential functions of the Employee's job. The information supplied will be kept confidential except, where appropriate, the College's HR office may share the information with the Employee's supervisor and other appropriate administrators, including the Chancellor.

An Employee may be required to provide medical documentation necessary to confirm that the Employee's use of a prescription or non-prescription Drug will not impair his or her performance of the essential functions of his or her job, with or without a reasonable accommodation.

## **I. Duty to Provide Notice of Criminal Drug and/or Alcohol Convictions**

An Employee must inform the College's HR office of any criminal Drug and/or Alcohol Conviction for a violation occurring in the workplace or during the Employee's regular working hours within five (5) calendar days of the Conviction. Federal law requires, if the Employee occupies a position funded in whole or in part by a federal grant, the College will notify the granting agency of such Convictions, regardless of how the College obtained information about the Convictions.

## J. Reasonable Suspicion Testing for Employees

Any College Employee who is reasonably suspected of using Alcohol or Illicit Drugs in the workplace, of abusing a controlled substance in the workplace, or of being Impaired by Alcohol or a controlled substance (including Medical Marijuana or Recreational Marijuana) while performing the Employee's job duties regardless of where or when the Alcohol or controlled substance was used or consumed, will be required to undergo Drug and/or Alcohol testing.

### 1. Procedures to Be Followed by Supervisors During Reasonable Suspicion Testing

Upon Reasonable Suspicion that an Employee may be Impaired by Alcohol or Drugs, a supervisor is to take the following actions. Failure to strictly comply with these procedures shall not invalidate any test results, affect enforcement of this AP, or otherwise preclude disciplining the Employee in question for violating any of the College's Drug and Alcohol policies.

- a. Immediately notify the supervisor's superior, and, as soon as practicable, notify the College's HR office of the supervisor's suspicion. If the supervisor making the notification is not the suspected Employee's immediate supervisor, the Employee's immediate supervisor must be notified as soon as possible;
- b. Have another supervisor independently observe and evaluate the Employee for indications of Impairment due to Alcohol or Drug use, if possible;
- c. Escort the Employee to a location away from other Employees, Students, and members of the public where the supervisor can speak to the Employee privately and confidentially;
- d. In the presence of the supervisor's superior or another supervisor, if possible, inform the Employee that the supervisor suspects the Employee may be Impaired by Alcohol or Drugs and the basis or bases for that belief, and provide the Employee with an opportunity to explain the Employee's behavior and/or the other conditions giving rise to the supervisor's suspicion;
- e. Document all observations and other information giving rise to the supervisor's Reasonable Suspicion that the Employee may be Impaired by Alcohol or Drugs, and document any explanation or response provided by the Employee regarding the Employee's behavior and/or the other conditions giving rise to the supervisor's suspicion;
- f. If the supervisors, or supervisor and the superior, both do not find the Employee's explanation to be reasonable or credible, a supervisor should notify the College's HR office and recommend Drug and/or Alcohol testing. If it is not possible to have another supervisor or superior present to observe the suspected Employee and evaluate the reasonableness of the Employee's explanation, the recommendation for Drug and/or Alcohol testing may be made by one supervisor;
- g. If a supervisor discovers an Employee is in possession of what reasonably appears to be a controlled substance, Illicit Drug, Drug Paraphernalia, or Alcohol, the supervisor shall promptly notify the PCC Police Department. Supervisors or other non-PCC Police Department personnel should not attempt to confiscate or otherwise handle such items themselves.

### 2. Procedures to Be Followed by the College's HR Office During Reasonable Suspicion Testing

- a. A supervisor who reasonably suspects an Employee to be Under the Influence of Drugs and/or Alcohol shall immediately contact Human Resources Employee Relations to report the circumstances and related facts. If it is determined that testing is required, Human Resources Employee Relations shall arrange for the Employee to be tested by the College's contracted testing facility in accordance with the HR office's practice and procedure. Employees who are reasonably suspected of being Under the Influence of Drugs and/or Alcohol are required to voluntarily submit to testing. Failure to voluntarily submit to testing based upon Reasonable Suspicion is in violation of this AP and may lead to corrective/disciplinary action.
- b. If the result of the testing does not indicate a violation of the College's Drug and Alcohol policy, the Employee shall return to work, and any continued performance issues will be addressed in accordance with established College policies and procedures.
- c. If test results indicate a violation of the College's Drug and Alcohol policies, the Employee shall be immediately suspended and the corrective/disciplinary process shall be initiated in accordance with College policy and procedure.
- d. The College will recommend an Employee seek professional counseling for Alcohol and/or Drug issues if/when it is determined to be warranted.

## **K. Rights of Employees**

Any Employee who undergoes Drug or Alcohol testing pursuant to this AP may, upon request, receive a written copy of the test results.

Any Employee who is subject to Drug or Alcohol testing pursuant to this AP has the right, upon request, to explain to the College's HR office in a confidential setting the results of a positive test result.

## **L. Training**

Each College Employee who regularly supervises other Employees shall receive [training](#) on maintaining a Drug- and Alcohol-free environment, including the proper implementation of this AP and the College's process for Reasonable Suspicion Testing. The College's HR office will ensure that initial and update training is provided and that participation is monitored.

# **Section 6: Students**

## **A. Standards of Conduct for Students**

As a condition of their enrollment with PCC, Students are required to comply with all College policies regarding the possession and use of Drugs and/or Alcohol, including this AP and the Student Code of Conduct. Due to heightened health and safety concerns, Students in certain academic programs may be subject to additional or stricter Drug and Alcohol policies. Students should contact and consult with their instructors or program administrators for further information about such requirements. Violations could result in disciplinary action and sanctions up to and including expulsion from the College.

## **B. Support Resources for Students**

Students' health and safety is of the utmost concern to the College. Students who are dealing with Drug and/or Alcohol problems are encouraged to seek help either through their own resources or with the assistance of the College. College officials will assist Students with obtaining appropriate referrals and information concerning Drug and Alcohol education, counseling, treatment, and/or rehabilitation or reentry programs available in the area. Students may contact the Student Services Center on any campus for further information.

In cases of possible Drug overdose or Alcohol poisoning, health and safety are the College's primary concerns. Students are strongly encouraged to call for medical assistance for themselves or others who may be dangerously impaired by Drugs or Alcohol. Although violations of College policies or unsatisfactory academic performance will not be excused because a Student has sought assistance for Drug and/or Alcohol problems, the College will treat a Student's help-seeking actions as a health and safety matter, rather than a Code of Conduct or disciplinary matter, when a Student self-reports a Drug and/or Alcohol issue to emergency responders or to College officials.

No Student who seeks medical treatment for a possible Drug overdose or Alcohol poisoning will be subject to disciplinary action by the College for the sole violation of using, possessing, or being Impaired by/Under the Influence of Alcohol or other Drugs. The College reserves the right to pursue additional Code of Conduct violations based upon the totality of the Student's conduct and circumstances of the incident or event. Students may still be held accountable for misconduct accompanying or incidental to the use and/or abuse of Alcohol or Drugs, such as disorderly behavior, violence, harassment, or property damage.

See Appendix D: Counseling and Treatment

See Appendix E: PCC Prevention and Education Programs

## **C. Prohibited Conduct**

No Student, regardless of his or her age, may consume, possess, be Under the Influence of or Impaired by, sell, or distribute Alcohol or any Illicit Drug on any College Property or during any College Sponsored Activity. For further information, Students should consult the Student Code of Conduct.

#### **D. Process and Procedures for Students**

Student violations of the College's Drug and Alcohol policies will be handled in accordance with the processes and procedures set forth in the Student Code of Conduct.

Students participating in certain academic programs who are suspected of being Under the Influence of Drugs or Alcohol may be required to submit to reasonable suspicion testing as a condition of their enrollment and continued participation in those programs. Students should contact and consult with their instructors or program administrators for further information about such requirements.

