

EXHIBIT A  
CENTRAL NEW MEXICO COMMUNITY COLLEGE (CNM)  
SCHOOL OF HEALTH, WELLNESS, & PUBLIC SAFETY (HWPS)  
POLICY AND PROCEDURES FOR STUDENT SUSPECTED OF IMPAIRMENT  
ADOPTED 2003  
Revisions for minors added July 27, 2006

1. Policy: Although CNM enforces a policy regarding substance abuse, the special needs of the Health, Wellness, & Public Safety (HWPS) programs require additional procedures for handling the suspected drug/alcohol impairment of students enrolled in HWPS coursework designated as theory/clinical, practical or laboratory courses. Due to the nature of the course of study, students enrolled in such HWPS theory/clinical/practical/laboratory courses must not be under the influence of any substance (regardless of whether the use of the substance is legal or illegal), which impairs or is likely to impair their clinical judgment while in the patient care, clinical, practical or laboratory setting. This policy demonstrates the HWPS commitment to safeguard the health of the students and the public and provides a safe place for students to learn.

2. Purpose: Drug or alcohol use, either while on-campus or in a clinical, practical or laboratory setting, can seriously endanger the safety of patients and students, as well as render it impossible to provide safe healthcare and service. Impairment or potential impairment of judgment in the clinical, practical or laboratory setting places the safety of students, patients, faculty and the general public at unacceptable risk.

The purpose of this policy is to:

- a. Provide clear guidelines and consistent procedures for handling incidents of student use/abuse of alcohol, drugs or controlled substances that affect or are likely to affect judgment in the classroom, clinical, practical or laboratory setting.
- b. Inform students of their responsibility to conform to all state and federal laws and regulations and CNM policies, rules and regulations regarding alcohol, drugs or controlled substances.
- c. Provide substance abuse prevention/detection education for all faculty regarding problem recognition and implementation of this policy.
- d. Balance the need to safeguard the public with the student's rights.

3. Definitions:

- a. Legal Drugs: Legal drugs include medications prescribed by a physician for a specific individual and over-the-counter medications. The HWPS prohibits the use/abuse of such drugs to the extent that behavior or judgment is adversely affected.
- b. Illegal Drugs: Illegal drugs include those controlled substances (certain drugs or substances that are subject to or have a potential for abuse or physiological dependence) under federal or state law that are not authorized for sale, possession or use/abuse (in confirmed, detectable levels), and legal drugs which are obtained or distributed illegally. Manufacture, use/abuse, possession, sale, purchase or transfer of illegal drugs is prohibited. The CNM Student Code of Conduct further elaborates on this policy.
- c. Impairment: A chemically impaired person is one who is under the influence of a substance that interferes with mood, perception or consciousness resulting in physical and/or behavioral characteristics which affect the individual's ability to meet standards of performance, behavior and/or safety in clinical, practical or laboratory course settings.

4. Legal Use of Substance under Direction of Physician: A student taking legal drugs must be able to provide documentation of a medical reason for such in the event of a positive drug screen. This student may not participate in any clinical, practical or laboratory setting if impaired. All attendance policies remain in place and the student remains responsible for completing all requirements of the course or program.

