



Drug and Alcohol Policy

New Mexico Tech
Office of the President

The purpose of this document is to establish guidelines for the implementation of the Drug-Free Workplace Act (DFWA) of 1988 and Part 86 of the 1989 amendments to the Drug-Free Schools and Communities Act (DFSCA) as articulated in the Education Department General Administrative Regulations (EDGAR)

Campus-wide Administrative Policy
New Mexico Institute of Mining and Technology
Socorro, New Mexico 87801

The document will be updated as changes to federal and state regulations occur; we would appreciate any information and/or insight that would help us develop stronger policies for NMT's research community.

Responsible University Office:

- Office of the President

Effective Date: August 19, 2019

Date Revised: September 15, 2023

Policy Owner(s):

- Vice President for Student Life
- Vice President for Academic Affairs
- Vice President for Administration and Finance
- Vice President for Office of Research
- Dean of Students
- Director of Human Resources

Policy Contact(s)

- Dean of Students
- Director of Human Resources

I. Purpose

New Mexico Institute of Mining and Technology (NMIMT), referred to as New Mexico Tech (NMT) is required to comply with local, state and federal regulations, including Part 86 of the 1989 amendments to the Drug-Free Schools and Communities Act (DFSCA). The Department of Defense and the Drug Free Schools and Communities Act promulgated the Drug Free-Workforce rules. The President of the university has directed administrators to institute and maintain programs that meet the requirements of federal drug and alcohol regulations.

Drug-Free Schools and Communities Act (DFSCA), Part 86

[Part 86 of the 1989 amendments to the Drug-Free Schools and Communities Act](#) as articulated in the Education Department General Administrative Regulations (EDGAR) lays out several requirements for institutions of higher education (IHEs) receiving any form of federal funding. Regulations requirements states that IHEs must:

1. Develop and implement an alcohol and other drug abuse (AOD) program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees;
2. Annually, notify all students and employees in writing of (1) standards of conduct; (2) possible legal sanctions and penalties; (3) health risks associated with alcohol and other drug abuse; (4) AOD programs available to students, staff and faculty; and (5) disciplinary sanctions for violating the standards of conduct;
3. Every two years, conduct a review of its AOD program for effectiveness and consistency, identify and implement any necessary changes and prepare a report.

Failure to comply with the regulations listed above may result in the Secretary of the U.S. Department of Education terminating all forms of federal financial assistance.

II. Policy

A. Illicit Drugs and Alcohol

It is the goal of New Mexico Tech (NMT) to provide a drug-free environment for all University students and employees. To achieve this goal and to comply with federal law, NMT prohibits the unlawful sale, manufacture, distribution, dispensation, possession, and use of controlled substances, including marijuana and unauthorized use of prescription drugs, on its property. NMT prohibits the unlawful sale, manufacture, distribution, possession, and consumption of alcohol, on its property except by permit. Every NMT student and employee must abide by the terms of this statement, abide by all applicable policies of NMT and abide by local, state and federal laws regarding the unlawful possession or distribution of illicit drugs and alcohol. Due to federal law, cannabis is not allowed on University property with or without a medical marijuana card. As long as New Mexico Tech accepts federal funds, we must abide by federal law. Alleged violations of published drug and alcohol policies will be resolved using procedures outlined in the [Guide to Conduct and Citizenship for Students](#), [Community Standards](#) or [Employee Handbook](#).

B. Sanctions

Sanctions will be imposed on an employee who violates NMT drug and alcohol policy. These sanctions may include termination, demotion or suspension, and the employee may be required to report to the Employee Assistance Program (EAP) for a clinical assessment and participate in a recommended rehabilitation program. Sanctions will be imposed on a student who violates NMT drug and alcohol policy. These sanctions may include up to suspension or expulsion and may also include Drug and Alcohol training, and/or community service, as well as include a rehabilitation program.

C. Health Risks

All persons should be aware of the health risks caused by the use of alcohol, and by the illegal use of controlled substances (drugs).

- Consumption of more than two average servings of alcohol in several hours can impair coordination and reasoning to make driving unsafe.
- Consumption of alcohol by a pregnant woman can damage the unborn child. A pregnant woman should consult her physician about this risk.
- Regular and heavy alcohol consumption can cause serious damage to liver, nervous and circulatory system, mental disorders and other health problems.
- Drinking large amounts of alcohol in a short time may quickly produce unconsciousness, coma, and even death.

Use of controlled substances (drugs) can result in damage to health and impairment of physical condition, including:

- Impaired short term memory or comprehension
- Anxiety, delusions, hallucinations
- Loss of appetite resulting in a general damage to the user's health, over a long term

- A drug-dependent newborn if the mother is a drug user during pregnancy. Pregnant women who use alcohol, drugs, or who smoke should consult their physicians
- AIDS, as a result of "needle-sharing" among drug users
- Death from overdose

The health risks associated with drugs or excessive use of alcohol are many and are different for different drugs, but all nonprescription use of drugs and excessive use of alcohol endanger your health. There are no good reasons for using a drug not prescribed by your doctor or drinking to excess.

D. Medical Amnesty

Medical amnesty shall mean that a student is not subject to Student Code of Conduct disciplinary sanctions for unauthorized possession and consumption of drugs and alcohol if the student contacts a 911 operator to report that the student or another student is in need of medical assistance for an immediate health or safety concern. To be eligible for medical amnesty, the student who initiates contact must be the first person to make such a report, must provide a name and contact information, must remain on the scene until assistance arrives, and must cooperate with the authorities at the scene. The student who receives medical assistance and up to two students acting in concert with the student initiating contact with a 911 operator may also be immune from disciplinary sanctions as stated above. Campus law enforcement supports the efforts to seek emergency medical assistance and will many times overlook the age of the reporter and the individual needing the assistance. [New Mexico Controlled Substance Act](#) (911 Good Samaritan [Stat. Ann. § 30-31-27.1 {2007} Effective Date: June 15, 2007]) also states "a person who, in good faith, seeks medical assistance for someone experiencing a drug-related overdose or a person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance... if the evidence for the charge of possession of a controlled substance was gained as a result of the seeking of medical assistance." However, students should understand that any violation of state or federal criminal law involving the use or possession of drugs or alcohol may result in prosecution, and New Mexico Tech cannot grant amnesty from proceedings in the criminal justice system.

E. Resources

For Employees

Employee Assistance Program (EAP)

www.corporatehealthresources.com

(800)348-3232

For Students

New Mexico Tech Counseling Center

www.nmt.edu/cds/

575-835-6619

New Mexico Tech Student Health Center
575-835-6619
Alcohol Safety and Awareness Program (ASAP)
<https://nmt.edu/asap/>
(575) 835-5093

For All

Socorro Mental Health
www.pmsnm.org/locations/socorro-mental-health
575-835-2444
Alcoholics Anonymous National
www.aa.org/
Alcoholics Anonymous New Mexico
nm-aa.org/
SAMHSA Substance Abuse Treatment
1-877-726-4727
Socorro General Hospital Emergency Department
1-575- 835-1140
Socorro General Medical Group
1-575-835-4690
Presbyterian Medical Services
1-575-835- 4444

Initial Policy Approval:



Date: _____

8-21-19

Revision Dates:

Amended 9/15/2023