#### **E. Student Sanctions for Drug and/or Alcohol Violations**

Sanctions issued by the College will consist generally of a combination of educational, corrective, and/or punitive measures with the primary goal of educating Students about the College's expectations and requirements for their conduct as members of the College Community while also holding Students accountable for their actions and correcting unacceptable behaviors. Students determined to have violated the College's Drug and Alcohol policies may face sanctions up to and including expulsion from the College.

See Appendix F for sanctions from the PCC Student Code of Conduct. AP 2.03.01 Section 10.12 describes potential amnesty for lesser misconduct (e.g., alcohol consumption) to encourage the College Community to report and participate fully in investigations into and resolutions of incidents of alleged Discrimination and Harassment.

Additionally, local, state, and federal laws prohibit the unlawful possession, use, manufacture, or distribution of Illicit Drugs and Alcohol. Students convicted of violating these laws could face imprisonment, fines, probation, and/or mandatory community service.

#### **F. Rights of Students**

Students' rights during College disciplinary proceedings for Drug or Alcohol violations, including their right to appeal decisions and sanctions, can be found in the Student Code of Conduct.

Violations of state and federal Drug and Alcohol laws are serious legal matters that could result in large fines and/or the loss of one's freedom. Students facing criminal Drug or Alcohol charges are strongly encouraged to consult with legal representation at their earliest opportunity. The College cannot represent or offer legal advice to Students facing criminal charges.

#### **G. Impact of Drug Convictions on Students' Eligibility for Financial Aid**

Under federal law, Students convicted of state or federal Drug offenses that occurred when the Student was enrolled at a higher-education institution and receiving federal financial aid will be ineligible to receive

future federally funded or subsidized grants, loans, scholarships, or work-study employment for one or more years or even indefinitely, depending on the nature and number of the Convictions. (See 28 U.S.C. § 1091(r) (1)). Additionally, Students convicted of Drug offenses after receiving federal financial aid could be liable for returning any financial aid received during a period of ineligibility.

## **Section 7: Volunteers**

Volunteers are required to comply with all federal and state laws and College policies regarding the possession and use of Drugs and/or Alcohol, including this AP. Moreover, Volunteers are required to be unimpaired by Alcohol or Drugs while on College Property, during College Sponsored Activities, and at any time while performing services for or on behalf of the College.

Volunteers are not College Employees for any purpose, serve at the pleasure of the College, and are not entitled to any process by the College. The College may, at any time and for any reason, at the College's sole discretion, terminate a Volunteer's service for the College.

## **Section 8: Visitors**

The College is an institution of higher learning that strives to maintain an open and welcoming academic environment. To that end, the College invites and welcomes Visitors to its campuses and sponsored activities. However, the use, possession, or distribution of Alcohol or Illicit Drugs by anyone, as well as the presence of anyone who is Impaired by or Under the Influence of Alcohol or any Drug, on College Property or during College Sponsored Activities, is disruptive to the College environment, detrimental to its academic mission, and a health and safety hazard to the College Community.

Accordingly, all Visitors are required to comply with all federal and state laws and College policies regarding the use, possession, or distribution of Drugs and/or Alcohol, including this AP, while on any College Property or attending any College Sponsored Activity. Visitors who violate College policy or state or federal law while on College Property or attending College Sponsored Events may be subject to arrest and criminal prosecution, and may be banned ("Trespassed") from College Property and future College Sponsored Activities.

# Appendix A

## Federal and State Legal Sanctions

Federal and state laws prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol. Conviction for violating these laws can lead to imprisonment, fine, probation, and/or assigned community service. Students convicted of a drug- and/or alcohol-related offense will be ineligible to receive federally funded or subsidized grants, loans, scholarships, or employment. Pima Community College will fully cooperate with the local, state, and federal authorities in the enforcement of all applicable laws.

### Federal Drug Laws

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

### Denial of Federal Aid (20 USC 1091)

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more.

A conviction will only disqualify a student for funding if the offense occurred during a period of enrollment for which the student was receiving Title IV aid. Also convictions that are reversed, set aside, or removed from a student's record do not count, nor does any conviction received while the student was a juvenile, unless they were tried as an adult.

Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility after completing any of the following options:

- 1) Successfully completing a rehabilitation program, as described below, which includes passing two unannounced drug tests from such a program;
- 2) Having the conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record; or
- 3) Successfully completing two unannounced drug tests which are part of a rehab program (the student does not need to complete the rest of the program).

In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to the financial aid office that he/she has successfully completed the rehabilitation program.

### Forfeiture of Personal Property and Real Estate (21 USC 853)

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

### Federal Drug Trafficking Penalties (21 USC 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a school or college (see 21 USC 859-860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

## **Federal Drug Schedules**

Drugs, substances, and certain chemicals used to make drugs are classified into five (5) distinct categories or schedules depending upon the drug's acceptable medical use and the drug's abuse or dependency potential. The abuse rate is a determinant factor in the scheduling of the drug; for example, Schedule I drugs have a high potential for abuse and the potential to create severe psychological and/or physical dependence. As the drug schedule changes-- Schedule II, Schedule III, etc., so does the abuse potential-- Schedule V drugs represent the least potential for abuse. A Listing of drugs and their schedule are located at Controlled Substance Act (CSA) Scheduling or CSA Scheduling by Alphabetical Order. These lists describe the basic or parent chemical and do not necessarily describe the salts, isomers and salts of isomers, esters, ethers and derivatives which may also be classified as controlled substances. These lists are intended as general references and are not comprehensive listings of all controlled substances.

Please note that a substance need not be listed as a controlled substance to be treated as a Schedule I substance for criminal prosecution. A controlled substance analogue is a substance which is intended for human consumption and is structurally or pharmacologically substantially similar to or is represented as being similar to a Schedule I or Schedule II substance and is not an approved medication in the United States (See 21 U.S.C. §802(32)(A) for the definition of a controlled substance analogue and 21 U.S.C. §813 for the schedule.).

### **Schedule I**

Schedule I drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Some examples of Schedule I drugs are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone, and peyote

### **Schedule II**

Schedule II drugs, substances, or chemicals are defined as drugs with a high potential for abuse, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous. Some examples of Schedule II drugs are: Combination products with less than 15 milligrams of hydrocodone per dosage unit (Vicodin), cocaine, methamphetamine, methadone, hydromorphone (Dilaudid), meperidine (Demerol), oxycodone (OxyContin), fentanyl, Dexedrine, Adderall, and Ritalin

### **Schedule III**

Schedule III drugs, substances, or chemicals are defined as drugs with a moderate to low potential for physical and psychological dependence. Schedule III drugs abuse potential is less than Schedule I and Schedule II drugs but more than Schedule IV. Some examples of Schedule III drugs are: Products containing less than 90 milligrams of codeine per dosage unit (Tylenol with codeine), ketamine, anabolic steroids, testosterone

### **Schedule IV**

Schedule IV drugs, substances, or chemicals are defined as drugs with a low potential for abuse and low risk of dependence. Some examples of Schedule IV drugs are: Xanax, Soma, Darvon, Darvocet, Valium, Ativan, Talwin, Ambien, Tramadol

### **Schedule V**

Schedule V drugs, substances, or chemicals are defined as drugs with lower potential for abuse than Schedule IV and consist of preparations containing limited quantities of certain narcotics. Schedule V drugs are generally used for antidiarrheal, antitussive, and analgesic purposes. Some examples of Schedule V drugs are: cough preparations with less than 200 milligrams of codeine or per 100 milliliters (Robitussin AC), Lomotil, Motofen, Lyrica, Parepectolin.

## Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<p>First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p>Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment.</p> <p>Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	5 kgs or more mixture	<p>First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment.</p> <p>Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture	100 gm or more pure or 1 kg or more mixture		

DRUG/SCHEDULE	QUANTITY	PENALTIES
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<p>First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>
Flunitrazepam (Schedule IV)	1 gram	
Other Schedule III drugs	Any amount	<p>First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p>Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
All Schedule V drugs	Any amount	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

## Federal Trafficking Penalties - Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture; More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regard- less of weight); 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I) 10 kg or less			
Hashish Oil (Schedule I) 1 kg or less			

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.*

For complete information on Federal Drug laws, download the latest edition of 2022 Edition of Drugs of Abuse, DEA Resource Guide at:

[https://www.dea.gov/sites/default/files/2022-12/2022\\_DOA\\_eBook\\_File\\_Final.pdf](https://www.dea.gov/sites/default/files/2022-12/2022_DOA_eBook_File_Final.pdf)

# Arizona penalties for drug and alcohol violations

## Title 4 Liquor Misdemeanor Penalties

Section	Sub.	Description	Class	Penalty
§ 4-241 Selling or giving liquor to underage person; illegally obtaining liquor by underage person;	L	A person who is under the legal drinking age and who misrepresents the person's age to any person by means of a written instrument of identification with the intent to induce a person to sell, serve, give or furnish spirituous liquor contrary to law	1 Misd.	6 mos. & \$250
	M	A person who is under the legal drinking age and who solicits another person to purchase, sell, give, serve or furnish spirituous liquor contrary to law	3 Misd.	30 Days & \$250
	N	A person who is under the legal drinking age and who uses a fraudulent or false written instrument of identification or identification of another person or uses a valid license or identification of another person to gain access to a licensed establishment	1 Misd.	6 mos. & \$250.
	P	A person who knowingly influences the sale, giving or serving of spirituous liquor to a person under the legal drinking age by misrepresenting the age of such person or who orders, requests, receives or procures spirituous liquor from any licensee, employee or other person with the intent of selling, giving or serving it to a person under the legal drinking age	1 Misd.	6 mos.
§ 4- 244 Unlawful Acts	20	For a person to consume spirituous liquor in a public place, thoroughfare or gathering.	2 Misd.	4 mos.
	34	For a person under twenty-one years of age to drive or be in physical control of a motor vehicle while there is any spirituous liquor in the person's body.	1 Misd.	6 mos.
	35	For a person under twenty-one years of age to operate or be in physical control of a motorized watercraft that is underway while there is any spirituous liquor in the person's body.	2 Misd.	4 mos
	41	For a person under twenty-one years of age to have in the person's body any spirituous liquor.	2 Misd.	4 mos

## Driving Under the Influence

	\$250	\$500	\$1,000	\$1,250	\$1,500
Additional Penalty Assessments	§ 28-1382 (D)(3), (E)(3)	§ 5-395.01 (L)*	§ 5-397 (D)(4)*	§ 5-395.01 (L)*	§ 5-396 (I)*
Applicable to Driving, Boating,	§ 28-1383(J)(2)	§ 5-395.01 (M)**	§ 5-397 (D)(5)**	§ 5-395.01 (M)**	§ 5-396 (J)**
Operating an Aircraft Under the		§ 28-1381 (I)(4)*	§ 28-1382 (D)(6)*	§ 5-397 (F)(4)*	§ 28-1383 (J)(4)*
Influence (Not subject to any surcharge)		§ 28-1381 (I)(5)**	§ 28-1382(D)(7)**	§ 5-397 (F)(5)**	§ 28-1383 (J)(5)**
		§ 28-8284 (D)(4)*		§ 28-1381 (K)(5)*	§ 28-8288 (A)(5)*
		§ 28-8284(D)(5)**		§ 28-1381 (K)(6)**	§ 28-8288 (A)(6)**
		§ 28-8286 (6)*		§ 28-1382 (F)(6)*	
				§ 28-1382 (F)(7)**	
				§ 28-8287 (A)(6)*	
				§ 28-8287(A)(7)**	

\* Applicable to all violations committed on or after March 13, 2004.

\*\* Applicable to all violations committed on or after August 12, 2005.

## Personal Possession & Use of Drugs—§ 13-901.01

A person convicted of a first or second offense for the personal possession or use of a controlled substance as defined in § 36-2501 must be placed on probation unless the person is also convicted of a violent offense defined in § 13-901.03. Incarceration may not be imposed as an initial condition of probation for a first offense. If a person convicted of a first offense is found to be in violation of probation by committing an offense listed in Title 13, Chapter 34 or 34.1 or an act in violation of an order of the court related to drug treatment, the person may be incarcerated upon reinstatement of probation. Participation in an appropriate drug treatment or education program is a required condition of probation and each person enrolled in a program shall pay for participation in the program to the extent of the person's financial ability. A person convicted of a second offense may be incarcerated as a term of probation.

## Penalties for Misdemeanors—§ 13-707, § 13-802

Class	Jail-Maximum	Fines Before Surcharges (persons)
1	6 months	Up to \$2,500
2	4 months	Up to \$750
3	30 days	Up to \$500
Petty Offense	No jail	Up to \$300

A.R.S. § 13-707(B) provides that a person convicted of the same misdemeanor or petty offense within two years of the date of the present offense shall be sentenced for the next higher class of offense for which the person currently stands convicted. Except for misdemeanor offenses prosecuted in a justice or municipal court, the presumptive fine imposed on an enterprise must be the median of the allowable range for the violation involved. With specified exceptions, the amount of the fine must be reduced by 25% if the enterprise had an effective program to prevent and detect violations of law when the offense was committed. Whether or not there is a program, five times the maximum allowable fine may be charged under circumstances prescribed in § 13-823. §13-824 provides that the court may order a defendant convicted of a misdemeanor in a limited jurisdiction court to perform community restitution in lieu of payment of all or part of a fine, a fee, assessment or incarceration cost (but not a surcharge) if the court finds the defendant is unable to pay all or part of the fine, fee, assessment or incarceration cost. The amount of community restitution is credited at \$10 per hour toward the monetary obligation.

## Other Sentencing Provisions

If a person is sentenced to a term of imprisonment, the court at the time of sentencing shall impose on the convicted person a term of community supervision equal to one day for every seven days of the sentence or sentences imposed. A.R.S. § 13-603(I).

A person may earn release credits of one day for every six days served, unless prohibited by statute. Commutation is possible, unless otherwise provided by law. A.R.S. § 41-1604.07.

A person convicted of a violent crime as defined in A.R.S. § 13-901.03 committed while the person is under the influence of marijuana, a dangerous drug or a narcotic drug is not eligible for release or probation until the entire sentence has been served. A.R.S. § 41-1604.15.

## General Crimes Sentencing Ranges

First Time Non-Dangerous Felony Offenses—§ 13-702					
Felony Class	First Offense—§ 13-702(D)				
	Mitigated *	Minimum	Presumptive	Maximum	Aggravated*
Class 2	3 yrs.	4 yrs.	5 yrs.	10 yrs.	12.5 yrs.
Class 3	2 yrs.	2.5 yrs.	3.5 yrs.	7 yrs.	8.75 yrs.
Class 4	1 yrs.	1.5 yrs.	2.5 yrs.	3 yrs.	3.75 yrs.
Class 5	.5 yrs.	.75 yrs.	1.5 yrs.	2 yrs.	2.5 yrs.
Class 6	.33 yrs.	.5 yrs.	1 yrs.	1.5 yrs.	2 yrs.