5. Factors Suggesting Impairment: Current students while in the patient care, clinical, practical or laboratory setting may be asked to submit to a drug test, if cause or reasonable suspicion of substance use exists. Factors which COULD establish cause/reasonable suspicion include, but are not limited to:
- Unsteady gait
  - Unusual sleepiness or drowsiness
  - Slurred speech or change in the student's usual speech pattern
  - Blood shot eyes
  - Unusually disheveled appearance
  - Aggressive tone
  - Physical aggression
  - Odor of alcohol or marijuana
  - Residual odor peculiar to some chemical or controlled substances
  - Unexplained and/or frequent absenteeism during a scheduled class or clinical laboratory
  - Personality changes or disorientation
  - Inappropriate behavior which suggests that the student is under the influence of a chemical substance that impairs or could impair clinical, practical or laboratory judgment
  - Repeated failure to follow instructions or operating procedures
  - Violation of clinical, practical or laboratory facility or CNM safety policies
  - Involvement in an accident or near-accident
  - Marked decrease in manual dexterity and/or coordination in body movement
  - Discovery of or presence of drugs/drug paraphernalia in student's possession
  - Alcohol in a student's possession
  - Theft or absence of narcotics from the student's clinical or practical site
6. Substance Use Testing Procedures:
- a. The student will be removed from the classroom or clinical laboratory without delay and will be given an opportunity to explain his/her behavior. If the instructor/preceptor reasonably suspects impairment, the student shall be sent for a drug screen to a suitable laboratory designated by CNM. The student will not be able to return to class or clinical laboratory until the Director of the Program, the Dean of HWPS, the Dean of Students or identified designees deem it appropriate. The student remains responsible for all course or program requirements during such period.
  - b. Students suspected of impairment will be sent for a 10+alcohol forensic urine drug screen with split specimen and proper chain of custody. In addition, the student is to have a breath analyzer test for alcohol that is certified by the Substance Abuse Mental Health Services Administration (formerly NIDA) for DHHS/DOT testing and accredited in Forensic Urine Drug Testing by the College of American Pathologists (CAP-FUDT). The preceding requirements regarding custody and certification apply to a retest. A facility that is licensed in compliance with the law will be used for the testing.
  - c. The student will be given a Drug Screening Referral Form and will take the Drug Screening Referral Form to the testing site immediately. The student must report to the testing site within one hour from the time the Drug Screening Referral Form is completed. The student shall provide the instructor with the student's current phone number.
  - d. The student shall take a government issued picture identification card, such as a driver's license or high school picture identification, with them to the testing facility.
  - e. The student may not drive him/herself to the testing facility. The instructor will arrange for transportation from the clinical or practical laboratory to the designated testing site through the HWPS. If the student is a dual credit student, the high school principal must be notified and written parental/legal guardian permission (obtained at the time of course enrollment) must be in place to send via a cab or parent/legal guardian will transport within the acceptable time frame.
  - f. CNM will pay for drug/alcohol screening whether the results are positive or negative. The student shall be informed of the test result. If the test result is positive, a student may request and pay for a retest of the collected urine specimen at the designated laboratory or another certified laboratory. Results of the test and contents of the Impaired Behavior Form shall remain confidential and may be released only to the Dean of HWPS and Dean of Students Office or the deans' designee and to those with a legitimate need to know. In the event of the screening of a high school student, the high school principal and parents/legal guardians will be notified.

7. Consequences:

- a. If the test results are negative the student will meet with the instructor and the director of the HWPS program within two working days, not including Saturday or Sunday, of the receipt of the test results. During this meeting with the instructor and the director the student will have an opportunity to present information regarding the matter. Behavioral issues that prompted the drug/alcohol screen will be discussed and a decision will be made whether disciplinary action will be taken. If disciplinary action is indicated, the matter will be referred to the Dean of Students Office. The outcome of the decision (whether or not disciplinary action is needed) will be sent to the Dean of HWPS.
- b. If the drug or alcohol screen is positive, the following actions will occur:
  - The student will be notified by the Director of the program, the Dean of HWPS, or identified designee of the results of the test and that they cannot return to the classroom, clinical, practical or laboratory setting until approved to do so by the Dean of Students Office.
  - All documentation will be sent to the Dean of Students Office for further action.
  - The student shall contact the Dean of Students Office by the next working day after being notified of the test results.
  - The student may request a retest of the split specimen at their own expense at another certified laboratory as described above.
- c. If a student admits to being impaired by drugs or alcohol they will be removed from the clinical, practical or laboratory site and treated as for a positive drug screen. All documentation will be forwarded to the Dean of Students Office for further action.
- d. If a student fails to report to the testing site within the time required or refuses to have a drug screen completed, such failure or refusal shall be treated as for a positive drug screen. All documentation will be forwarded to the Dean of Students Office for further action.
- e. In the event that a disciplinary action includes suspension or dismissal from a HWPS program and/or CNM and the student thereafter requests and is allowed to return to any HWPS program, the following steps will be required prior to re-entry:
  - All CNM and HWPS requirements associated with the suspension or dismissal must be met.
  - The student must provide a clean drug and alcohol screen prior to re-entry.
  - The student must submit to random urine screens as long as the student remains enrolled in a clinical, practical or laboratory program within the HWPS. An outside agency will be used, such as the Monitored Treatment Program. A positive test will result in referral to the Dean of Students Office for further action, with a recommendation from the Dean of HWPS for permanent dismissal from the HWPS.
- f. Students testing positive for drugs and/or alcohol will be strongly advised to complete a Drug/Alcohol Rehabilitation Program.
- g. Conviction of a criminal drug statute while enrolled in a HWPS program will result in referral to the CNM Dean of Students Office for possible further action.
- h. Consequences imposed on dual credit students by this Policy may be in addition to and not in lieu of consequences imposed by policies in effect in the public school district in which the student is also enrolled.

