

## DRUG AND SUBSTANCE ABUSE

### **Commitment to Substance Abuse Prevention**

The School of Nursing is committed to maintaining a healthy and substance abuse-free environment that promotes the safety and welfare of students, patients, employees and visitors. The abuse of alcohol and/or the use of illegal drugs are known to cause harmful physical, mental and psychosocial effects, and may render an individual unable to perform the essential functions of a student nurse in a safe and competent manner.

In addition to the annual distribution/posting by the School of Nursing of written materials relating to substance abuse prevention and treatment, the School periodically presents programs on the subject to its students. The School's efforts at substance abuse prevention are evaluated on a biennial basis to determine effectiveness and need for revision.

For information on pre-entry drug screening, see *Health Services*.

### **Definitions**

As employed in this policy, the following terms will have the meanings set forth below:

**"Under the influence"** means that the student's appearance or demeanor appears to be impaired or otherwise affected by an illegal drug, by alcohol, or by the combination of an illegal drug and alcohol.

**"Illegal drug"** means any article or substance referred to as a drug and/or a controlled substance in the Drug Control Act (Chapter 34 of Title 54.1 of the Virginia Code), including all prescription medications regardless of whether the medication is considered to be a controlled substance under federal law. Notwithstanding the foregoing, a prescription medication will be considered to be an "illegal drug" for student disciplinary purposes only in the event and to the extent that such medication is used or possessed by someone other than the individual to whom it was lawfully prescribed, is being offered for distribution, or is otherwise not being used for prescribed purposes.

### **Substance Abuse Policy**

The use, consumption, possession, distribution, or state of being under the influence of alcohol or any illegal drug while engaged in School-related activities (as such phrase is defined below) is strictly prohibited. The School will impose appropriate disciplinary sanctions, up to and including suspension or dismissal from the School, upon any student found to be in violation of this policy. As employed in this policy, the phrase "while engaged in School-related activities" shall mean that, at the time of the alleged offense, the student was: (i) present in the educational facility, (ii) present in or on hospital-owned property; (iii) present at a School-related function (e.g. class activities and Student Organization functions); or (iv) otherwise participating in the School's educational or clinical programs.

### **Reporting Procedure; Right of Removal**

In the event that a student is suspected of violating any provision of this Drug and Substance Abuse Policy, then a faculty or staff member promptly shall provide the student with oral notice of the suspicion and an opportunity for the student to tell his or her account of the incident. The hearing may occur immediately and be in the form of an informal conversation between the student and the faculty or staff member. If the faculty or staff member thereafter concludes that there has been a violation, a report shall be made to the Assistant Dean.

Notwithstanding such reporting obligation, the faculty or staff member shall have the immediate right, where reasonably necessary in his or her discretion to preserve an appropriate learning environment and/or to protect the health and safety of the student or of others, to remove such student from class, from a clinical program, or from any other School-related activity or function.

### **Disciplinary Process**

Upon receiving a report of a suspected violation of this Policy, the Assistant Dean for Student Services shall provide the student with oral or written notice of the allegations against him or her and, if the student denies the charges, an opportunity to rebut any such charges by: (i) presenting his or her version of what occurred; (ii) undergoing an immediate medical assessment for substance abuse treatment and a drug/alcohol screen (urine and/or blood as specified by the treating physician) in the Employee Health Department or the Emergency Department; and (iii) releasing the results of such assessment and drug/alcohol screen to the School. A student's refusal to be so assessed and tested may give rise to an adverse inference regarding his or her culpability with regard to the allegations of suspected violation of this Policy, if it is reasonable to draw such an inference under the circumstances.

In the event that, after complying with these procedures, the Assistant Dean for Student Services finds the student to have violated this Policy, then the Assistant Dean for Student Services will impose such disciplinary sanctions as he or she deems reasonable and appropriate under the circumstances, including but not limited to suspension or dismissal from the School. Any such finding of a violation will be entered into the student's official record, together with a statement of the disciplinary sanctions imposed. Disciplinary sanctions, other than suspension and dismissal, will be removed from the student's record upon the student's graduation or permanent departure from the School. Suspension

or dismissal from the School will remain on the student's permanent record.

### **Appeal Procedure**

The Appeal Procedure set forth in the Student Rights and Responsibility policy shall govern appeals under this Drug and Substance Abuse policy.

### **Standard for Decisions**

All determinations with regard to the student's culpability for any violation of this Policy shall be made based upon a preponderance of the evidence. A preponderance of the evidence is evidence that as a whole shows that the fact sought to be proved is more probable than not.

### **Applicable Law; Legal Consequences for Substance Abuse**

Local, State and Federal laws prohibit the unlawful use, possession, consumption or distribution of illegal drugs and alcohol. The School will report any student suspected of violating these laws to the proper legal authorities.

A student found to be in violation of these laws is subject to substantial legal penalties, including fines, imprisonment and loss of federal benefits, as well as disciplinary sanctions from the School.

Students are advised that the Virginia Board of Nursing may deny licensure to an individual found to be engaged in the abuse of alcohol or the use of illegal drugs (See Va. Code Ann. § 54.1-3007).

### **Substance Abuse Assistance**

For assistance in obtaining counseling or treatment services, students may contact the Dean, the Assistant Dean, Employee Wellness or the Bon Secours Employee Assistance Program.

A student may protect his or her status in the School by seeking assistance for a drug or alcohol abuse problem in the manner set forth below:

1. A student may initiate an official request for a Medical Leave to correct a drug/alcohol abuse problem prior to the initiation of action by the School. Any such request will be maintained in confidence.
2. A student may participate in a rehabilitation program when a counselor evaluation verifies the need. A student may be reinstated at the School provided that he or she successfully completes the rehabilitation program.

***It is the responsibility of each student to seek assistance from the resources identified above before a drug or alcohol problem leads to disciplinary action initiated by the School.***

Notwithstanding the foregoing, a student who has completed a qualified rehabilitation program as set forth above must remain drug/alcohol free during the remainder of his or her enrollment in the School. A student's failure to do so may, at the Dean's discretion, will result in immediate dismissal.

School of Nursing faculty and staff must comply with the Hospital's policy on Employee Substance Abuse. (See Hospital Policy HR-19, Book IV.) Any student who works for pay at Bon Secours System shall be governed by the Employee Substance Abuse policy in addition to this Drug and Substance Abuse policy. Each policy defines the independent obligations of students to address this problem and shall constitute independent obligations of such student.