*Probation eligible, except for drug offenses in which the amount exceeds the statutory threshold pursuant to § 13-3405(C), § 13-3407(D), (E), (F) & (G), or § 13-3408 (D) & (E)*

*\*Two or more mitigating or aggravating factors, as applicable. A.R.S. § 13-702*

**NON DANGEROUS OFFENSES—REPETITIVE OFFENSES—§ 13-703**

Class	Category One—(§ 13-703(H))					Category Two—(§ 13-703(I))					Category Three—(§ 13-703(J))				
	MIT*	MIN	P	MAX	AGG*	MIT*	MIN	P	MAX	AGG*	MIT*	MIN	P	MAX	AGG
2	3	4	5	10	12.5	4.5	6	9.25	18.5	23	10.5	14	15.75	28	35
3	2	2.5	3.5	7	8.75	3.25	4.5	6.5	13	16.25	7.5	10	11.25	20	25
4	1	1.5	2.5	3	3.75	2.25	3	4.5	6	7.5	6	8	10	12	15
5	.5	.75	1.5	2	2.5	1	1.5	2.25	3	3.75	3	4	5	6	7.5
6	.25	.5	1	1.5	1.8	.75	1	1.75	2.25	2.75	2.25	3	3.75	4.5	5.75

**Drug Offense Sentencing Ranges**

Drug Threshold Amounts—§ 13-3401(36)

DRUG	THRESHOLD AMOUNT
Amphetamine & Methamphetamine	9 grams (including in liquid suspension)
Cocaine	9 grams (powder form) — 750 milligrams (rock form)
LSD	1/2 milliliter (liquid form) — 50 dosage units (blotter form)
Marijuana	2 pounds
PCP	4 grams or 50 milliliters

*For any combination consisting solely of the drugs listed above, the threshold is an amount equal to or in excess of the threshold amount as determined by the application of A.R.S. § 13-3420.*

*For any drug not listed above, or any combination of drugs not listed above, the threshold is an amount with a value of at least \$1,000.*

*Unless otherwise provided by statute, penalty provisions for a specific drug offense are found in the statute in Title 13, Chapter 34 defining that offense.*

*Note: Probation is required for persons convicted of possession or use of a controlled substance or drug paraphernalia. A.R.S. §13-901.01.*

**DRUG OFFENSES—MULTIPLE OFFENSES § 13-3419  
Below Statutory Threshold Amounts—§ 13-3419(A)(1),(2)**

Class	Second Offense					Third and Subsequent Offenses				
	MIT	Min	P	Max	AGG	MIT	MIN	P	MAX	AGG
2	3	4	5	10	12.5	3	4	5	10	12.5
3	1.8	2.5	3.5	7	8.7	1.8	2.5	3.5	7	8.7
4	1.1	1.5	2.5	3	3.7	1.1	1.5	2.5	3	3.7
5	.5	.75	1.5	2	2.5	.5	.75	1.5	2	2.5

*Probation eligible.*

**DRUG OFFENSES—MULTIPLE OFFENSE—§§ 13-3419  
Equals or Exceeds Statutory Threshold Amounts—§ 13-3419(A (3),(4)**

Class	Second Offense					Third and Subsequent Offenses				
	MIT	Min	P	Max	AGG	Min	P	Max	AGG	
2	3	4	5	10	12.5	4	7	12	15	
3	1.8	2.5	3.5	7	8.7	2.5	5	9	11.2	
4	1.1	1.5	2.5	3	3.7	1.5	3	5	6.2	
5	.5	.75	1.5	2	2.5	0.75	2.5	4	5	

*The mitigated sentence does not apply to a person sentenced pursuant to §13-3419(A)(4). For non-multiple drug offense sentencing ranges, refer to the general crimes sentencing ranges.*

## Summary of Arizona Revised Statutes

§ 13-3402. Possession and sale of peyote

§ 13-3403. Possession and sale of a vapor-releasing substance containing a toxic substance

§ 13-3405. Possession, use, production, sale or transportation of marijuana

§ 13-3406. Possession, use, administration, acquisition, sale, manufacture or transportation of prescription-only drugs; misbranded drugs

§ 13-3407. Possession, use, administration, acquisition, sale, manufacture or transportation of dangerous drugs

§ 13-3407.01. Manufacturing methamphetamine under circumstances that cause physical injury to a minor

§ 13-3408. Possession, use, administration, acquisition, sale, manufacture or transportation of narcotic drugs

§ 13-3409. Involving or using minors in drug offenses

§ 13-3454. Manufacture or distribution of imitation prescription-only drug

§ 13-3455. Manufacture or distribution of imitation over-the-counter drug

§ 13-3456. Possession or possession with intent to use imitation controlled substance

§ 13-3457. Possession or possession with intent to use an imitation prescription-only drug

§ 13-3458. Possession or possession with intent to use an imitation over-the-counter drug

§ 28-1381. Driving or actual physical control while under the influence

For full definitions of the listed drug and alcohol offenses, refer to Arizona Revised Statutes, Title 13 at:

<https://www.azleg.gov/arstitle/>

For full information of criminal penalties and fees, refer to Criminal Code Sentencing Provision

<https://www.azcourts.gov/Portals/34/2024-2025%20SC.pdf?ver=7aH3twYZ7yRIRaxyejYMCA%3d%3d>

# Appendix B

## Health Risks

(Excerpted from National Institute on Drug Abuse, Alcohol's Effects on the Body <http://www.niaaa.nih.gov/alcohol-health/alphabets-effects-body>)

### Alcohol's Effects on the Body

Drinking too much – on a single occasion or over time – can take a serious toll on your health. Here's how alcohol can affect your body:

**Brain:** Alcohol interferes with the brain's communication pathways, and can affect the way the brain looks and works. These disruptions can change mood and behavior, and make it harder to think clearly and move with coordination.

**Heart:** Drinking a lot over a long time or too much on a single occasion can damage the heart, causing problems including:

- Cardiomyopathy – Stretching and drooping of heart muscle
- Arrhythmias – Irregular heart beat
- Stroke
- High blood pressure

Research also shows that drinking moderate amounts of alcohol may protect healthy adults from developing coronary heart disease.

**Liver:** Heavy drinking takes a toll on the liver, and can lead to a variety of problems and liver inflammations including:

- Steatosis, or fatty liver
- Alcoholic hepatitis
- Fibrosis
- Cirrhosis

**Pancreas:** Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas that prevents proper digestion.

**Cancer:** Drinking too much alcohol can increase your risk of developing certain cancers, including cancers of the:

- Mouth
- Esophagus
- Throat
- Liver
- Breast

**Immune System:** Drinking too much can weaken your immune system, making your body a much easier target for disease. Chronic drinkers are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.

## Drug's Effects on the Body

For complete information on drug health risks, download the latest edition of 2022 Edition of Drugs of Abuse, DEA Resource Guide at:

[https://www.dea.gov/sites/default/files/2022-12/2022\\_DOA\\_eBook\\_File\\_Final.pdf](https://www.dea.gov/sites/default/files/2022-12/2022_DOA_eBook_File_Final.pdf)

**Cocaine:** A powerfully addictive stimulant drug made from the leaves of the coca plant native to South America. Short term health risks include narrowed blood vessels; enlarged pupils; increased body temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy, alertness; insomnia, restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, psychosis; heart rhythm problems, heart attack; stroke, seizure, coma. Long term health risks include loss of sense of smell, nosebleeds, nasal damage and trouble swallowing from snorting; infection and death of bowel tissue from decreased blood flow; poor nutrition and weight loss from decreased appetite.

**Fentanyl:** Fentanyl is a potent synthetic opioid drug approved by the Food and Drug Administration for use as an analgesic (pain relief) and anesthetic. It is approximately 100 times more potent than morphine and 50 times more potent than heroin as an analgesic. Overdose may result in stupor, changes in pupillary size, cold and clammy skin, cyanosis, coma, and respiratory failure leading to death. The presence of triad of symptoms such as coma, pinpoint pupils, and respiratory depression are strongly suggestive of opioid poisoning. The total number of overdose deaths for this category was greater than 258,000 for 2013 through 2021. These overdose deaths involving synthetic opioids is primarily driven by illicitly manufactured fentanyl, including fentanyl analogs. Fentanyl, similar to other commonly used opioid analgesics (e.g., morphine), produces effects such as relaxation, euphoria, pain relief, sedation, confusion, drowsiness, dizziness, nausea, vomiting, urinary retention, pupillary constriction, and respiratory depression.

**Heroin:** An opioid drug made from morphine, a natural substance extracted from the seed pod of the Asian **opium** poppy plant. Short term health risks include euphoria; warm flushing of skin; dry mouth; heavy feeling in the hands and feet; clouded thinking; alternate wakeful and drowsy states; itching; nausea; vomiting; slowed breathing and heart rate. Long term health risks include collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.