## GUIDELINES FOR INSTRUCTOR/PRECEPTOR

If an instructor or preceptor reasonably suspects a student is under the influence of a substance that impairs or could impair clinical judgment, they should follow these steps:

### INSTRUCTOR:

1. The instructor shall remove the student from the clinical, practical and/or laboratory setting without delay. The instructor shall give the student an opportunity to explain his/her behavior. If instructor reasonably suspects impairment, the instructor shall send the student for a drug screen, and the student will not be allowed to return to the classroom, clinical, practical or laboratory setting until the Director of the program, the Dean of HWPS, the Dean of Students or identified designees deems it appropriate.
2. The instructor shall document the behavior observed on the Impaired Behavior Form. The category marked "other" can include any type of inappropriate behavior not otherwise listed that reasonably suggests that the student is under the influence of a substance that impairs or could impair judgment in the particular clinical, practical or laboratory setting.
3. The Impaired Behavior Form shall be fully completed even if the student:
  - a. refuses or is unable to sign the document (in which case the instructor/preceptor should note the reason (s).)
  - b. admits to being under the influence of a specific substance (in which case the student shall sign the statement)
4. The instructor shall document on the form any witnesses to the behavior and the actions taken. Where possible, the instructor will have a witness verify the observations and sign the form.
5. The instructor shall complete the Drug Screening Referral Form and retain a copy and send the original form with the student for testing without delay. The student shall be advised as follows:
  - a. Take a government issued picture identification card, such as a driver's license or school issued picture identification card, with them to the testing facility.
  - b. They may not drive themselves. The instructor will arrange for two-way transportation from the clinical or practical laboratory to the drug-testing site through the HWPS. The instructor should contact the HWPS office for the purchase order number and phone number of an approved taxicab company to transport the student. Alternatively, the student may arrange for someone else to give him/her a ride to the testing facility, to arrive within one hour of the time the Drug Screening Referral Form is completed.
  - c. A split specimen shall be requested and the student shall have an opportunity to request and pay for a retest of the collected specimen.
  - d. The student must report to the testing facility within one hour of being sent for a drug screen.
6. The student shall provide the instructor with the student's current phone number.
7. The instructor shall notify the director of the classroom/clinical/practical/laboratory program in which The student is enrolled and the Dean of HWPS (in person, via pager, or telephone; detailed messages should not be left on voice mail) of the action taken as soon as practical, and shall provide the completed Impaired Behavior Form and a copy of the Drug Screening Referral Form to the director and the Dean of HWPS.

### PRECEPTOR:

1. A preceptor shall remove the student from the clinical, practical or laboratory setting without delay and inform them that they are being sent for a drug screen. They will be told that they will not be allowed to return to the clinical, practical or laboratory setting until the Dean of HWPS deems it appropriate.

2. The preceptor should then immediately contact the CNM instructor with whom he/she is working to report this action and any explanation provided by the student. If the instructor is available on site the instructor may take over. If the instructor is unavailable, the preceptor shall proceed with the process for instructors, above.

CNM SCHOOL OF HEALTH, WELLNESS, & PUBLIC SAFETY (HWPS)  
SUSPECTED IMPAIRMENT FORM

\_\_\_\_\_ (date & time) at \_\_\_\_\_ (place)

\_\_\_\_\_ (student) \_\_\_\_\_ (course #)

**This student was removed from the clinical, practical or laboratory setting, based on the factors indicated below.**

This student may not return to the clinical laboratory or classroom until they meet with the director of the program and the Dean of HWPS and/or Dean of Students Office.