**Ketamine:** A dissociative drug used as an anesthetic in veterinary practice. Dissociative drugs are hallucinogens that cause the user to feel detached from reality. Short term health risks include problems with attention, learning, and memory; dreamlike states, hallucinations; sedation; confusion and problems speaking; loss of memory; problems moving, to the point of being immobile; raised blood pressure; unconsciousness; slowed breathing that can lead to death. Long term health risks include ulcers and pain in the bladder; kidney problems; stomach pain; depression; poor memory.

**LSD:** A hallucinogen manufactured from lysergic acid, which is found in ergot, a fungus that grows on rye and other grains. LSD is an abbreviation of the scientific name lysergic acid diethylamide. Short term health risks include rapid emotional swings; distortion of a person's ability to recognize reality, think rationally, or communicate with others; raised blood pressure, heart rate, body temperature; dizziness and insomnia; loss of appetite; dry mouth; sweating; numbness; weakness; tremors; enlarged pupils. Long term health risks include frightening flashbacks (called Hallucinogen Persisting Perception Disorder [HPPD]); ongoing visual disturbances, disorganized thinking, paranoia, and mood swings.

**Marijuana:** Marijuana is made from the hemp plant, *Cannabis sativa*. The main psychoactive (mind-altering) chemical in marijuana is delta-9-tetrahydrocannabinol, or THC. Short term health risks include enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; hallucinations; anxiety; panic attacks; psychosis. Long term health risks include mental health problems, chronic cough, frequent respiratory infections.

**MDMA (Ecstasy/Molly):** A synthetic, psychoactive drug that has similarities to both the stimulant amphetamine and the hallucinogen mescaline. MDMA is an abbreviation of the scientific name 3,4-methylenedioxy-methamphetamine. Short term health risks include lowered inhibition; enhanced sensory perception; confusion; depression; sleep problems; anxiety; increased heart rate and blood pressure; muscle tension; teeth clenching; nausea; blurred vision; faintness; chills or sweating; sharp rise in body temperature leading to liver, kidney, or heart failure and death. Long term health risks include long-lasting confusion, depression, problems with attention, memory, and sleep; increased anxiety, impulsiveness, aggression; loss of appetite; less interest in sex.

**Mescaline (Peyote):** A hallucinogen found in disk-shaped "buttons" in the crown of several cacti, including

peyote. Short term health risks include enhanced perception and feeling; hallucinations; euphoria; anxiety; increased body temperature, heart rate, blood pressure; sweating; problems with movement.

**Methamphetamine:** An extremely addictive stimulant amphetamine drug. Short term health risks include increased wakefulness and physical activity; decreased appetite; increased breathing, heart rate, blood pressure, temperature; irregular heartbeat. Long term health risks include anxiety, confusion, insomnia, mood problems, violent behavior, paranoia, hallucinations, delusions, weight loss, severe dental problems ("meth mouth"), intense itching leading to skin sores from scratching.

**PCP:** A dissociative drug developed as an intravenous anesthetic that has been discontinued due to serious adverse effects. Dissociative drugs are hallucinogens that cause the user to feel detached from reality. PCP is an abbreviation of the scientific name, phencyclidine. Short-term health risks include delusions, hallucinations, paranoia, problems thinking, a sense of distance from one's environment, anxiety. Low doses can cause slight increase in breathing rate; increased blood pressure and heart rate; shallow breathing; face redness and sweating; numbness of the hands or feet; problems with movement.

High doses can cause lower blood pressure, pulse rate, breathing rate; nausea; vomiting; blurred vision; flicking up and down of the eyes; drooling; loss of balance; dizziness; violence; suicidal thoughts; seizures, coma, and death. Long-term health risks include memory loss, problems with speech and thinking, depression, weight loss, anxiety.

**Prescription Opioids:** Pain relievers with an origin similar to that of heroin. Opioids can cause euphoria and are often used nonmedically, leading to overdose deaths. Short-term health risks include pain relief, drowsiness, nausea, constipation, euphoria, confusion, slowed breathing, death.

**Prescription Sedatives (Tranquilizers, Depressants):** Medications that slow brain activity, which makes them useful for treating anxiety and sleep problems. Short-term health risks include drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing.

**Prescription Stimulants:** Medications that increase alertness, attention, energy, blood pressure, heart rate, and breathing rate.

Increased alertness, attention, energy; increased blood pressure and heart rate; narrowed blood vessels; increased blood sugar; opened-up breathing passages. Short term health risks include dangerously high body temperature and irregular heartbeat; heart failure; seizures. Long term health risks include heart problems, psychosis, anger, paranoia.

**Psilocybin:** A hallucinogen in certain types of mushrooms that grow in parts of South America, Mexico, and the United States.

Short term health risks include hallucinations, altered perception of time, inability to tell fantasy from reality, panic, muscle relaxation or weakness, problems with movement, enlarged pupils, nausea, vomiting, drowsiness.

Long term health risks include risk of flashbacks and memory problems.

**Rohypnol® (Flunitrazepam):** A benzodiazepine chemically similar to prescription sedatives such as Valium® and Xanax®. Teens and young adults tend to abuse this drug at bars, nightclubs, concerts, and parties. It has been used to commit sexual assaults due to its ability to sedate and incapacitate unsuspecting victims. Short term health risks include drowsiness, sedation, sleep; amnesia, blackout; decreased anxiety; muscle relaxation, impaired reaction time and motor coordination; impaired mental functioning and judgment; confusion; aggression; excitability; slurred speech; headache; slowed breathing and heart rate.

**Steroids (Anabolic):** Man-made substances used to treat conditions caused by low levels of steroid hormones in the body and abused to enhance athletic and sexual performance and physical appearance. Short term health risks include headache, acne, fluid retention (especially in the hands and feet), oily skin, yellowing of the skin and whites of the eyes, infection at the injection site. Long term health risks include kidney damage or failure; liver damage; high blood pressure, enlarged heart, or changes in cholesterol leading to increased risk of stroke or heart attack, even in young people; aggression; extreme mood swings; anger ("roid rage"); paranoid jealousy; extreme irritability; delusions; impaired judgment.

# Appendix C

## Employee Sanctions

From Employee Handbook for College Employees, Section: [Corrective Action](#)

For non-corrective action conversations, see [General Expectations for Supervisors](#).

The College's corrective action process addresses unsatisfactory employee conduct and/or performance, ensuring such matters are dealt with in a fair, consistent, and timely manner. The process applies to all employees where an employee's conduct/performance does not meet Department or College expectations.

Many situations can be resolved through discussions or coaching with the employee; however, some incidents may be severe enough to merit formal corrective action after one occurrence. The seriousness of the incident and the employee's corrective action and performance history will be considered when determining the level of corrective action to be applied.

Following coaching, there are three corrective action levels utilized in formally addressing unsatisfactory performance/behavior

- Written Warning
- Final Written Warning
- Termination

The corrective action process may begin at any level, including termination, depending on the nature and severity of the issue. Should new issues occur during a corrective action, the supervisor may include additional performance or conduct issues to an existing corrective action process but must provide formal notice to the employee and sufficient additional response time. The corrective action process may also be used to address investigatory findings.

Except in cases of extremely severe conduct or performance issues, the corrective action process will typically start at the lowest level. The corrective action process applies to all employees. Both temporary and probationary employees may have employment directly terminated at the discretion of the supervisor and the Chief Human Resources Officer.

Supervisors must consult with their Human Resources Consultant prior to taking any corrective action or notifications to ensure that the level of corrective action is appropriate.

### Coaching

The College expects that Coaching will resolve the majority of performance and conduct issues and in many situations is sufficient. Coaching sessions are used to bring a problem to the attention of the employee before it becomes so serious that it has to be addressed with formal corrective action and documented in the employee's Human Resources file.

The purpose of Coaching is to clarify policies and expectations and assist employees by being clear and precise about performance or conduct and the consequences if concerns of the same nature or other problems with conduct or performance occur. Coaching alleviates misunderstandings, clarifies the direction for necessary and successful correction, and seeks to engage the employee in finding solutions.

The Supervisor must promptly document the discussion with the employee. (The Outcome-Based Coaching Plan template may be used for this purpose.) An HR Consultant is available to assist with the coaching plan but it is not necessary to copy Human Resources. This serves as a record of the meeting and as reference later if further corrective action is needed. It is not necessary to submit a formal document (to the employee's Human Resources file) of the Coaching session as it is considered an informal step in progressive corrective action.

Coachings should not be administered for the most serious incidents. Other more appropriate steps of the corrective action process should be considered. Supervisors should contact their Human Resources consultant for guidance. Further, it is not suitable for a supervisor to continue to try coaching when the employee repeats improper job performance or conduct. At this point corrective action needs to be considered.

## Formal Corrective Actions

The College expects that Coaching will resolve the majority of performance and conduct issues. However, when this approach has been exhausted (or the severity warrants), the supervisor should utilize formal Corrective Action. If the poor performance/conduct addressed by Coaching is repeated or additional concerns arise, the supervisor will follow up with a Written Warning. A Written Warning may also be appropriate if a single incident is more serious in nature.

### 1. Written Warning

A Written Warning shall inform the employee of the specific concerns that must be addressed immediately and sustained indefinitely.

1. The Supervisor will consult with their HR Consultant.
2. Supervisor prepares a Notice of Potential Violations that:
  - o Identifies specific potential violations.
  - o Identifies the impact to the workplace.
  - o Summarizes prior discussions, if applicable.
3. Supervisor provides the Notice of Potential Violations to the employee.
  - o An employee shall receive two business days advance notice in writing of a corrective action meeting whenever possible. Meetings will be scheduled at a time that is reasonable and with consideration given to the employee's normal work schedule. The HR Consultant will also be in attendance.
  - o Employee may provide a written response prior to meeting.
  - o The employee may choose to bring an Employee Advisor at any step (see Employee Advisor section of Employee Handbook.)
4. During the Meeting:
  - o Employee is provided an opportunity to ask related questions, offer explanation(s), or provide additional context for consideration, and may offer suggestions for an action plan/solution(s)
  - o Both parties may agree to schedule further time.
  - o Employee may submit a written response to the Written Warning to be included in the Human Resources file.
5. Decision
  - o The Supervisor considers all input.
  - o If appropriate, issues a Warning and Performance Management Plan.
  - o Informs the employee in writing.
  - o Employee may submit a written response to the Notice of Potential Violations to be included in the Human Resources file.
  - o Documentation is maintained in the Human Resources file with a copy provided to the employee and Human Resources.
6. Follow up steps
  - o The Supervisor will regularly communicate with the employee regarding progress on the Performance Management Plan and overall performance.
  - o Documentation of progress will occur at agreed upon intervals (usually at the 3 and 6 month period) and be attached to the corrective action document in the employees' Human Resources file.
  - o Employee's performance evaluation will reflect on identified issues and progress in meeting expectations.
  - o Documentation of successful completion of the Performance Management Plan is provided to the employee with a copy to Human Resources for the employee's file.

## 2. Final Written Warning

The process for Final Written Warning is the same as above.

### Optional Final Written Warning Sanctions:

Working with their Human Resources consultant, the Supervisor may impose any combination of the following in a Final Written Warning:

- Suspension without pay. The Chief Human Resources Officer or designee must approve of any unpaid status.
- Work condition change such as:
  - Employee's workplace activity restricted/modified
  - Decision authority restricted
  - Requirement and/or limitations for professional development
  - Leave restrictions
- Job assignment change such as:
  - Corrective action reassignment (same pay/same unit)
  - Corrective action transfers (same pay/different unit)
  - Demotion (assigned to different position/lower pay grade, may include unit reassignment)
- A Faculty member with an active Final Written Warning at time of contract offers may be disqualified for Vertical Movement on the Faculty Salary Schedule for the new contract year.

### Review process for Written Warning or Final Written Warning

An employee who receives a Written Warning may request one review of the performance management plan and/or decision. In the event corrective action proceeds to a Final Written Warning, the employee may again ask for one review of the Final Written Warning decision. The request for review must be submitted in writing to the next level administrative supervisor and Human Resources within ten working days of receipt of the warning. The request should include a specific description of the issue for review and any information and material to be considered.

The administrator will generally complete the review within ten business days. The reviewer may request additional information or clarification from the employee or supervisor and may meet with either. The reviewer will then issue a written decision to the employee and supervisor, with a copy to Human Resources for the Human Resources file. The reviewer may affirm the prior decision, impose a lesser sanction, or overturn the corrective action.

A request for review will be considered if based on one or more of the following arguments:

- The Supervisor's corrective action decision was (a) not supported by sufficient evidence or reasonable inferences such that a reasonable person could not have reached the same decision, or (b) tainted by bias;
- The severity of the corrective action was unjustifiably disproportionate to the seriousness of the employee's misconduct;
- The process included a significant mistake or omission that a reasonable person could find affected or likely could have affected the final outcome of the corrective action process or otherwise made the proceeding fundamentally unfair.
- The discovery of new information that was not known and could not reasonably have been discovered prior to the corrective action decision and that is substantially likely to have affected the outcome of the corrective action process.

## 3. Termination Process

Termination of regular employment may be used for the most serious incidents or repetitions of improper job performance or conduct. Supervisors will consult with Human Resources before making a decision to terminate employment and consideration will be given to the severity of the situation.

Examples include, but are not limited to:

- Physical violence at work or documented threat of physical violence at work

- Violations of Administrative Procedure (AP) 11.05.01 - Firearms and Other Weapons - Enforcement & Exception
- Violations of the College's Drug- and Alcohol-Free Environment Policy or AP 11.01.01 - Drug- and Alcohol-Free Environment
- Unauthorized intentional destruction of College property
- Use of offensive and/or derogatory comments or actions intended to offend, humiliate or degrade another person in violation of the College's Discrimination, Harassment and Retaliation Policy, if the actions meet the legal definition of Harassment
- Sexually explicit or implicit comments or actions in violation of the College's Discrimination, Harassment and Retaliation Policy, if the actions meet the legal definition of Harassment
- Conviction of a violent crime or not reporting such conviction to the College within 10 business days. Examples include, but are not limited to: assault, domestic violence, rape, robbery, or other violent crimes
- The revocation of a license that is required to perform one's job duties. Examples: 1) Revocation of a driver's license when the employee is required to drive as part of their job responsibilities, 2) the revocation of a professional license required to perform their job
- Theft of any kind which includes, but is not limited to, personal belongings and time card falsification
- Five consecutive days of not reporting to work and/or contacting the supervisor/manager/director and/ or the Employee Service Center to request a leave of absence
- Misuse of College funds for personal gain
- Intentional violation of safety procedures or protocols resulting in harm to oneself or others
- Deliberate falsification of records Any employee terminated for cause is ineligible for rehire.

Any employee terminated for cause or who is not in good standing is ineligible for rehire. Good standing means providing a minimum of two week's notice, no final corrective action pending or active, and/or conditions of any written warning are fully satisfied at the submission of their resignation. Employees who are terminated for cause from any position at the College or who resign while corrective action is pending are ineligible to work for the College in any capacity unless HR reviews the circumstances on a case-by-case basis and determines otherwise.

1. The Supervisor will consult with their HR Consultant and their supervising Administrator
2. If approved by the Supervisor's supervising Administrator and by the Chief Human Resources Officer, the Supervisor issues a Notice of Intent to Terminate to the employee with supporting evidence, and schedules a meeting with the employee.
  - o An employee shall receive two business days advance notice in writing of Notice of Intent to Terminate meeting whenever possible.
  - o Employee may provide a written response prior to meeting.
  - o The employee may choose to bring an Employee Advisor at any step (see Employee Advisor section of Employee Handbook).
3. The Supervisor and Human Resources consultant meet with the employee to review the Notice of Intent to Terminate and receive input from the employee, such as additional evidence or circumstances to be considered.
4. The Supervisor prepares a Notice of Decision in consultation with their Human Resources Consultant, generally within two business days and schedules another meeting with the employee providing at least two business days notice.
  - o If the decision is to proceed with termination, the Supervisor will terminate employment and collect any College property in possession of the employee.
  - o Once a termination decision has been issued the employee will be placed in an unpaid status for the duration of any review process. If the termination decision is not upheld, the employee will receive applicable back pay.
  - o If the decision is to proceed with termination, Employee Relations will work within the Supervisory line to complete next steps, including the exit process.