- Unsteady gait
- Blood shot eyes
- Unusual sleepiness or drowsiness
- Unusually disheveled appearance
- Slurred speech *or* in a different pattern from the student's usual pattern
- Aggressive tone (describe) \_\_\_\_\_
- Physical aggression (describe) \_\_\_\_\_
- Odor of alcohol or marijuana (Circle)
- Residual odor peculiar to some chemical or controlled substance (Describe) \_\_\_\_\_
- Unexplained and/or frequent absenteeism during a scheduled class or clinical laboratory session
- Personality changes or disorientation
- Discovery or presence of drugs/drug paraphernalia and/or alcohol in a student's possession (Circle)
- Repeated failure to follow instructions or operating procedures
- Violation of safety policies of the clinical, practical or laboratory facility or CNM
- Involvement in an accident or a near accident
- Marked decrease in manual dexterity and/or coordination in body movement
- Theft or absence of narcotics from the student's clinical or practical site
- Other behaviors \_\_\_\_\_
  
- Other comments (Include length of time observed, distance from student, and how student responded when confronted):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The following witness (es) also observed the behavior(s) noted (Please print and sign name):

\_\_\_\_\_

\_\_\_\_\_ A preceptor, the time of notification and name of the instructor \_\_\_\_\_

CNM SCHOOL OF HEALTH, WELLNESS, & PUBLIC SAFETY (HWPS)  
SUSPECTED IMPAIRMENT FORM  
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**THE ACTIONS TAKEN WERE:** (Choose one of the following and initial):

I. \_\_\_\_\_ sent for a drug/alcohol test at \_\_\_\_\_ (Time).

- The student may not return to the clinical, practical or laboratory setting until results are known and approved to do so.
- The student must take a government or school issued picture identification to the drug testing site.
- The student may arrange for transportation to the drug testing site. They may not drive themselves. If they cannot arrange transportation, CNM will provide a one-way trip from the clinical, practical or laboratory site to the drug testing site. Transportation provided by:  
\_\_\_\_\_
- The student must arrange for transportation from the drug testing site.
- The student has a maximum of one hour to report to the drug testing site from the time at which the Drug Screening Referral Form is completed.
- A split specimen may be collected in the event the student will want another lab to test the specimen.

II. \_\_\_\_\_ The student admits to being impaired by \_\_\_\_\_ and shall be treated as having a positive drug/alcohol test (Student MUST sign this form).

III. \_\_\_\_\_ The student refused to go for a drug/alcohol test as described and shall be treated as having a positive drug/alcohol test.

A positive drug or alcohol test will result in immediate referral to the Dean of Students Office for disciplinary action. Self-admission of drug or alcohol impairment or refusal to go for a test will also result in immediate referral to the Dean of Students Office. All information is to be kept confidential.

\_\_\_\_\_  
Instructor/Preceptor Print name  
Date                      Time

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Student                      Print name

\_\_\_\_\_  
Signature                      Date                      Time

\_\_\_\_\_  
Witness if student refuses to sign. Print name

\_\_\_\_\_  
Signature                      Date                      Time

If student would/could not sign, please indicate reason or reasons given:  
\_\_\_\_\_

Notification to \_\_\_\_\_ occurred on \_\_\_\_\_ (time & day).  
Director, Dean, or Dean Designee

(Copies of this form shall be given to: student, Dean of HWPS, Program Director, instructor, student file)

**DRUG SCREENING REFERRAL FORM**

TO: CONCENTRA:

Commons  
3811 Commons Ave NE  
Albuquerque, NM 87109  
(505) 244-3804

Encino  
801 Encino Pl E-1  
Alb, NM 87102  
(505) 842-5151

North Pointe  
5700 Harper NE Ste. 110  
Albuquerque, NM 87109  
(505) 823-9166

Outside Albuquerque: \_\_\_\_\_

After hours in Albuquerque: \_\_\_\_\_

FROM:

\_\_\_\_\_ (name of student) is to obtain a **10+alcohol forensic urine drug screen** with a **split specimen** and **proper chain of custody**. In addition, the student is to have a **breath analyzer test for alcohol**. Results of both tests are to be clearly marked "CONFIDENTIAL" and sent in a sealed envelope clearly marked "CONFIDENTIAL" to Nichole Rogers the External Compliance Coordinator for HWPS, at the above address.

I, \_\_\_\_\_ (Printed student name) give permission for Concentra to release the results of this drug screen to the External Compliance Coordinator and/or the person named below at CNM.

Immediate results will be called to \_\_\_\_\_ at \_\_\_\_\_.  
Director of Program/Designee Phone number

\_\_\_\_\_  
Student's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
PRINT CNM representative/Preceptor

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date