## **Termination Review Process**

The employee may request in writing a review of the termination decision within ten business days to the Chief Human Resources Officer (CHRO). The request must include the specific reason the employee believes the decision is incorrect and include all supporting information and materials that should be considered. The CHRO or designee shall designate an executive administrator from a different supervisory line to conduct the review. The designated administrator will generally complete the review within ten business days. The CHRO may request additional information or clarification from the employee or supervisor and may meet with either, which may extend the time needed for the review process. The CHRO or designee will then issue a final written decision to the employee and supervisor, with a copy to the Human Resources file. A final decision will not be reviewed further.

## **Timelines**

The time frames specified in this section are intended as guides to balance benefits of rapid resolution with those of thoroughness. Extensions to the time specified may be appropriate based on a legitimate business reason and notice of exceptions should be provided to those involved in the specific corrective action process. While excessive delay should be addressed, it would not serve as a basis to discontinue or overturn a corrective action decision.

Corrective action proceedings will continue if the employee takes a leave of absence during the process, absent extenuating circumstances.

# Appendix D

## Counseling and Treatment

### Counseling

Our student-focused counselors can help you find solutions to educational, career and personal concerns. We tap into resources both at Pima Community College and community agencies.

PCC College Counselors;

Help with personal issues and with finding community resources for assistance. There are counseling offices on all PCC campuses.

- Meet students who are in recovery and utilizing treatment services, or who were arrested for an offense related to substance abuse.
- Assist students who are trying to balance life, study, and work obligations.
- Participate in Drug and Alcohol Events to raise awareness.
- Work with Student Life, to bring awareness to these issues, and provide resources.
- Provide referral resources for students who need them.
- Address concerns about impairment while on campus.
- Discuss substance abuse issues in Student Success classes.

PCC counselors are available to work with students at all campuses.

Students can meet with an advisor or counselor or get immediate assistance by phoning:

- Community Campus, 206-3933
- Desert Vista Campus, 206-5000
- Downtown Campus, 206-7171
- East Campus, 206-7000
- Northwest Campus, 206-2200
- West Campus, 206-6600

Off Campus Community Services

- Community Information and Referral Services - [Health Care and Mental Health - 2-1-1 Arizona](#)
  - o Referrals for Mental Health, Substance Abuse Disorder and Support Groups
  - JED Foundation - [The Jed Foundation](#)

JED's **Mental Health Resource Center** helps you manage your emotional health, cope with challenges, and support the people in your life.

- WebTribes - <http://www.webtribes.com/>
- WebTribes is an online support destination. WebTribes is made up of social networking support communities.
- PCC Community Counseling Student Resources pamphlet lists the following services:
  - o Alcohol Anonymous - Support group for people who want to stop drinking.
  - o Al-Anon - Support group for friends and family of people with alcohol problems.
  - o Pathways - Pathways of Arizona utilizes the "Seven Challenges" model to treat adolescent substance abuse. This evidence based program is offered in individual and group settings at outpatient and intensive outpatient levels. Seven Challenges teaches youth to think critically and make informed choices about how they deal with life, improving not only substance abuse but mental health conditions which often co-occur with it.

# Appendix E

## PCC Prevention and Education Programs

Pima Community College provides information on drug and alcohol abuse awareness through a variety of means including presentations, health fairs, on-line, and informational postings.

### Passive Presentations (posters, pamphlets)

A variety of posters and pamphlets warning of the consequences of drunk driving, mixing alcohol with drugs, and alcohol abuse.

- "If You Drink Have a Plan"
- "Stop at the Buzz"
- "The Risk is the Mix"
- "Safe Drinking Levels"
- "Sobriety Checkpoint"
- "Alcohol and Other Drugs: Do you know the facts?"

### Active programs for students and employees included:

"Going Out Tonight So Are We, National Collegiate Alcohol Awareness, NO Texting & Driving"

With the holidays around the corner the Student Life Office appreciates the opportunity to partner with the PCC Campus Police to emphasize the importance of sober driving, no texting and driving, and planning ahead. Students, staff, and faculty will make a personal commitment to avoid and prevent driving drunk and texting while driving.

"At the end of the day what ride do you want to take after drinking, in a hearse or a taxi, Choose Your Ride." "Never Text and Drive." Annual Southern Arizona DUI Task Force Holiday kickoff hosted at PCC West Campus in November.

"Spring Break Preparedness Party (How to stay safe)"

- Information for students about staying safe and aware of surrounding during Spring Break

Health and Wellness Fairs

- Information provided by various vendors related to health and wellness topics

### Active programs for employees include:

Promoting a Substance-free Workplace (web based)

- To provide employees and supervisors with an understanding of the benefits of a substance-free work environment, to help them understand the impact substances have in the workplace and recognize signs of employee substance abuse.
- Target Audience: All employees and supervisors

Recognizing Drug and Alcohol Impairment (facilitated)

- This workshop will cover relevant definitions as well as signs and symptoms of impairment. It will provide an explanation of current college policy and the role of the supervisor and co-worker in identifying these incidents. Scenario discussions will help facilitate class discussion on appropriate steps and actions to be taken.
- Target Learners: Any employee with supervisory responsibility.

Pima Community College Police Department (PCCPD) efforts include:

College community awareness programs such as:

- Choose Your Ride: Outreach programs to discourage drunk driving. These include presentations, safety fairs and public area displays across the college district and include the use of alcohol impairment goggles that simulate the effects of alcohol consumption on the body. Outreach events are part of the Governor's Office of Highway Safety grant requirements, and the department hosts the annual Southern Arizona Holiday DUI kickoff press conference in November.

### **Alcohol-Free Activities:**

PCC offers a broad range of alcohol-free activities that involve student clubs and organizations, recreation services at Desert Vista, West Campus and the Clements Center, academic opportunities, social programs, cultural events and others. Some of these activities specifically target evening, and weekend audiences to divert high- risk weekend drinking into pro-social activities, i.e. the Annual New Student Carnival at Downtown Campus.

# Appendix F

## Student Sanctions

### Sanctions

Sanctions are disciplinary penalties that may be imposed on a student following a determination that the student has engaged in one or more Code violations described in Section II. Code Violations. An exception to the above is an immediate suspension, which is a sanction that may be imposed prior to a determination that a Code violation has occurred.

The determination of what sanctions may be warranted in a given situation will be based on the specifics of that situation and the student's prior disciplinary record:

### Employees Authorized to Impose Sanctions

The following excerpts are pertinent to alcohol and drug conduct sanctions from the PCC Student Code of Conduct found at <https://www.pima.edu/student-resources/student-policies-complaints/docs/Student-Code-of-Conduct.pdf>

### SECTION I: Introduction

- Additional Codes of Conduct for Specific College Programs

Alleged Program Code violations that involve violence, assault, Stalking, True Threats, sexual misconduct, or Substantial Disruption to the College Community or Ordinary College Operations; or in which drugs or alcohol are a factor, must always be referred to the Dean of Students for a determination by the Dean of Students, in consultation with the Dean of the applicable College program, as to whether the alleged violation will be addressed through the Code of Conduct, the Program Code, or both.

### SECTION IV: Distinguishing Between "Lesser" and "Major" Misconduct

Students accused of the most serious Code violations are entitled to more formal Disciplinary proceedings than those accused of less serious violations, because the Responsive Action from the College and the possible consequences to Students for the most serious violations are significantly greater. Accordingly, the College distinguishes between Lesser Misconduct and Major Misconduct when conducting Code proceedings.

- Code Decision-Makers have the discretion to decide whether to address alleged Code of Conduct violations as Lesser Misconduct or Major Misconduct. Such decisions shall be based on specific Aggravating Factors, Mitigating Factors, and other relevant circumstances, including, but not limited to, an accused Student's history of prior Code violations, the severity or pervasiveness of the alleged violations and their impact on other members of the College Community, whether the Student is accused of engaging in the alleged violations Knowingly, Recklessly, or Negligently, and whether the accused Student is alleged to have engaged in multiple Code violations.
- Lesser Misconduct includes violations of the Code that are appropriately responded to with Educational Measures and do not warrant Disciplinary Sanctions. Students alleged to have engaged in Lesser Misconduct may not be accompanied by an Advisor or an Attorney during Code proceedings, and neither decisions that Students engaged in Lesser Misconduct nor the Educational Measures issued to those Students can be appealed.
- Major Misconduct includes the most serious violations of the Code that could result in Disciplinary Sanctions up to and including Suspension or Expulsion from the College or the withholding of a degree or certificate. Code proceedings for alleged Major Misconduct are generally more formal and have opportunities to appeal, in addition to the following:

- o Students alleged to have engaged in Major Misconduct may be accompanied by an Advisor of their choosing or by an Attorney provided at the Student's expense. Attorneys may Actively Assist Students during Code Resolution Meetings and appeal hearings. Students may not be accompanied by Advisors or Attorneys at any other time during the Code of Conduct process.
- o Allegations of assault, violence, Stalking, True Threats, or sexual misconduct, including Sexual Harassment is always addressed as Major Misconduct. Whether to address any other "Specifically Prohibited Act of Misconduct" (see Section V below) as Lesser Misconduct or Major Misconduct is determined on a case-by-case basis by the Code Decision-Maker.

## **SECTION VI: Reporting Code of Conduct Violations**

- Submitting Complaints
  - o Any member of the College Community may submit a Complaint about a suspected Code of Conduct violation as follows:
    - If the Student's suspected violation occurs during or as part of a class, by informing the course Instructor (a subsequent written Complaint may still be required);
    - By submitting a Complaint to the Dean of Students by email or letter (mailed or hand delivered), or by using the College's Incident Report form ([www.pima.edu/current-students/codeof-conduct/docs/code-of-conduct-incident-report.pdf](http://www.pima.edu/current-students/codeof-conduct/docs/code-of-conduct-incident-report.pdf));
    - By calling the Dean of Students' office or visiting in person (a subsequent written Complaint may still be required).
  - o There is no time limit for making a Complaint about a suspected Code of Conduct violation, although a Complaint should be made as soon as possible. Code Decision-Makers may, at their discretion, decline to take action on a Complaint if the elapsed time is a significant barrier to completing a full investigation and making an adequately informed decision.
  - o Complaints may be dismissed without further action if Code Decision-Makers, in their discretion, determine the Complaint is Frivolous or Malicious.

## **Employees Authorized to Impose Sanctions**

### SECTION VII: Conducting Code of Conduct Proceedings

- Instructors as Complainants/Code Decision-Makers
  - o Instructors have the primary authority and responsibility to maintain an orderly educational environment in their classrooms (including online) and to respond to Lesser Misconduct that occurs during their classes. Accordingly, Instructors may often be both Complainants and Code Decision-Makers in Lesser Misconduct matters involving Instructors' Students. Instructors do not have authority to decide Code matters involving Major Misconduct.
  - o Temporary Removal of Disruptive Students by Instructors
    - If a Student is causing a Substantial Disruption during a class or class-related College Sponsored Activity and will not comply with an Instructor's direction to cease the disruptive behavior, Instructors may, at their discretion, temporarily remove the Student by verbally directing the Student to leave for the remainder of that day's class or activity. At the end of the day's class or activity, Instructors shall notify their Department Heads or another immediate supervisor (either in writing or verbally and later confirmed in writing) of the Student's removal and the reasons for it. The temporary removal of a disruptive Student is not a Suspension.
    - Instructors may not remove disruptive Students for more than one day at a time based on a single disruptive incident. If an Instructor believes a Student should not return to the next class or to the next day's activity and/or has engaged in Major Misconduct, the Instructor must submit a Complaint to the Dean of Students.
  - o If an Instructor believes a Student has engaged in Major Misconduct, the Instructor should submit a Complaint to the Dean of Students. If the Dean of Students determines that the violation alleged in the Complaint should not be addressed as Major Misconduct, the Dean may return it to the Instructor to be addressed as Lesser Misconduct.

- The Dean of Students as Code Decision-Maker
  - o The Dean of Students or the Dean's designee shall serve as the Code Decision-Maker for all Complaints alleging Major Misconduct.
  - o If the Dean of Students, in consultation with the College's Office of the General Counsel, determines that a significant, College-wide conflict of interest may exist for a particular Complaint, the College may retain an outside third-party to serve as the Code Decision-Maker and investigate and issue a decision in accordance with Code procedure

## **Sanctions Other Than Academic Ethics Sanctions**

- Responsive Action by the Code Decision-Maker
  - o If Student Respondents admit to violating or are found to have violated the Code of Conduct, Code Decision-Makers have the discretion to issue or not issue one or more Responsive Actions.
  - o All Responsive Action shall be issued to Respondents in writing along with an explanation of the facts, including any Aggravating Factors and Mitigating Factors, the Code Decision-Maker took into consideration.
  - o Responsive Action may include, but is not limited to, one or more of the following:
    - Educational Measures (for both findings of Lesser Misconduct and Major Misconduct)
      - ◇ Educational assignments that foster a new or greater understanding of the Student's role in the College Community and how the Student's conduct affects others;
      - ◇ Restorative Justice requirements;
      - ◇ Financial compensation for actual losses to the College or to a specific individual (e.g., for theft or property damage). The College cannot award damages for pain and suffering or for other intangible injuries, or purely as punishment (i.e., a fine);
      - ◇ Temporary prohibition (not to exceed six (6) months or one (1) academic year, whichever is greater) from engaging in certain College Sponsored Activities, including Selective Extracurricular Activities. Decision to impose such Sanctions shall be made in consultation with the Employees responsible for the specific activities in question.
      - ◇ Temporary removal (not to exceed six (6) months or the remainder of the current academic year, whichever is greater) from specific College academic or certificate programs. Decisions to impose such Sanctions shall be made in consultation with the Employees responsible for the specific programs.
      - ◇ Temporary restriction on or denial of certain College services (e.g., use of a library or certain College IT Systems), not to exceed six (6) months or the remainder of the current academic year, whichever is greater;
      - ◇ Temporary restriction on enrollment (e.g., being permitted to take only (or barred from taking any) online classes), not to exceed six (6) months or the remainder of the current academic year, whichever is greater;
      - ◇ Temporary exclusion (i.e., being "trespassed") from specified College Property (e.g., a particular College Campus or Learning Center), not to exceed six (6) months or the remainder of the current academic year, whichever is greater;
      - ◇ A Conduct Agreement (see Section VIII below);
      - ◇ A written Reprimand;
      - ◇ Probation.
    - Disciplinary Sanctions (for findings of Major Misconduct only)
      - ◇ Prohibition from engaging in certain College Sponsored Activities, including Selective Extracurricular Activities, for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including an indefinite or permanent prohibition. Decisions to impose such Sanctions shall be made in consultation with the Employees responsible for the specific activities in question;

- ◇ Removal from a specific College academic or certificate program, for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including indefinite or permanent removal. Decisions to impose such Sanctions shall be made in consultation with the Employees responsible for the specific programs;
- ◇ Restriction on or denial of certain College services (e.g., use of a library or certain College IT Systems), for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including an indefinite or permanent restriction;
- ◇ Restriction on enrollment (e.g., permitted to take only (or barred from taking any) online classes), for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including an indefinite or permanent restriction;
- ◇ Exclusion (i.e., being "trespassed") from specified College Property (e.g., a particular College Campus or Learning Center), for a period in excess of six (6) months or the remainder of the current academic year, whichever is greater, up to and including indefinite or permanent exclusion;
- ◇ Suspension from the College for any length of time;
- ◇ Expulsion from the College;
- ◇ Withholding of a degree or certificate.